PARLIAMENTARY DEBATES

(HANSARD)

SIXTH SERIES—VOLUME 328

HOUSE OF COMMONS

OFFICIAL REPORT

SECOND SESSION OF THE FIFTY-SECOND PARLIAMENT
OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
FORTY-EIGHTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SESSION 1998–99

COMPRISING PERIOD
22 March – 31 March 1999

£70

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22 March 1999

THE PARLIAMENTARY DEBATES

OFFICIAL REPORT

IN THE SECOND SESSION OF THE FIFTY-SECOND PARLIAMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 7 MAY 1997]

FORTY-EIGHTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES **VOLUME 328**

SIXTH VOLUME OF SESSION 1998–99

House of Commons

Monday 22 March 1999

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

DISQUALIFICATION OF A MEMBER

Madam Speaker: I have to inform the House that I have received a letter from the judge in the case relating to Mrs. Fiona Jones, which ended on Friday 19 March in Nottingham Crown court. A copy of the letter will be entered in the Journal of the House. Mrs. Jones was found guilty of the corrupt practice of making a false declaration as to election expenses. Under the provisions of the Representation of the People Act 1983, the seat is vacated with effect from 19 March.

Oral Answers to Questions

DEFENCE

The Secretary of State was asked—

Recruitment and Retention

1. **Mr. Julian Brazier** (Canterbury): If he will make a statement on the impact of current military operations on recruitment and retention in the armed forces. [75964]

The Secretary of State for Defence (Mr. George Robertson): Although the current level of operational commitment of our armed forces is high, recruitment remains buoyant, particularly in the Army. However, retention remains a concern—although there does not appear to be a direct link between retention and commitment. Retention remains a key priority for this Government and we are pursuing a number of important initiatives to address the issue.

Mr. Brazier: Does the Secretary of State agree with the recent remarks by the Chief of the Defence Staff? He said that, even if recruitment and retention were at target levels, we could sustain only

"two medium level operations, such as we are doing in Bosnia . . . one . . . with fighting ending in six months."

The Chief of the Defence Staff continued:

"I do not think we could sustain two for longer than that."

Does the Secretary of State agree with his principal professional adviser? Would we give up our operations in Bosnia or in Kosovo after six months?

Mr. Robertson: My senior military adviser gives me guidance all the time and he is happy with the current proposals. Clearly, our commitment in Kosovo—which is considerable—involves a number of troops serving for only the first six months if they are deployed as part of an implementation force into Kosovo as members of the allied Rapid Reaction Corps. We are already seeing a reduction in the number of troops in Bosnia and I hope that that trend will continue as progress is made in that country.

Mr. Gareth R. Thomas (Harrow, West): Does my right hon. Friend think that recruitment and retention in the armed forces might be affected if we do not take action and send a clear message to President Milosevic that he must sign the Rambouillet settlement or face the prospect of air strikes? Although military action is

difficult and unpalatable, does my right hon. Friend believe that it is better to take that action rather than to risk further bloodshed in the Balkans?

Mr. Robertson: My hon. Friend makes a very good point. I am well aware of the strain that our troops are under at present, and never a day goes by without our considering how best to deal with that problem.

My hon. Friend is right: we are perhaps on the brink of a real humanitarian catastrophe in Kosovo. Our choice is either to stand by as the blood and the refugees flow or to take on the aggressor with determination and with a will to stop the carnage. As to the number of troops potentially committed to the operation in Kosovo, the House may wish to note that the Government have decided to make HMS Splendid—the Royal Navy's first submarine to be equipped with Tomahawk cruise missiles—available for operations in connection with the Kosovo crisis. That is a further measure of the Government's resolve.

Mr. John Maples (Stratford-on-Avon): It was good of the Secretary of State to give us that information, but his Department told the press before the weekend. So it was kind of him, but we knew already. Does the Secretary of State agree that, as a consequence of deploying about 8,000 British troops to Kosovo, it will be impossible for him to deal with the overstretch problem, which will inevitably worsen recruitment and retention?

Mr. Robertson: First, my Department did not tell the press about HMS Splendid. A Pentagon spokesman inadvertently made that information available before I could tell the House. That was perfectly clear from all the newspaper stories about the issue. I intended to tell—and have told—the House of Commons before anyone in the press received confirmation of that story.

Secondly, soldier recruitment to the Army has increased by 17.6 per cent. compared with this time last year. Although retention levels are still disturbing, they are better than they were in any of the years of the Conservative Government.

Mr. Maples: In fact, an answer to a parliamentary question reveals that retention rates deteriorated in 1998-99 for the first time in several years. Another answer tells us that 86 per cent. of land command personnel are currently committed to operations or warned to deploy. Is not an inevitable consequence of this—*[Interruption.]* The Secretary of State questions that figure. However, information was provided that 55 per cent. of land command personnel are committed to operations and 31.3 per cent. are warned to deploy, which totals 86 per cent. As a consequence, is it not inevitable that tour intervals will get shorter, periods spent abroad will get longer, training will suffer and retention rates will get worse? If we are to commit 8,000 troops to Kosovo, is it not time to review the assumptions underlying the strategic defence review?

Mr. Robertson: The assumptions underlying the strategic defence review have not been altered because they are global assumptions that will allow us to do less or more for specific periods. Although senior military commanders in the Ministry of Defence recognise the strain on individuals and the price that must be paid in short-term training, they are content that we can discharge our responsibilities without paying too heavy a price. I am conscious of overstrain, and I will be aware if it becomes a serious factor in training.

I visited our troops in Macedonia two weeks ago, and morale is high and training is going ahead. I hope that they will be there for a limited time, but while they are there they will be doing a job that can be done by few others in the world. They are proud of what they are doing and the country is proud of them.

Mr. Martin Bell (Tatton): Having been in Kosovo last week—I left on Friday—I must ask the Secretary of State whether, in the absence of a settlement, we have the option of walking away and saying that the situation is none of our business, or whether we are willing to consider the costs that would be involved in a military operation with our allies, opposed or unopposed, that would save tens of thousands of lives that, without us, would be lost.

Mr. Robertson: I read the articles that were written by the hon. Gentleman when he came back from Kosovo. I have strong views about the situation there, and he makes good points about it. That is why my right hon. Friend the Foreign Secretary spent so much time at Rambouillet bringing the two sides together and getting close to agreement. That is why, last week, the Kosovar Albanians signed up to the Rambouillet text and why the Yugoslav Serbs have been told that they, too, must sign up to it. There is no question of our walking away from a part of our continent that, if it goes up in flames, will burn many people far from the immediate surroundings. That is why we have put President Milosevic and those who make decisions in Belgrade on notice that, unless they heed the demands of the international community, swift and determined action will be taken.

Mr. Lindsay Hoyle (Chorley): Will the Secretary of State ensure that, if troops are sent into Kosovo, they will not have redundancy notices tucked into their top pockets—which is what happened to the Cheshires when they went into Bosnia?

Mr. Robertson: My hon. Friend makes a valuable point. We are trying to increase the strength of the Regular Army because they have a job to do and, under the strategic defence review, we have reconfigured our forces to make sure that they can do it. Partly because of the revitalisation of our forces, which is thanks to the defence review, Army soldier recruitment has risen by 17.6 per cent. since the same time last year. I know that those who are in that part of the world are determined to make sure that the potential catastrophe is averted and that the majority of the people of Kosovo are given the chance to get on with their lives in the political framework that was so ably negotiated at Rambouillet and which the Kosovar Albanians have signed up to.

Strategic Airlift Capability

2. **Mr. John Bercow** (Buckingham): What progress his Department is making in acquiring strategic airlift capability. [75965]

The Parliamentary Under-Secretary of State for Defence (Mr. John Spellar): We received bids at the end of January for competing aircraft to meet our requirements for both short and longer-term strategic airlift capability. MOD officials are now assessing those bids. We will announce the outcome to the House once decisions have been made.

Mr. Bercow: I have to tell the hon. Gentleman that that was a lamentably complacent response to my question. Given that it is now several months since Ministers described the need for four Boeing C17s as "urgent", will the hon. Gentleman tell the House today when those aircraft will be in service with the RAF, or whether he envisages that the country will be forced into the ignominious position of having to lease old Russian Antonovs?

Mr. Spellar: One wonders who the Government were before May 1997 and why the hon. Gentleman displays mock indignation on this issue. We are considering possible alternatives—C17 or its equivalent. As the hon. Gentleman knows, the Antonov, among others, is being considered by potential industrial participants. We are conducting a proper evaluation to find out which fits our need and which would fulfil our longer-term requirements. A little less fake indignation and a little more examination of the facts would serve the hon. Gentleman well.

Mr. Robert Key (Salisbury): Can the Minister confirm that the delay in the lease of the C17s is because of problems with military exports from the United States? Is he now looking more favourably on the Airbus A400M option, which appeared at one time to be shelved? Can he not rule out at least some of the Antonov aircraft, which would be particularly ancient and really not equivalent to the C17s?

Mr. Spellar: The B52 could be described as ancient, but it seems still to be a very effective aircraft in its particular field of operation. Our short-term requirement is for out-size airlift. We are also considering our longer-term requirement for major airlift. We are examining synchronisation between the two requirements and whatever degree of commonality is possible if that will provide the best mix. We are examining the best possible outcomes and we hope as a result to remedy the deficiencies in heavy lift, in the air and at sea, that we took over when we came to office.

Gulf War Illnesses

3. **Mr. David Kidney** (Stafford): How much the Government are currently spending on research into the illnesses of Gulf war veterans. [75966]

7. **Mr. Ben Chapman** (Wirral, South): How much the Government are spending on research into the illnesses of Gulf war veterans. [75970]

The Minister for the Armed Forces (Mr. Doug Henderson): The Ministry of Defence's research into Gulf veterans' illnesses currently comprises two major epidemiological studies, a neuromuscular symptoms study, an independent review of research literature, and a programme to investigate possible interactions between the medical counter-measures which were used during the 1990-91 Gulf conflict. So far, £1.9 million has been spent on these studies and we estimate that they will cost a further £4 million to complete.

Mr. Kidney: I thank my hon. Friend for that answer. It is reassuring to hear of the money that is spent on research. I am sure that it is welcome to all the Gulf war veterans, including those to whom I spoke in my constituency, who still do not have a definite diagnosis of their illness, let alone any hope of a cure. Does my hon. Friend agree with the Royal British Legion that, for these veterans, time is of the essence if they are to benefit from the results of the research? Given the resources that are available to my hon. Friend, does he look to sharing information in the context of the results of research done in other countries, especially the United States?

Mr. Henderson: I thank my hon. Friend for that question. I much agree with the Royal British Legion's view that time is of the essence for the individuals who are suffering from illness which they believe they contracted in the Gulf. That is why the Government have increased the resources that are committed to research to try to get to the bottom of what happened, to try to ascertain the illness or illnesses that they have suffered from, the cause, how similar illnesses could be prevented, and what sort of treatment is appropriate.

We recognise that many people in the United States are suffering from similar illnesses. We want to enter into discussions with the US Government to determine how best we can combine our research resources.

Mr. Chapman: I thank my hon. Friend for his reply. However, does he understand that Gulf war syndrome, if that is the right expression—it seems that there is a plurali—a plur—*[Laughter.]* It seems that there are lots of conditions. Does my hon. Friend understand that that is worrying generally, but particularly to those who are suffering? It is essential that the present level of research be continued so that a cause or causes are found. Will my hon. Friend confirm that, if the Government are found to be at fault, compensation will be paid?

Mr. Henderson: If my hon. Friend had trouble with "plurality", he would have had even greater trouble with "epidemiological". I can assure him that we are doing everything we can to try to get to the bottom of what is wrong with people who are suffering from illnesses that were contracted in the Gulf, and that we shall commit any necessary resources—we have already committed three times more than the previous Government—to trying to find out what is wrong with personnel who served in the Gulf.

Mr. Andrew Robathan (Blaby): I think I am the only current Member who served in the armed forces in the Gulf, although I may be wrong. I welcome the Minister's remarks about investigating the causes of the illness. It is self-evident that some members of the armed forces have suffered severe illness, possibly from organophosphate poisoning, and they deserve swift compensation. Can the Minister tell us whether any evidence of a syndrome has yet emerged from the research in the United Kingdom or the United States?

Mr. Henderson: I am grateful to the hon. Gentleman for that further question. It has not been possible to

determine whether there is a specific illness called Gulf war syndrome or any other name. Much research has already been undertaken. Much research is currently being undertaken, and we await the results. We want any necessary additional research to be carried out, if possible, in conjunction with our allies in the United States. If, at the end of that—I should have mentioned this in response to the previous question—it is shown that there is an illness and that there was negligence, compensation will be paid in accordance with the normal procedures.

Mr. Nicholas Soames (Mid–Sussex): Does the hon. Gentleman agree that it is important that none of those research programmes, many of which were started when the previous Government were in power, should duplicate the work done in the United States of America? Does he agree that it will add greatly to the credibility of those programmes, which have been undertaken by distinguished scientists, if it is clearly seen that they do not overlap with any American studies?

Mr. Henderson: Yes, I very much agree. As I said during the previous Defence Question Time, I went to Washington three weeks ago. I spoke to the Department of Defence, the Department of Veterans Affairs and the White House about the kind of research that was considered a priority. The Americans are coming back next Monday, I think, and I will have further discussions with White House officials about how we can co-ordinate the research. It is crucial that there should be no opportunity for one group of experts to argue against another group, simply because they come from different sides of the Atlantic. We must get the experts together to give us the best medical and scientific opinion, in the hope that we can resolve the outstanding problems.

Recruitment

4. **Mr. Simon Hughes** (Southwark, North and Bermondsey): What level of recruitment he expects for (i) regulars and (ii) reserves to *(a)* the Marines, *(b)* Special Air Service, and *(c)* RAMC over the next five years. [75967]

The Minister for the Armed Forces (Mr. Doug Henderson): The recruiting targets for Royal Marines, Special Air Service, and the Royal Army Medical Corps are set to maintain current and known future staffing requirements, for both regular and reserve forces.

Soldiers and officers for the Regular SAS are recruited as required from among serving personnel.

The Regular Royal Marines recruiting targets for 1999-2000 are 1,155 other ranks and 38 officers, reducing to 800 other ranks and 38 officers in 2003-04.

The Regular Royal Army Medical Corps recruiting targets for 1999-2000 are 398 other ranks and 69 officers, rising to 625 other ranks and 78 officers in 2003-04. I am placing fuller tables of the targets for the Royal Marines and the Royal Army Medical Corps in the Library of the House.

The Royal Marine Reserve adjusts its recruitment to maintain a trained strength of 592 reservists.

Following the strategic defence review, the Reserve Royal Army Medical Corps is to increase by more than 2,000 personnel, and we aim to recruit those additional reserve personnel as soon as possible.

Mr. Hughes: I am grateful for a full and helpful reply. I believe that we are still a little below establishment in each of those forces. Can we increase the number of women and of black and Asian recruits? Will the Minister reflect on the benefit of trying to pull from the reserves in the Marines, the RAMC Corps and the SAS into the regulars? There is a link, but the numbers going from the reserves to become full-time service personnel are still relatively small. All the evidence and anecdotes that I hear suggest that there is potential there for further recruitment.

Mr. Henderson: I agree that it is important to tap into all the potential resources for recruitment to our armed forces. The reserves are a key area for that, as are the cadets. That is why the Government put so much emphasis on building up the resources and the capabilities of the cadets.

The hon. Gentleman also identified two important areas of recruitment. Although women are obviously not so important in respect of the Royal Marines, they are important in the other parts of the armed services and we must tap into such a major section of the population. Female recruitment has been improving significantly, especially for officers. About one in five such recruits are women and not many organisations in this country could claim that one in five of their middle management are women. It is a tribute to our armed forces that they have been able to achieve that.

It is also important that we recruit from the widest base of the population. So many people in the black and Asian communities would offer so much to our armed forces if they could be convinced that they had a first-choice career there. It is our aim to make sure that that is the case.

Mr. John Wilkinson (Ruislip–Northwood): Is not the crucial test, particularly for the commando course of the Royal Marines and the selection course for the Special Air Service Regiment, whether people going through those courses have the mental and physical toughness to pass and to be fully operational thereafter? On the RAMC, do not the needs of the wounded and the sick transcend the racial divides in our society; therefore, should we not forget any notion of ethnic quotas for any arm of the armed forces and judge applicants only on their ability to do the job?

Mr. Henderson: There is no question of quotas in our armed forces and no question of anyone joining our armed forces who does not have the qualifications—whether mental agility or toughness—to join. If we are to fulfil our recruitment targets, we have to make sure that an awful lot of people with mental agility and toughness who currently are not taking the opportunity to join our armed forces get that opportunity.

Territorial Army

5. **Mr. Howard Flight** (Arundel and South Downs): What impact his review of the Territorial Army has had on recruiting and retention levels. [75968]

The Minister for the Armed Forces (Mr. Doug Henderson): As we expected, the numbers leaving the TA have risen since we announced the restructuring in mid-November and there has been a small decrease in those joining, by comparison with the previous year. None the less, we fully anticipate that many new young people will take up the many opportunities that there are to serve in the TA, and we launched a new TA recruitment campaign last month to make those opportunities widely known.

Mr. Flight: I am sure that the Minister acknowledges that the TA is an important area of recruitment for regulars, as has been said. Does he not expect some commensurate fall in recruitment from the TA as numbers fall by 12,800? Is he concerned about the infantry, where the TA is being cut in particular and where there is the biggest under-recruitment in the Regular Army?

Mr. Henderson: No, I do not expect that. With the restructuring of the TA so that it is in the kind of shape to be able better and more effectively to reinforce the Regular Army, there will be more people in the TA who have those qualifications and that background. It will be more attractive to them to join our Regular Army.

Mr. Bill O'Brien (Normanton): There is still substantial support for the TA from about 6,000 companies. The relevant company in Wakefield is still as interested in recruiting and retaining members of the TA, and it is supported by local organisations. I commend my hon. Friend for the campaign that his Department is organising. Will he continue to make sure that local companies, such as mine in Wakefield, are retained to strength?

Mr. Henderson: I am very grateful for my hon. Friend's support, and he makes an important point about the TA. The restructuring is not only about taking people from companies and using them in our armed forces; it is about giving people better skills, better qualifications and more experience while they are in the TA so that they return to their normal civilian employment with greater aptitude—and, often, greater commitment—which is why so many employers welcome the opportunity for their staff to serve in the TA.

Mr. Keith Simpson (Mid-Norfolk): The Minister has expressed disappointment about recruitment and retention in the Territorial Army. Does he not think that part of the problem of retention is due to the restructuring of the TA, which now constitutes a major disincentive? Following the amalgamation of the 10th and 4th Battalions Parachute Regiment, an horrendous organisation will spread between Glasgow and London. What possible motivation is there for young men and women to join such an organisation, or to remain in it? Some of those valuable men and women are probably to be deployed in Kosovo.

Mr. Henderson: As the hon. Gentleman knows, parachute units are already spread among a number of geographical locations. Nor do I accept that the restructuring of the TA has led to greater retention difficulties. On the contrary, I believe that, following the restructuring, people will be more inclined to join, feeling that they can make a real contribution to the reinforcement of the Regular Army, and to stay to make that contribution. They will eventually return to civilian life with better qualifications, better able to contribute in civilian employment.

European Defence Industry

9. **Mr. Barry Jones** (Alyn and Deeside): What progress has been made towards the consolidation of the European defence industry. [75973]

The Secretary of State for Defence (Mr. George Robertson): Governments in Europe are making good progress in their work to facilitate defence industrial restructuring, as set out in the letter of intent signed by the Defence Ministers of France, Germany, Italy, Spain, Sweden and the United Kingdom on 6 July 1998. Industry in Europe is responding to the initiative with its own commercial developments, most recently last week's announcement by GKN and Finmeccanica of a merger between Westland Helicopters and Agusta.

Mr. Jones: Does my right hon. Friend agree that European consolidation can be enhanced if we speedily settle the requirements of the seven European air forces, including our own—specifically with regard to the A400M, formerly described as the future large aircraft? Is it the case that some 288 airframes are required by 2006? We had hoped for an order for 50 future large aircraft from the Ministry. My constituents—3,700 of them—are quite good at making wings for Airbus.

Mr. Robertson: Few Members are as assiduous as my hon. Friend in promoting their constituents' interests. I pay tribute to those who make some of the best wings in the world for Airbus. There is no doubt that Airbus Industrie has been a huge commercial success, and its bid for the future large aircraft will deserve a lot of attention.

Mr. Nick Hawkins (Surrey Heath): The Secretary of State has spoken of the importance of the defence industry. Does he accept that many companies have grown over the past 20 years especially because of their defence links? Does he recognise the enormous success of Admiral, an information technology company in my constituency—I visited it only this morning—which, having been founded by just two people in 1979, now has nearly 2,500 employees worldwide, and five offices in the constituency? It is now the 190th most successful company in the FTSE 250, and is heavily involved in Ministry of Defence work.

This morning, representatives of the company told me that they wanted a successful future for the symbols of British defence. To that end, will the Secretary of State rule out any prospect of the conversion and ruining of the original, listed staff college buildings in Camberley, immediately opposite Admiral's headquarters, which I saw this morning and which his officials have been threatening to convert to luxury flats, ignoring the fact that there is a war memorial in that historic listed building?

Mr. Robertson: The hon. Gentleman had a good try with his bid for attention for his constituents, but he still came in second behind my hon. Friend the Member for Alyn and Deeside (Mr. Jones).

I recently met the chairman of Admiral, and I know that the company's record is very good. I am sure that the chairman will be delighted to read the tribute in *Hansard* that may well have been intended by the hon. Gentleman.

We have not yet come to a decision on the future of the fine buildings at Camberley, but it is something that I feel strongly about. The hon. Gentleman may be assured that we have not lost sight of the issue.

Ann Clwyd (Cynon Valley): As my right hon. Friend is aware, there is considerable interest in the House in arms exports, particularly those to countries with bad human rights records. When are we to get the annual report on arms exports, so that we can see precisely what licences have been granted for such exports? I realise that my right hon. Friend's Department is not the only one responsible—three other Departments are involved—but the report is now one year overdue. Why has there been a delay? When the report is released, will a statement be made in the Chamber, so that we may question Ministers precisely on it?

Mr. Robertson: On the issue of when, my answer is soon. On the question of delay, it has arisen in order that we get all the statistics right. Whether there will be a statement on the report depends on my right hon. Friend the Foreign Secretary, whose Department has responsibility for it.

Dr. Jenny Tonge (Richmond Park): Does the Secretary of State agree that, to have a European defence policy, we must have an integrated European defence industry? Does he also agree that that European defence industry integration must include the activities of illegitimate arms dealers in Europe? Will he assure the House that the Government will support the German Government's proposals to control arms brokers in Europe?

Mr. Robertson: I welcome the hon. Lady to the Liberal Democrat Front-Bench team in the absence of her two colleagues, the right hon. and learned Member for North–East Fife (Mr. Campbell) and the hon. Member for Portsmouth, South (Mr. Hancock), one of whom wrote to me in advance and whose reason for being absent is perfectly understandable.

I am not entirely certain what question the hon. Lady is asking. She calls for an integrated defence industry—the Government are working towards further consolidation in that sector, but, clearly, it must be driven by the industry itself. If I got her question right, I believe that she said that integrated defence industry is to include illegitimate arms dealers. We have absolutely no intention of including the activities of such dealers in that industry. If they are illegitimate, by definition, they have no place in our future consolidation or rationalisation of the industry.

Ms Rachel Squire (Dunfermline, West): I join my right hon. Friend in welcoming the latest example of European defence consolidation, namely, the merger of GKN-Westland and Italy's Agusta, both highly successful industries in their own right. Does he agree that further consolidation of European defence industries is essential if they are to be efficient and competitive and to have a future role to play? Does he believe that progress is being made throughout Europe in achieving that consolidation and speeding it up?

Mr. Robertson: My hon. Friend is absolutely spot on about the necessity for consolidation and about the fact that, at present, European industries lack the scale to be globally competitive. That must be a clear priority for all those who are employed in the industry and who depend on it. I assure her that we will continue to put in the maximum effort to ensure that the companies recognise that their salvation and, indeed, the industry's survival depend on further moves towards consolidation being made.

Joint Carrier-borne Air Group

10. **Mr. Michael Colvin** (Romsey): What assessment he has made of requirements for new aircraft to equip the joint carrier–borne air group. [75974]

The Parliamentary Under–Secretary of State for Defence (Mr. John Spellar): The new aircraft to equip the joint carrier-borne air group is known as the future carrier-borne aircraft. No decision has yet been made on the choice of aircraft to meet that requirement. A strong contender is a variant of the United States joint strike fighter. We are participating in the concept demonstration phase for that aircraft. We are also assessing a number of other options, including a navalised Eurofighter, Rafale-M, F18 and an advanced Harrier variant.

Mr. Colvin: I thank the Minister for that reply, but will he bear it in mind that the acquisition of aircraft with short take-off and vertical landing capabilities could considerably reduce the capital cost of the two aircraft carriers that the Government have promised to order, because such aircraft do not require the long flight-decks needed by conventional aircraft? Does he see an opening for the Harrier, with its STOVL capabilities, in a sale to the French—whose new aircraft carrier, the Charles de Gaulle, was at sea undergoing trials when it was discovered that her flight-deck was too short for conventional French aircraft to take off from?

Mr. Spellar: I would just correct the hon. Gentleman, who said that the Government have promised the aircraft carriers. We are accomplishing the stages, however, exactly on the time scale that we predicted, and I am sure that he will welcome that. Moreover, as I said in my answer, an advanced Harrier variant was one of the options being considered. He will understand the need to evaluate all the technical options, as those carriers will be considerably larger and much more capable than the current ones. We have to have consider all the options—including, as I said, not only the joint strike fighter, but others.

Trident Targets

11. **Mr. Jeremy Corbyn** (Islington, North): What targets the UK's Trident submarine missiles are aimed at. [75975]

The Secretary of State for Defence (Mr. George Robertson): As I have made it clear before, our Trident missiles are de-targeted.

Mr. Corbyn: If the missiles are not targeted at anyone, will the Secretary of State explain what they are for? Why

is it necessary to spend billions of pounds on building and maintaining a nuclear submarine fleet when there is no enemy against which to target it, and when launching Trident would cause a global explosion and the extermination of most of the human race? Furthermore, many people think that the whole issue of nuclear weapons is fundamentally immoral and—within the terms of the International Court of Justice judgment of two years ago—illegal. Is it not time that we decommissioned them, took them out of service and cancelled the whole programme?

Mr. Robertson: My hon. Friend is perfectly entitled to take that point of view, but should always remember that he fought the previous general election on retaining Trident. A pledge to do so was in both the general election manifesto and the draft manifesto, which was endorsed by 95 per cent. of the Labour party. Insurance is the answer to his simple question about why we need the missiles—which, today, are de-targeted. In the future, neither we nor anyone else can tell what dangers will exist in an increasingly unstable world. That is why we have those missiles. My hon. Friend also says that a growing opinion holds that nuclear arms should be done away with and that they are illegal. I tell him that, at the weekend, in Newcastle, I attended a Labour party policy forum, at which only one question about nuclear weapons was asked. The party member said that we had not got enough of them, and that one submarine on patrol was not enough. No one demurred.

Miss Anne McIntosh (Vale of York): Will the Secretary of State put my mind at rest? Is the hon. Member for Islington, North (Mr. Corbyn) a lone voice in the wilderness, or does the Labour party in government still insist on its campaign for nuclear disarmament?

Mr. Robertson: The hon. Lady clearly prepared that question in advance. She was therefore unaware of what I would say, and did not bother listening to my answer. The Labour party fought the general election on the basis that we would keep Trident. We are committed also to further reductions and to moving towards a world without nuclear weapons. We are fulfilling both those objectives in what we have said and in the proposals that we have made in the strategic defence review.

European Defence Co-operation

12. **Mr. Peter Bradley** (The Wrekin): If he will make a statement on the Government's policy towards further European defence co–operation. [75976]

The Secretary of State for Defence (Mr. George Robertson): Our aim is to ensure a strong common foreign and security policy, so that Europe can speak with authority and act with decisiveness in international affairs. To achieve that, we need to provide the tools to allow the European Union nations to make decisions collectively on military matters, including the political control and strategic direction of Europe-led military operations. We also want more effective European military capability so that we are able, when necessary, to back up our policies with military action, both for Europe-led military operations and as a means of strengthening NATO.

Mr. Bradley: I am grateful to the Minister for that reply. However, does he agree that, just as there is a need for greater co-operation in Europe, there is a need for greater co-operation in our own domestic market? Does he recognise that, with a contracting and diminishing United Kingdom defence sector, interdependence between the Ministry of Defence's procurement strategy and the private sector is all the greater? Does he share my concern that companies with healthy long-term order books, and the jobs that underpin them, are at risk when they have no short-term work? Will he therefore consider the benefits of better and closer integration between the armed forces' procurement strategies and the needs of private contractors in order to predict their business, and thereby to underpin their capacity and the jobs that they provide?

Mr. Robertson: My hon. Friend makes a valuable point. That is precisely why the Government have evolved a close partnership with the industry in this country. I do not think that I would be contradicted in the industry if I said that the co-operation between us in dovetailing our requirements and its demands is at an historically high level. My responsibility is to ensure that the budget that I have is spent in the most cost-effective way, but I am always conscious of the fact that we have a big industry with a huge export potential and a great record at the forefront of our manufacturing cutting edge. We cannot neglect our industrial responsibilities either.

Sir Sydney Chapman (Chipping Barnet): When deciding on European defence and security co-operation issues, will the right hon. Gentleman bear in mind the fact that there are six European NATO countries that are not members of the European Union and that five of the 15 European Union countries are not members of NATO? Does that not lead to the inescapable conclusion that the Western European Union should take the initiatives on such matters, rather than the European Union?

Mr. Robertson: What matters is that NATO's integrity and strength remain undiminished. We in Europe should have the political will and the determination to act when it is in our interests. It is also vital that we have the military capability to act when we come to policy decisions. There are plenty of ways to design and redesign the security architecture of Europe. There are wiring diagrams by the thousand, but a wiring diagram cannot be sent to a crisis. That is where we have to put our principal efforts and energies. The Western European Union has shown how we can weld together all the nations that are involved in that common endeavour, but we need to concentrate much more on the political will and the military capabilities and allow institutional relationships to be developed thereafter.

Laura Moffatt (Crawley): Does my right hon. Friend agree that defence co-operation in the European Union will benefit our relationship with the United States? With a more grown-up relationship, the European Union would be able to deal with certain difficulties without being compelled to go to the United States for assistance. That would be better and more sensible.

Mr. Robertson: My hon. Friend makes a strong point. Europe can and should do more. In many ways, that will strengthen the alliance. The European security and defence identity inside NATO was developed at the 1995

NATO summit, when the Secretary of State for Defence was one Michael Portillo. The development of the European capability inside NATO was not dreamed up by this Government, but the process of making that capability real, strengthening NATO and giving Europe more control over its destiny has come to fruition only since my right hon. Friend the Prime Minister launched that major and significant initiative.

Mr. Crispin Blunt (Reigate): The Secretary of State is in danger of confusing me. At one moment, he is trying to downplay the significance of the development, talking about it as merely wiring diagrams, but he told the Select Committee on Defence that the importance of the St. Malo agreement could not be understated. If I understand it correctly, it represents the most fundamental shift in British defence policy for decades. Bringing defence policy within the remit of the European Union would change the policy that informed the Government's approach to the treaty of Amsterdam. Will the Secretary of State confirm that that is an enormously significant change for British defence policy? Why were we not able even to get the French to join the integrated administrative structure of NATO as part of the St. Malo deal? That would be a small price for them to pay for a fundamental change in British policy.

Mr. Robertson: There is a danger that I am misleading the hon. Gentleman, but that does not seem to be too difficult. Let me spell it out in simple terms for him.

The concept of a European defence identity inside the European Union was not born in the Amsterdam treaty; it came into existence in the Maastricht treaty, signed by the previous Government. We are moving towards a European security and defence identity with the office of high representative, and all the responsibilities that go along with that for establishing the policy and making sure that that policy can be put into practice.

The St. Malo declaration—which brought France and the United Kingdom much closer together in terms of being able to do things in Europe, rather than talk about them—was backed by a practical example, the extraction force based in Macedonia to relieve the Kosovo verification force, had it got into trouble. That force is French led, and has double the number of French to British troops; however, the French Government decided to put it under the command and control of the NATO commander.

CHURCH COMMISSIONERS

The hon. Member for Middlesbrough, representing the Church Commissioners, was asked—

Redundant Churches

33. **Mr. Andrew Robathan** (Blaby): What discussions he has had with English Heritage regarding that body's support for bell towers of redundant churches. [75998]

Mr. Stuart Bell (Second Church Estates Commissioner, representing the Church Commissioners): Redundant churches are the responsibility of the relevant diocese pending a decision on their future. They then become the responsibility of the new owner if an alternative use is agreed, or the Churches Conservation Trust, if they are to be preserved by that body. It follows from this that we have had no discussions with English Heritage.

Mr. Robathan: Is the hon. Gentleman aware that a recent newspaper report stated that English Heritage was placing such strict criteria on the repair of bell towers that some—redundant or otherwise—would not be able to ring in the millennium because the repairs would cost too much? I know from my church in Leicestershire that English Heritage is so strict as to be absurd. English Heritage does a good job, but will he and the commissioners ensure that the merits of a building are not judged at such an absurd level that the building can no longer operate in the way intended?

Mr. Bell: The Church does not wish to prevent anyone from ringing their church bells for the millennium, and English Heritage has regular meetings with the Central Council of Church Bell Ringers to discuss matters such as those raised by the hon. Gentleman.

I could not let this opportunity pass without referring to the bell ringing exercise in Aston, Birmingham yesterday, during a football match at Aston Villa—not too far from your constituency, Madam Speaker. We are always happy to announce that more people attend church services over the weekend than attend football matches. We like church bells to be rung, whether from redundant churches or otherwise.

Church Income

34. **Mr. Simon Hughes** (Southwark, North and Bermondsey): What plans they have to use opportunities afforded by the millennium to increase the income of the Church. [76000]

Mr. Stuart Bell (Second Church Estates Commissioner, representing the Church Commissioners): As we move into the new millennium, the Church Commissioners will continue to manage the endowment funds entrusted to them to maximise their support for the Church's ministry over the long term. Any initiative to increase the income of the Church of England as a whole would be the responsibility of the recently created Archbishops Council.

Mr. Hughes: Could the hon. Gentleman talk to the Church Commissioners and to the Archbishops Council to see if they would look at three ways of bringing more money in to the Church? First, those of us who go—particularly those who are well off—could be encouraged to pay a tithe from their income, as people used to do. Secondly, those who do not normally go to church could be invited to go at least once next year, because many who do not go still value it hugely. Thirdly, those who do not want to go to worship could be encouraged at least to visit the physical church in this country, and possibly contribute to its work—which, again, such people often value, even if they do not want to be members.

Mr. Bell: I am grateful to the hon. Gentleman for his suggestions, and I never miss an opportunity of talking to the two archbishops. It is one of my little privileges in

life to go to Lambeth palace and, when I next do so, I will raise those three matters. The Church Commissioners' balance sheet shows that there are £3.5 billion of assets, and a press conference to be held shortly to announce our results for the financial year will be encouraging to the hon. Gentleman.

Mrs. Virginia Bottomley (South-West Surrey): Is the hon. Gentleman aware that many people think that there is a spiritual lack in society? People of all faiths think that the spiritual dimension of the millennium should be recognised and that the Church Commissioners have a unique opportunity to put in place long-term resources to work for the wider community.

Mr. Bell: The Church is celebrating the millennium in many ways: with candles, with the millennium resolution and with the presence of the spirit zone in the dome at Greenwich. The Church and others greatly regret the fact that insufficient publicity is given to those measures. The Church of England remains the fifth largest Church in the world, and we have a huge membership in many forms and varieties. Propagating the Christian message in the millennium year will encourage people to come to worship and will renew and enhance our Christian spirit.

Ethical Investment

35. **Mr. Paul Flynn** (Newport, West): What proposals he has to enlarge the ethical element in the commissioners' portfolio. [76001]

Mr. Stuart Bell (Second Church Estates Commissioner, representing the Church Commissioners): The Church Commissioners and their investment managers are advised by the ethical investment working group on ethical issues that concern the central bodies of the Church of England. The portfolio will reflect those concerns, which means that, at the moment, about 10 per cent. of the United Kingdom stock market is excluded.

Mr. Flynn: I am grateful for that reply, as far as it went, but it did not answer the question whether the commissioners propose to enlarge their ethical investment. Does the hon. Gentleman agree that some of the new threats to the world come from companies that are indifferent to the environmental effects of their activities? Could not the commissioners, who were trail-blazers in ethical investment as far back as 1948, consider excluding from their portfolio companies that failed to support the multilateral agreement on investment, which was proposed last year?

Mr. Bell: The Church in its investments is not indifferent to those who are unfriendly to the environment. We note, for example, that the commissioners have shares in Shell, which very much regrets the pollution of the Manchester ship canal with refined oil from the Stanlow manufacturing complex in Ellesmere Port. The company has given an assurance that it will take the measures necessary to ensure that such an incident never happens again. The commissioners are fully advised on ethical investment through the working group. They continue to keep the matter under review and will take into account the suggestions made by my hon. Friend.

Mr. John Bercow (Buckingham): In view of its Government's adventurist foreign policy and disregard for human rights at home, does the hon. Gentleman agree that the ethical element in the Church Commissioners' investment portfolio would not be increased if they decided to invest in Zimbabwe?

Mr. Bell: The commissioners have a strong ethical investment policy. We certainly take the view, in relation to our investment in companies in this country, that nations have a right to defend themselves and to engage in peacekeeping initiatives. The ethical investment working group believes in the legitimacy of an indigenous defence industry supplying equipment under Government licence. We are bound by the criteria set by the working group, and we will seek to advance that policy if that is in the interests of the Church.

Parochial Finances

36. **Mr. Andrew Lansley** (South Cambridgeshire): What assessment he has made of the adequacy of the current level of financial support for the parochial ministry to prevent any long-term interregnums in clerical living. [76002]

Mr. Stuart Bell (Second Church Estates Commissioner, representing the Church Commissioners): The commissioners put £20 million a year into parochial ministry support. That amount was agreed after detailed discussion with dioceses. A guaranteed annuity is payable for the overwhelming majority of benefices when the incumbent is present. Long interregnums are not encouraged, but their length can be affected by various factors, including the availability of a suitable incumbent.

Mr. Lansley: Does the hon. Gentleman agree that, if the support available to the parochial ministry is agreed to be adequate to avoid long interregnums, it is undesirable for such interregnums to occur as an instrument of Church policy? I hope that, through the medium of this question, the Church authorities will take that view and seek to implement it.

Mr. Bell: I am grateful to the hon. Gentleman. The Church of England does not generally encourage long interregnums. After nine months, the right of patronage and the legal rights of parochial church council representatives pass to the archbishop of the province, who then has nomination rights.

Redundant Churches

37. **Mr. John McDonnell** (Hayes and Harlington): What representations the Church Commissioners have made to the Chancellor of the Exchequer for the exemption from VAT of charges for building repair works and security measures for redundant churches. [76003]

Mr. Stuart Bell (Second Church Estates Commissioner, representing the Church Commissioners): *[Interruption.]* I am sorry, Madam Speaker, I lost my place. The commissioners were co-signatories to a submission in November 1997 on behalf of the Church of England's national bodies to the Government's review of the taxation of charities which highlighted as a particular concern the VAT treatment of works to church buildings.

Mr. McDonnell: I am tempted to say:

"seek, and ye shall find".

Through my hon. Friend, may I request the Church Commissioners to reinvigorate their campaign and join other charitable organisations to ensure that the Government's review of the regulation of charitable and Church bodies results in all repairs on community buildings and churches being zero-rated for VAT?

Mr. Bell: I am grateful to my hon. Friend for his biblical advice. VAT on repairs to listed churches and cathedrals is estimated to have totalled about £16 million in 1993, of which the Church of England paid about £12 million. The question of VAT on church repairs has been raised ever since the introduction of VAT more than 25 years ago and it has met with a negative response from every Administration. I shall end with a biblical quotation:

"He that hath ears to hear, let him hear."

Perhaps my hon. Friend's point will be heard.

Education (Excellence in Cities)

3.31 pm

The Secretary of State for Education and Employment (Mr. David Blunkett): Madam Speaker, with permission, I wish to make a statement on education excellence in cities.

On 11 March, I announced to the House that, with the extra investment in public services from the Budget, we would provide much wider access to information technology—with a clear focus on the inner cities. In our White Paper "Excellence in schools", we promised to modernise the comprehensive principle. Today, I can announce a major new framework for our inner-city schools—taking those principles forward in the six largest cities in England. It means shifting the focus decisively from the institution to the individual, irrespective of geography or birth, so that every gifted pupil will be stretched and special needs met. It means a substantial expansion of specialist and beacon schools promoting diversity and excellence. It means that every youngster who would benefit will have access to a learning mentor, with extra help available for those who need it most. This strategy will give every pupil an entitlement to new and more challenging opportunities.

There are particular problems in inner cities which have created a long-standing culture of low expectation. Today's action plan—which will be backed by £350 million over the next three years—will build on measures already taken to raise achievement. Sure start and expanded nursery education will give every child the best possible start in life. The daily literacy hour is teaching children to read, write and spell effectively for the first time in 30 years. From September, our numeracy strategy will restore mental arithmetic—including speed in performing it—to maths teaching. That is underpinned by a rapid reduction in infant class sizes.

Many teachers and pupils are already performing very well in difficult circumstances. We must build on and spread their success. Just as the city multiplies the barriers, we have to multiply the opportunities. Initially, our action plan will be taken forward in six areas—inner and north-east London; Manchester and Salford; Liverpool and Knowsley; Birmingham; Leeds and Bradford; and Sheffield and Rotherham.

Mr. Dennis Skinner (Bolsover): What about Bolsover?

Mr. Blunkett: Not the first time around. As the programme develops, we will link into other initiatives for regeneration and spread success.

We will strengthen leadership in our inner-city schools and provide gifted pupils with new opportunities to succeed. That means setting pupils into appropriate groups in their own schools as well as extra classes linked to specialist schools. If a child with a talent for languages wishes to study German or Italian, but their own school offers only French, that child should be able to do so.

All of us want to ensure that those who have the ability to go to university can do so. We will establish new university summer schools for 16 and 17-year-olds in inner-city schools and post-16 colleges. They will build on links already developed by individual schools and colleges with some universities.

Many youngsters in our inner cities lose out because they drop out. All secondary school pupils in those areas who need one will have access to a learning mentor to assist in overcoming barriers—someone who can cut through red tape to offer support. That will benefit those who have traditionally been failed by the system, especially children from minority ethnic and disadvantaged backgrounds. This year, we will make a start, with £17 million to employ more than 800 mentors in our schools. Mentors will guide pupils towards extra help and tuition when they are falling behind.

Nor can we allow disruptive pupils to wreck the chances of others. Excluded youngsters miss out on education and often turn to crime. Seventy-five per cent. of those on remand have a reading age of 10 or below. We are already acting to tackle those problems. I propose that every secondary school should have access to a learning unit for disruptive youngsters, who will receive a full timetable and will return to class only when they can do so without disruption.

Turnover and the use of supply teachers are major challenges to the continuity of education in our cities. We will introduce new measures to attract and retain good teachers through enhanced retention bonuses and targeted training and development programmes.

Alongside today's measures, we are strengthening diversity and excellence across the education system. I can announce the expansion of our existing target for specialist schools from 500 to at least 800 by 2002. That will mean that nearly one in four secondary schools in England will offer a specialism linked to neighbouring schools and colleges.

Our new network of learning centres will include specialist schools with strong information and communication technology and a focus on adult computer learning. The first 80 centres will be placed in our inner-city areas, at a cost of £100 million. I can also announce a fivefold increase in our beacon school programme, from the current planned number of 200 by September to 1,000 by 2002.

There has been great enthusiasm for education action zones, and we will invest up to £24 million to extend the programme to support an additional 40 smaller zones. We will also accelerate inspections by the Office for Standards in Education of inner local education authorities.

I am pleased to say that, to spearhead this drive, my right hon. Friend the Prime Minister has today appointed my hon. Friend the Minister for School Standards to hold special responsibility for inner-city education. She will lead a strategy group that will include successful heads.

For too long, the specific educational characteristics of inner cities have been ignored. Today, I believe that we have set in train action that will lead to a step change in aspiration and expectation. Our ambition is real diversity and excellence, from world-class primary education to a comprehensive system that works for all our children, whatever their background.

I commend the statement to the House.

Mr. David Willetts (Havant): I begin by asking the Secretary of State to clarify some important aspects of his statement. What does it mean when we are told that the networks for more able pupils will sometimes be based in

[Mr. David Willetts]

beacon schools and that extra classes will be linked to specialist schools? Are Ministers seriously suggesting that more able pupils should be bussed to other schools for special lessons? Is that what the right hon. Gentleman is telling the House?

Will the Secretary of State also confirm that the Government ban specialist schools from selecting by ability? Such schools can specialise in music, but not in maths. Is the right hon. Gentleman now saying that one can be bussed to a specialist or beacon school because of one's ability in maths, but one cannot be enrolled there for that reason? Is the right hon. Gentleman not simply tying himself up in knots because of his record of hostility to selection?

Will the Secretary of State confirm that he promised the Labour party that there would be no selection by examination or interview? So what procedure will be used to identify for special treatment the most able 5 or 10 per cent. of pupils referred to in his document?

As for the special classes that are to take place in pupil's own schools, but after hours or on Saturday mornings, why can those special lessons not take place during the school day? If they do, we will be back to setting in existing schools. We support setting, which should be spread further, but, on its own, it hardly constitutes the transformation of inner-city education.

The Secretary of State famously remarked:

"I'm having no truck with middle class left wing parents who preach one thing and send their children to another school outside the area."

Who was he thinking of and is it now all right to do that, provided it is on a bus to a learning centre?

We welcome university summer schools and commend the work that Mr. Peter Lampl and others have already done in establishing them. Mentoring can also be a useful way to help pupils, and we welcome that too. But what qualifications will mentors have? Will they be members of the teaching staff? Will they be responsible to the governing body and the head teacher? How are 800 mentors to take responsibility for every child in every secondary school in the target areas?

What about access to a learning unit? How many places will there be? Will they be in each school or will they be external units? Will existing pupil referral units be closed?

The Secretary of State makes great play of the money that will go to inner-city schools, but will he confirm that it is part of the education settlement that has already been announced? How will the money get to schools? Is the Secretary of State aware of the frustration and anger in schools when they hear yet another announcement from the Government, but know that it is financed out of money that should have gone to them as part of their core funding? Instead, that money is held back for another departmental initiative.

Is there not hopeless confusion at the heart of the Government's education policies? The Government have spent two years attacking any attempts by schools to specialise in more able pupils. Schools are losing power over their admissions policies, they will no longer be able to select pupils by ability and, of course, grammar schools are under threat. Now, the Government have suddenly come up with this scheme for selecting more able pupils in inner-city comprehensives. Why is that form of selection by ability imposed, whereas all existing forms are banned?

Mr. Blunkett: I am grateful for the warm welcome that the hon. Gentleman gave to the statement about raising standards and giving real opportunity to inner-city children. I am only sorry that the Opposition have not got any ideas of their own, other than returning to the policy of taking some children out of the area to grammar schools and leaving the other 80 per cent. to sink. We are proposing not bussing children, but giving them enhanced opportunities based on the fact that the majority of children are rooted in and will go to their local schools. The very nature of supply and demand ensures that that is the case. Therefore, we have to deal with that reality.

It is essential that we build on the after-school study centres, the university of the first age, which has been pioneered in Birmingham, the summer and Easter school programme and the Saturday schools, which are so popular, in particular, with ethnic minority children, to ensure that we do what the rich have always taken for granted—give children extra tuition when they need it, whether they need special needs support or are gifted. The rich buy tutors for themselves, provide crammers at Easter and in the summer, and condemn anyone else who seeks to have such provision at public expense. Instead of bussing a handful of children into successful selective schools somewhere else, we are going to transform the level of education for the majority of our children in the schools that they have to attend. Everyone can benefit from the programme in those areas and, if the programme is successful, we shall spread it across the country. Selection was an anachronism; providing excellence in the schools to which children actually go is common sense.

The hon. Gentleman asked how we would identify pupils who had particular talents. As I described in my statement, teachers know that, when there is setting rather than streaming, those children who are in the top set and have a particular gift for a particular subject need extra support to stretch them. Giving them additional classes or extra help, perhaps through new technological links between schools—that is now being done not only within this country, but between countries—and using our imagination to develop real diversity makes sense to everybody. If we can make this programme work, sending children outside their area will be a thing of the past. We can ensure that children who are rooted in their neighbourhood can have the standard of education that others have taken for granted.

The hon. Gentleman asked me about mentors and learning units. The initial trawl of 800 for the coming year will be full-time professionals recruited from teaching and educational welfare officer posts and elsewhere. They will organise volunteers, as well as give direct help to pupils and their families. They will provide a link between the school and the home and will form a network giving extra support to pupils in and out of school. The learning units for disaffected children will be in-school units and will ensure that children return to the classroom if and when they are in a position to do so. There will be a full timetable—which never happened under the Conservative Government.

The hon. Gentleman asked me about new money. As I pointed out in my statement, £100 million of the £350 million is indeed money that was announced on

11 March as part of the investment in learning centres. The remaining £250 million over three years is money that was not previously announced; it is being taken from our reserves—because each Department now has reserves—and has been identified within our budget to take the programme forward. I am pleased that agreement has been reached with my right hon. Friends the Prime Minister and the Chancellor to make the programme possible.

Mr. Malcolm Wicks (Croydon, North): Unlike the gifted shadow spokesman, the hon. Member for Havant (Mr. Willetts), I welcome the emphasis on highly able children. We must acknowledge that we have neglected the highly able for too long in our education system, under the comprehensive approach. The Select Committee report on highly able children will be published shortly after Easter.

May I ask my right hon. Friend what he thinks about the relationship between inner-city schools and disadvantaged schools, given that not all inner-city schools are disadvantaged and not all disadvantaged schools are in the inner city? Will it be possible for the extremely disadvantaged schools in outer-London boroughs, such as my own, and those in rural areas and out-of-town housing estates to be brought into the next phase of this excellent programme?

Mr. Blunkett: The document that we are publishing this afternoon addresses those issues throughout the country, as well as in the six identified areas. The specialist school programme, the expansion to 1,000 of beacon schools and the support necessary for them, including the mini education action zones, will deal with those issues and will include a specific concentration on the 200 schools across the country that face the greatest challenge. We are monitoring those schools, which will receive special support and help. The programme is targeted on the six areas outlined, but is available to support the work of those schools facing disadvantage wherever they are in England.

Mr. Phil Willis (Harrogate and Knaresborough): Liberal Democrats welcome anything that addresses the damage that took place over the past 18 years. Primarily, we welcome the recognition that in our inner cities, especially in failing schools, there is a host of very bright and gifted children. It is sad that the Education Acts of 1981 and 1996 failed to recognise such children under the category of special needs. Unlike the hon. Member for Havant (Mr. Willetts), I spent a lot of time in Leeds in an inner-city school of exactly the sort that will benefit from the initiative. We saw the effects of pupils drifting away and of staff being unable to get to grips with gifted children because of a host of problems.

However, I have to tell the Secretary of State, with all humility, as one who has worked in that area, that the thrust of his argument today is wrong. By saying that children can succeed only if they move to specialist schools or into EAZs, we are telling the rest of those schools and their teachers that they are failing—that is the reality of what has been said today. Will the Secretary of State make clear how schools are to be selected, and how pupils within those schools are to be selected to comprise the 10 per cent. who will gain? Will he rule out another bidding process, which I see on the horizon? Will he consider the 1996 legislation on special educational needs and include gifted children as a category, so that all gifted children, whichever school they attend, can gain from new legislation?

Mr. Blunkett: First, I applaud the hon. Gentleman for his work in Leeds; we are aware of the excellent contribution that he made and the lessons that he learned, so I am happy to take on board his suggestions about the programme, whether he makes them here or at another time. However, I have to disabuse him of a misunderstanding: we do not intend to select individual schools which will then have their pupils picked out as gifted children; rather, we are talking about all gifted children who have the ability to be stretched being able to benefit from the programme after having been identified by teachers through the setting and grouping process, which I described earlier. The children will not be taken out of their schools, and the schools that will benefit are not confined to those in EAZs; this is a universal programme.

Learning centres and the development of specialist schools will provide a network which can be drawn on by all schools, which will be able to link into neighbouring schools. The fact that one in four schools will be specialist schools will enable that linkage to take place easily, without disruption, and it will ensure that staff, equipment, materials and expertise can be shared. The beacon schools programme will enable schools to link with other schools. It is about sharing and working co-operatively, and about having a family of schools, not the market that was created by the Conservatives. It is about the system as a whole being geared to developing and supporting the needs of the individual.

Yes, I believe that gifted children should be included in the special needs category. In the foreword to the Green Paper "Excellence for all children: Meeting Special Educational Needs", I said:

> "Good provision for SEN does not mean a sympathetic acceptance of low achievement. It means a tough-minded determination to show that children with SEN are capable of excellence."

Children, whatever their background and whether or not they have a disability, will get the education that they need and deserve.

Mr. Gerald Kaufman (Manchester, Gorton): Is my right hon. Friend aware that the response of the hon. Member for Havant (Mr. Willetts), who, in a refined use of the verb, wants understanding of the issue, validates the statement made by Mr. Michael Portillo that, when one hears the word "teacher", one knows that that individual will not vote Conservative?

We who represent inner-city schools are well aware of the huge reservoir of talent among all children; it exists in the 14,000 children who attend state schools in my constituency, as well as in those who attend the three assisted places schools in my constituency. Their talents require encouragement at every level, and that is what my right hon. Friend is doing. Is he aware that schools that assist such striving for excellence should be encouraged?

My right hon. Friend speaks, rightly, about the inclusion of information and communications technology in his programme, so will he take account of the fact that Spurley Hey high school in my constituency, which he

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has just reprieved from closure but whose future remains in doubt, has a superbly equipped information and communications technology department, which should be allowed to continue its work indefinitely?

Mr. Blunkett: I knew that my right hon. Friend would get around to Spurley Hey high school. My hon. Friends and I will be happy to take account of the facilities and resources at that school. I agree entirely with the thrust of my right hon. Friend's contribution. I shall never forget the introduction to the Loyal Address when my right hon. Friend outlined clearly the disadvantages suffered by pupils in his constituency and the fact that so few of them were able to benefit from the resources available to Manchester grammar school.

Sir Teddy Taylor (Rochford and Southend, East): May I offer my full and enthusiastic support to the Secretary of State and his statement and sincerely congratulate him on his courage in facing up to the nightmare of class segregation education, which is the inevitable consequence of having comprehensive schools in inner-city areas? Is the Secretary of State aware of the one problem associated with having mini grammar schools on each subject within comprehensive schools—pupils will feel that they have been excluded unfairly? If there is to be no 11-plus exam or something like it, will the Secretary of State at least ensure that there is some kind of appeal mechanism to help parents who believe that their children have been excluded unfairly from special education?

Mr. Blunkett: I welcome the thrust of the hon. Gentleman's remarks. The admissions policy, which was agreed last Thursday, endeavours to square the circle when supply and demand are out of kilter and it is necessary to ensure that there are fair and transparent methods of allowing parents to allocate a preference in the face of competing demands. We face a real challenge in ensuring that specialist schools do not become the preferred beacon, but are able to share their resources with neighbouring schools, so that we may link schools together. School collaboration will overcome the inevitable demand on scarce resources that arises when parents perceive one school as being better than another.

Mrs. Louise Ellman (Liverpool, Riverside): Is my right hon. Friend aware that this afternoon's statement, combined with the Government's other education initiatives, will be very welcome in inner-city Liverpool, where talent has been ignored for far too long? Will he explain how the initiatives announced today will further assist schools such as Windsor Street and Shorefield, which have already been identified as schools that are working hard to give added value to pupils in inner-city Liverpool? How will the scheme work? Will my right hon. Friend provide guidance on how proposals submitted for education action zones may be affected by this afternoon's statement?

Mr. Blunkett: I am happy to answer that question. The policy paper that we are publishing today provides further answers—although I appreciate the fact that right hon. and hon. Members have not yet had an opportunity to read it. We will ensure that the mini-zones encompass a secondary school and a cluster of primary schools in an area. We will provide an additional £250,000 a year for three years, plus a matching pound for pound for the next £50,000 of sponsorship money that is raised by the schools. This is a mini-version of the broader education action zones, and it will benefit many schools when it is appropriate to focus on a group of schools.

The mentoring programme will be available directly to schools, as will the in-house units for disruptive and disaffected students. Pupils will be able to draw on the expertise of other schools through the linkage with beacon schools, which I described this afternoon. Excellence and experience will be spread to other schools—in the case of my hon. Friend, to schools in the Liverpool and Merseyside area. Much good work is going on. I celebrate it, and I applaud the teachers who are doing that work. This is an opportunity to back those teachers by ensuring that they are able to work better.

Mr. David Prior (North Norfolk): Will the Secretary of State put a little more flesh on the bones of the issue of how the ability of the 10 per cent. of gifted children will be assessed?

Mr. Blunkett: I must stress that the initiative is not about a rigid figure of 10 per cent.; it is about recognising the particular talents or needs of individual children and saying that the historic situation arising from geography or birth will no longer restrain a youngster's ability to flourish. Wherever children are, they should be given the support that they need to be able to stretch their talent and do better.

If a school believes that, to develop a talent—whatever the subject—a child would benefit from extra help, it will be able to use the additional after-school facilities that we shall extend, the weekend and summer schools that we shall develop and the links with the expertise that might exist in another school. For example, only one state school in Sheffield, which has a population of 500,000, offers Latin. I should like other children in the city who think that they had an aptitude for Latin to be able to benefit from being taught it.

Mr. Bernie Grant (Tottenham): I warmly welcome my right hon. Friend's statement. Inner-city kids have long deserved such initiatives. However, I have a few words of caution for my right hon. Friend. On disruptive pupils, the proposals remind me of the old sin bins syndrome, against which a number of us fought. I hope that we are not returning to that situation, in which many black kids were put into sin bins because they were classed as disruptive.

Will my right hon. Friend pay attention to supplementary schools, such as Saturday and evening schools, many of which are provided by the black community? Those schools are financed by parents and, sometimes, by local authorities. Will he consider whether he can assist those schools in any way?

Mr. Blunkett: I welcome my hon. Friend back to the House after his period of illness. It is good to hear him speaking out and contributing once again on this important subject. I can make the absolute commitment that we shall not return to the use of sin bins, where students did not even receive an educational timetable and had no opportunity to improve their education, regain confidence or develop the ability to be reassimilated.

We shall, first of all, prevent children from being excluded. There is a need to prevent black, and particularly Caribbean, boys from being excluded from our education system. Secondly, where there is a problem of disruption and disaffection, we shall enable pupils to be helped and supported on site, rather than in external units, which inevitably divide them from the school.

Thirdly, I celebrate supplementary schools. It is precisely that model that I have been describing this afternoon. We shall now be able to help parents who have previously raised the money themselves to become, over time, part of the system of giving the extra help that supplementary schools have sought to provide. I know that people, not only those from the ethnic community but those from the most disadvantaged parts of our country, will welcome this statement irrespective of whether it is condemned by extremely well-off people in leafy suburbs who seek a return to divisiveness.

Mr. Michael Colvin (Romsey): I am interested to hear the Secretary of State's announcement, but I want to question him about the provision of a learning mentor for every young person who needs one. Where will those mentors come from? He said that he would recruit 800 mentors, who would then find volunteers.

I want to make a suggestion to the Secretary of State that we have been working on in Southampton. One of the less-favoured areas of the city, the so-called "Flowers" estate, is next to a university, where the students, like all students, are short of money and could earn extra by working part-time. Would there be merit in seeking part-time volunteers in universities and twinning them with schools? Young people who have not long left school and remember what it was like would be in a good position to help the disadvantaged children to whom the Secretary of State has referred and whom his scheme is designed to help. Will he consider that suggestion?

Mr. Blunkett: We rejoice in that. We are glad that the hon. Gentleman has had the decency or the courage to ensure that he is able to welcome and put forward positive ideas. We welcome his ideas entirely. We think that there is a positive role in developing such links. There is an argument taking place around me, with some occupants of the Opposition Front Bench saying that the shadow Secretary of State welcomes my statement. Lord help me if the hon. Gentleman had opposed it. However, I welcome the suggestion of the hon. Member for Romsey (Mr. Colvin), and we will build on suggestions of that sort. If postgraduate students are able to engage with inner-city schools, that will help not only the child or youngster direct, but will inspire them to believe that they, too, can go to university and succeed.

Mr. Robin Corbett (Birmingham, Erdington): I thank my right hon. Friend for his statement. Will he congratulate and commend the very many teachers who achieve year-on-year improvement among pupils from deprived families in Birmingham and in every other big city in the country? Will he clarify whether the welcome extra assistance that he has announced this afternoon will depend not on geography, but on levels of deprivation, so that out-of-city schools in deprived areas will also benefit?

Mr. Blunkett: The assistance will be for schools in the areas that I have described, and how to accelerate and provide initial support will be a matter for local determination. It is not about geography, in the sense of proximity to a central shopping centre; instead, it is about levels of deprivation in areas, including out-of-city estates, which are often the most deprived and least gentrified of all.

Clearly, we shall want to celebrate the excellence of the heads and teachers, who often do a tremendous job against the odds. We shall want to reward that success, and we shall want to celebrate it by spreading it. Above all, we want to ensure that that success is rewarded through the proposals in the consultative Green Paper, which I hope teachers will read, rather than reading views about it from those who have been against it from the word go.

Mrs. Virginia Bottomley (South-West Surrey): We spent 10 years working in Brixton and Peckham with some of the most educationally disadvantaged young people, who were suffering from the socialist ideology of the Inner London education authority and its lowest common denominator philosophy. There were then 10 years during which the Labour party bitterly resisted the introduction of a national curriculum and tests of attainment. It is strange now to hear the Secretary of State trying to square the circle to satisfy the socialist chattering classes.

Surely the dilemma that the right hon. Gentleman faces with his statement is that he is proposing an entirely arbitrary system of endless selection of which schools and which pupils will or will not participate in the scheme. Diversity was provided by assisted places, grammar schools and the changes that were set in place. Is the right hon. Gentleman surprised that so many head teachers despair at the level of announcements, the glitz, the glamour, the documentation and the bossiness of the approach? Is it not time now to let the schools get on and deliver the results themselves, rather than introduce a highly complicated scheme where children will be hurrying and scurrying from school to school and centre to centre, unable to settle down and achieve results?

Mr. Blunkett: Having condemned the lowest common denominator approach in the opening part of the right hon. Lady's statement, she went on to condemn measures that ensure that we do not have that approach, and instead celebrate diversity and accelerate the meeting of the child's individual needs. There is no suggestion of hurrying and scurrying between schools, because, unlike the system that offered real opportunity only if we took children out of their neighbourhood school and their area through selection or assisted places, the scheme that I have announced is about helping children who remain in their neighbourhood schools. They would do so under any system, because selection and assisted places took only a tiny fraction of children out of the state system, out of the normal system, and left the rest to manage for themselves. The proposal is for real diversity within the school that a child attends, where the necessary support will be provided. The scheme, if I may say so to the right hon. Lady, is free of dogma, which is why her hon. Friend the Member for Romsey (Mr. Colvin) had the decency to welcome it.

Mr. Eddie O'Hara (Knowsley, South): It ill behoves Opposition Members to be so critical of such an important announcement for the state education system, where the

[Mr. Eddie O'Hara]

vast majority of our children receive their education, given that, during the entire discussion, the maximum number of hon. Members that the Opposition have been able to raise on the Back Benches is 12.

I welcome the fact that my borough, Knowsley, has been included in the project. I seek clarification of various aspects. Will my right hon. Friend advise me whether, in the areas that have been identified, attention will be given to the range of subjects that are currently available? For example, I can think of only one school in Knowsley where Latin—a subject that my right hon. Friend mentioned—may be available. I can think of none where Greek is available, and none where Russian is taught, except possibly at the same school that offers Latin. Will my right hon. Friend make sure that, within the zones, the full range of opportunities will be available?

In that connection, does my right hon. Friend envisage pupils crossing the borders within the zones—for example, from Knowsley to Liverpool? That may solve some of the problems of provision in Knowsley, but even in Liverpool, in schools that are still in the state system, some of the subjects that I would like to be available are not taught in any school.

Finally, will my right hon. Friend clarify how the mentoring system will work? As a former chairman of education, I have had some experience of trying to get schools to co-operate in sharing their resources, when not every school could offer the full curriculum. I was disappointed to see how schools were prepared to give up their pupils to another school for enrichment.

Mr. Blunkett: On the final point, the mentoring system will enable the red tape, obstruction and difficulty to be unwound more easily, as the individual will have an advocate working on his behalf, supporting him directly and unravelling the bureaucracy.

On the question of working across boundaries, that will be important not only in Merseyside, but in other conurbations, particularly London, where it will be necessary and beneficial for local authorities to share expertise and resources.

It is indeed a challenge to provide scarce specialisms such as Latin. I understand that my hon. Friend the Member for Bolsover (Mr. Skinner) has offered to assist with that, because, every time I mention Latin, he gives me the—

Mr. Skinner: Amo, amas, amat, amamus, amatis, amant.

Mr. Blunkett: I am grateful. At this point, the late Derek Enright would have sung "Yellow Submarine" in Latin. I deeply regret that he is no longer with us to do so.

Several hon. Members *rose—*

Madam Speaker: Order. Time is moving on, and there is the business of an Opposition day to safeguard. Questions and answers are far too long. I shall not be able to call many more hon. Members, as it has taken such a long time to get through the few questions that we have had.

Mr. Graham Brady (Altrincham and Sale, West): The Secretary of State knows well that the family of schools in the borough of Trafford achieves the best results in Greater Manchester—indeed, the best results in the north-west of England. Perhaps he will reflect on the fact that that is not just because 35 per cent. or more of the children go to grammar schools and get a good academic education, but, perhaps more important, because the others who go to good high schools get a good technical or vocational education, as was recognised by the Secretary of State in response to a sedentary remark from the Government Benches. The right hon. Gentleman has made one of those schools a beacon school. Is he not concerned that the proposals that he outlined may give some academic benefit to a fraction of pupils, but will sacrifice the vast majority, for whom there will be no improvement in the technical or vocational education that they should have?

Mr. Blunkett: Exactly the reverse. I commend those schools for being excellent; precisely because they are so excellent, the bulk of parents in the hon. Gentleman's constituency, should they vote for a non-selective system, would want their children to continue to attend them.

Ms Diane Abbott (Hackney, North and Stoke Newington): Is my right hon. Friend aware that his statement will be widely welcomed in the inner cities? He will be aware that one of the distinguishing characteristics of many inner-city areas is a high number of black and ethnic minority children. He will know that, last month, I held a conference in Hackney on black children in schools, which attracted more than 500 people from all over the country. I do not want to prolong my question; will my right hon. Friend build on the positive work that is being done in the community, exemplified by the Saturday school movement, and listen to what black parents are saying? They, too, want excellence for their children.

Mr. Blunkett: The answer is yes.

Mr. John Wilkinson (Ruislip–Northwood): Would it not have been so much better to have kept the assisted places scheme in place, because it would have had universal benefit throughout the country? As for the leafy suburbs, of which the right hon. Gentleman speaks so disparagingly, will he turn his attention to how local parents would be better able to secure a place in their local school for their children? That really concerns them.

Mr. Blunkett: Those children need a local place—an excellent local place. They do not need a system that allows a few to escape from a local place that they do not find acceptable.

Mr. Skinner: The many, not the few.

Mr. Blunkett: As my hon. Friend once again says, so rightly, that is why we are in favour of the many, not the few.

Mr. Terry Rooney (Bradford, North): I welcome my right hon. Friend's statement—which, on top of his wise decision to support the Bradford schools review with £170 million, is good news—but will he clarify whether the money for gifted pupils will be awarded per pupil, per school or per local education authority?

Mr. Blunkett: The resources will be allocated in relation to the needs of an area as a whole and will be

discussed with those areas so that we can ensure that we can get the initial programme off the ground as quickly as possible.

Mr. Christopher Chope (Christchurch): Does the statement not show that the Government are suffering from a serious split personality? I welcome what the Secretary of State has said, especially as it endorsed the policies being pioneered in Conservative-controlled Wandsworth, but can he explain why the Government are still undermining the grammar school system if they are now committed to selection on the basis of ability?

Mr. Blunkett: I thought that I had just explained that we are helping children, whatever their ability, in the school that they attend. The hon. Gentleman described the excellence in Wandsworth, but it also seems to have passed me by that we have adopted such a system. There seems to be a degree of schizophrenia here; either we are adopting such a system, which he would welcome, or we are not adopting such a system, which he would oppose. I heard both in his question.

Helen Jackson (Sheffield, Hillsborough): My right hon. Friend will know how welcome his statement will be in Sheffield and in Rotherham. May I pick out two matters? First, I particularly welcome the widening of choice on foreign languages. My right hon. Friend will remember when Ecclesfield school, for example, offered a number of languages, including excellent provision of Russian, which was whittled down to nothing during the 18 years of Tory rule. Secondly, I welcome provision for the awkward squad coming back into schools and getting some education. However, both those areas require good specialist teachers. Will he say a bit more about how many extra teachers he expects to be involved with that provision, which will be so welcome in the inner cities?

Mr. Blunkett: I am pleased that my hon. Friend recalls her time teaching at Ecclesfield school, where she did an excellent job with special needs pupils. Not only will we seek to recruit and to accelerate those who have a specialism that is not readily available, but, as I have described, we will use technology to link up with schools that do not have those specialisms available. The experiment carried out in the Strathclyde region before the change in structure in Scotland was very interesting, because it linked small island and highland schools into a provision that was available only in a handful of urban schools in Strathclyde. That allowed pupils to link into classes and to teachers with such expertise. Although we need to do a great deal more, we can link up not simply across our country and across Britain, but across Europe and the world.

Miss Julie Kirkbride (Bromsgrove): I welcome what the Secretary of State has said about the pursuit of excellence for children with academic abilities in our inner cities. Some of those whom he despises—constituents of mine who live in "leafy suburbs"—go to school in Birmingham, alongside Birmingham children who are socially deprived and from ethnic minorities, because they attend the city's excellent grammar schools, which his Government want to abolish.

In the light of today's statement, and of what I believe to be his intention to raise standards for all, will the Secretary of State tell the people of Birmingham—the politically correct left-wing loonies, perhaps, who still want to use the mechanism introduced by his Government to abolish state grammar schools—to desist from doing so, in the interests of everyone, not just those in leafy suburbs?

Mr. Blunkett: In the interests of brevity, I shall not comment on that rant—except to say that, far from despising the hon. Lady's constituents, I want them to have the excellent education that some of them are seeking through the selective process which enables them to attend grammar schools in Birmingham, rather than the schools available to them in her constituency. This is the essence of our disagreement: at the heart of what we are doing is our wish for children to have confidence in local schools, rather than trying to escape from them.

Ms Gisela Stuart (Birmingham, Edgbaston): I welcome the statement, as does everyone in Birmingham. I thought that I had heard the end of Conservative Members' referring to left-wing loonies and Birmingham in one breath—especially as I seem to remember a libel action some time ago which was most embarrassing for the then Secretary of State.

I was delighted to hear my right hon. Friend refer to mobility. When he mentioned it first, I thought that he meant pupil mobility, which is a great concern of mine, but I welcome what he said about the need to reduce the number of supply teachers, and to provide more stability among teaching staff. Will he elaborate on that, and explain how we can work together to provide such a stable environment in schools?

Mr. Blunkett: I take to heart the need to ensure that teachers are attracted to, and retained in, the schools that face the biggest challenge. Pupils at a primary school that was referred to in our document had 25 teachers in one year, which caused immeasurable disruption to their education. If, by means of retention bonuses, special development programmes and the attachment of mentors to teachers and pupils, we can avoid such disruption, we shall do a great service not just to pupils and parents, but to teachers, enabling them to fulfil their desire to take on the challenge to teach in the inner cities, knowing that they have the necessary backing.

Mr. Simon Hughes (Southwark, North and Bermondsey): Does the Secretary of State accept that two improvements are necessary if the parents of bright children who live in inner cities are to feel more confident, and if more of them are to send their children to non-fee-paying, non-selective inner-city schools? First, more transparent application arrangements are required, involving a fair appeals system in every school—including, independently, city technology colleges, which are not yet required to have such arrangements. Secondly, rather than issuing directives to local authorities for the prospective contracting-out of services— such a directive was issued to Hackney on Friday—the Secretary of State should ask local parents what sort of management of their schools they want, and, if they want a change of management, let them, rather than Ministers, lead the debate.

Mr. Blunkett: We are digressing slightly, but, in any event, I am not going to organise a referendum on school

[Mr. Blunkett]

management in Hackney or anywhere else. I shall ensure that there are proper structures enabling us to achieve the management and leadership that we need. Of course—as the hon. Gentleman said at the beginning—we need to get the arrangements right for individual children, and I should be happy for the hon. Gentleman to tell us, on the basis of his constituency experience, what he would like to see that is not mentioned in the document.

Ms Hazel Blears (Salford): A young man who attends Windsor high school in the inner city of Salford wants to be a civil engineer. For the past year, he has had a mentor who has helped to shape and focus his ambitions, and I believe that, as a result, he will succeed in having a career that previously he did not dream of having. The proposals will help thousands of children just like him to flourish. Does the Secretary of State agree that it is vital that those children have support not only in school, but at home in their communities? Will he confirm that the support for educational excellence will be linked to inner-city regeneration, to ensure that our success is long term and sustainable?

Mr. Blunkett: I can indeed. It will be rooted in the regeneration programme. Let me make it clear that, like everyone else, I accept that unemployment, poor housing, poor health and a poor environment have a dramatic impact on the life chances of children and on the schools and teachers who teach them. We need to compensate for and to overcome that disadvantage, not to excuse it. I take entirely the point that my hon. Friend makes. We will do that. We will provide those mentors. We will provide that support in Salford as part of ensuring that pupils such as the one whom she has mentioned have the aspiration and expectation that we take for granted.

Mrs. Theresa May (Maidenhead): Earlier, the Secretary of State described selection as an anachronism. Will he confirm that, under the Government's policy, not only will some pupils be selected for their specific talents, but each school will be required to select 5 or 10 per cent. of pupils by ability, and to provide those pupils with a different teaching and learning programme from other pupils in the school?

Mr. Blunkett: No, I will not confirm that. I will confirm that the existing programme, which all pupils will go through, will remain, that those pupils will take that programme, but that it will be accelerated and extended where appropriate. This morning, I was at St. Paul's Way community school in Tower Hamlets, one of the most deprived areas of the country. Fifteen-year-olds there are taking A-levels, developing alongside their normal programme the ability to stretch and to extend their talent. I want every child to be able to do so, not just those who can buy private education.

Points of Order

4.27 pm

Mr. Iain Duncan Smith (Chingford and Woodford Green): On a point of order, Madam Speaker. I seek your guidance. As you will recall, the House received a serious admission from the Chancellor of the Exchequer on 16 March by written answer that his Parliamentary Private Secretary had received, before its publication, a draft copy of the report by the Select Committee on Social Security on taxing child benefit. However, at the time, the Chancellor had not answered other questions about the involvement of his political adviser, or possibly his officials. Therefore, I asked that question again. However, on 19 March, the Chancellor's answer to that specific question was simply to refer me back to his answer of 16 March; in other words, he refused to answer the question.

My point of order is to refer the House to the clear guidelines that are set down in paragraph 1 of the ministerial code. The paragraph is taken from a resolution of the House, which says:

"It is of paramount importance that Ministers give accurate and truthful information to Parliament".

It goes on to say that Ministers may refuse to provide information

"only when disclosure would not be in the public interest".—[*Official Report*, 19 March 1997; Vol. 292, c. 1047.]

As the code is at one with the resolution that was passed by the House, is not the Chancellor abusing the House and the public whom Parliament serves by refusing to answer that question? Do you agree that the Chancellor should now come before the House, apologise for his failure to uphold that code—which the Prime Minister stressed in his opening remarks in the code—and answer, once and for all, the question whether his advisers or officials were involved in that leaked draft report?

Mr. Eric Forth (Bromley and Chislehurst): Further to that point of order, Madam Speaker. Can you guide us on what redress is available to the House of Commons if we find, as we increasingly do—the example of my hon. Friend the Member for Chingford and Woodford Green (Mr. Duncan Smith) seems to exemplify it yet again—that Ministers refuse point blank to answer a question that has been accepted by the Table Office, and refuse on a second or subsequent occasion to give any further information? Is the House of Commons then simply left completely lost? Is there nothing that we can do? Are the Government now able, as they never were in the past, to stonewall and to refuse the House any information after a question has passed through the Table Office?

Mr. Edward Leigh (Gainsborough): Further to that point of order, Madam Speaker. I am a member of the said Select Committee: the Select Committee on Social Security. The facts are clear. The Chancellor has admitted that his Parliamentary Private Secretary received a draft report. I have tabled a question to ask from whom he received the draft report. I await the answer to that question anxiously.

Surely the answer is simple. It is inconceivable that one of your Clerks, Madam Speaker, gave the PPS that Select Committee report. It is unlikely that a Conservative Member provided the report. However, someone must

own up to providing it. If the Executive received a draft report from the Select Committee and no one owns up to providing it, it is difficult to see how the system will be able to continue operating. The system will simply collapse. We therefore do need your help and guidance on the matter.

Mr. John Bercow (Buckingham): On a different point of order, Madam Speaker.

Madam Speaker: Let me deal first with the first point of order.

I am grateful to the hon. Member for Chingford and Woodford Green (Mr. Duncan Smith) for giving me a little notice of what guidance he was seeking. As the House knows, Ministers take responsibility for the answers that they give, and I cannot comment on the specific answer to which the hon. Gentleman referred.

In general, the House is entitled to expect—as I do—that all Ministers will comply with the resolution on ministerial accountability. Enforcement of that resolution, however, is a matter for the House and not for the occupant of the Chair. I am sure that hon. Members, using our procedures, will find further ways of pursuing questions. Moreover, Ministers will have heard the points of order that have been raised and will take note of my response to them.

I call Mr. Bercow.

Mr. Bercow: Thank you, Madam Speaker. May I seek your guidance on the implications for the House following a report—on page 2 of *The Sunday Times* yesterday, by Jonathan Carr-Brown—of a transport conference being organised by Professor David Begg, which is due to take place tomorrow and to be addressed by, among others, the Secretary of State for the Environment, Transport and the Regions? The report states—the Department has not contradicted it—that the Secretary of State will make what is described as a "keynote speech" on bus policy, and that he is billed as launching the Government's White Paper on buses.

As the conference is advertised on that basis, and as charges—of between £175 and £275—are levied for attendance, is it not a matter of the utmost seriousness? Given that you have made very clear your views on the importance of informing the House first—and as Ministers might be hard of hearing—would you care to reiterate your views on this important matter?

Madam Speaker: I pay little attention to such newspaper reports, and am not in the least bit interested in keynote speeches made outside the House by Ministers. It is not a matter for me. Ministers know my views on the matter, and certainly the Deputy Prime Minister has an excellent record in coming to the House first before making announcements outside it. He also knows full well my views on the matter. If there is any new policy or a policy change, he is a Minister who usually comes to the House first before announcing the policy outside it.

Opposition Day

[8TH ALLOTTED DAY]

Council Tax Increases

Madam Speaker: We now come to the first débate on the Opposition motions. I have selected the amendment in the name of the Prime Minister.

4.33 pm

Mr. Paul Burstow (Sutton and Cheam): I beg to move,

That this House notes that the prime determinant of council tax levels is the amount of funding allocated by central government to local authorities; further notes that as a consequence of inadequate financial settlements for local government in recent years there has been a substantial real-terms year-on-year increase in council tax; and calls on the Government to improve the funding of local services and abolish budget capping within the lifetime of this Parliament.

Shortly before the 1997 general election, the House debated the then Conservative Government's last local government settlement. During the debate, the then shadow Secretary of State for the Environment, now the Secretary of State for Health, declared:

"The incoming Labour Government will be based on the supposition that democracy depends on the people who take the decisions carrying the can".

That is absolutely right. It is what this debate is all about—that those who take the decisions should carry the can for them. As our motion clearly states, the Government's responsibility is plain and clear when it comes to the increases that councils are now having to foist upon their citizens.

In the same debate, the right hon. Gentleman went on to say:

"We shall not roam around the country blaming local councillors for decisions that we have taken in the House of Commons."—[*Official Report*, 3 February 1997; Vol. 289, c. 701.]

That, too, is absolutely right.

Two years on, is Labour taking responsibility? Last November, the Deputy Prime Minister came to the Dispatch Box to announce Labour's second local government settlement. We were treated to much of the usual display of smoke and mirrors. We were told that council tax need rise by no more than 4.5 per cent., and Ministers spent the day going around television and radio studios underlining the positive message of only a 4.5 per cent. council tax increase. Moreover, we were told that the settlement was the most generous since council tax was introduced.

We know now how wrong those claims were. Council tax bills are rising by 6.8 per cent.—an average increase of £51 on band D in England alone. The Government have to take responsibility; they must stop blaming local authorities and councillors for the consequences of Government decisions taken in the House with the support of Back-Bench Labour Members.

Mr. Gordon Prentice (Pendle): Why is the average council tax per dwelling so much higher in Liberal Democrat areas than in Labour or Conservative areas?

Mr. Burstow: If this is going to be one of those debates when we trade variations of statistics, we can cite with the band D average, which shows a 6 per cent. increase for Liberal Democrat authorities.

[Mr. Burstow]

The issue is not what local authorities decide, because more than 75 per cent. of what councils spend comes from central Government. The decisions of central Government overwhelmingly dictate council tax levels. We can all come up with spurious statistics, or even factual ones—I am sure that those referred to by the hon. Member for Pendle (Mr. Prentice) were factual—but we have to recognise that all the statistics are shaped by the decisions of Ministers on the distribution of grants and non-domestic rates.

Mr. John Bercow (Buckingham): The hon. Gentleman is right to point the finger of responsibility at the Government Front Bench, but I hope that he agrees that it is important that he should approach the debate with clean hands. Will he tell the House the average saving achieved by Liberal Democrat-run authorities from competitive tendering and market testing?

Mr. Burstow: I am grateful to the hon. Gentleman for that intervention and I shall give him a straight answer. I cannot give him the figure today, but I shall happily write to him with it in due course. I shall be interested to hear his speech later, when I am sure that he will try to give us every detail of the savings arising from compulsory competitive tendering by Conservative councils. The figure will be much smaller, because there are so few Conservative councils these days. Compulsory competitive tendering, which is referred to in the Government amendment, has produced inefficiencies because of the way in which it has been delivered. The crude and ineffective mechanism of CCT might have produced artificial savings, but they came at the expense of quality of service. The Conservatives never understood that when they were in government. That is why they lost so many seats in local government throughout the country.

The lion's share of what councils spend is provided by the Government in the form of grants and business rates. That means that small changes in the way in which the Government distribute the cash have large consequences for council tax bills. An essential qualification for being a Minister in the Department of the Environment, Transport and the Regions seems to be a willingness to live in a world of fantasy figures—a fantasy based on the pseudo-science of standard spending assessments. Ministers place great store on the standard spending assessment. Education Ministers seem to believe that it is a true measure of what councils should spend on education.

In reality, the formula is nothing more than a means for delivering and distributing a cash-limited budget. Minor changes in the algebraic formula that underpins the standard spending assessment can have profound effects on the level of council tax, as we are seeing as bills start to be printed and delivered to council tax payers. As the Chartered Institute of Public Finance and Accountancy recently said:

> "Because the financing of local authority spending depends so heavily on central government support, raising relatively small amounts of additional local revenue results in exaggerated increases in council tax levels."

Standard spending assessments are only part of the story. The sleight of hand is more subtle than that. The gap between what local authorities are spending and what the Government are funding is growing. It stands at £2.3 billion and is set to widen further. As the Government withdraw support from local spending, the council tax payer has to pay more. During the debate before the election, Labour exposed that as a scandal, but the Labour Government have continued with the same policy. As a consequence, for every pound that the Government fail to fund, council tax goes up by an average of £4.

In the Government's fantasy world, we are told by Ministers that a 4.5 per cent. increase is all that is needed, and that no cuts will be necessary in front-line services. I have been watching closely and listening to Ministers and their advisers, and that is not what is happening on the ground. In the real world of inflation, an ageing population and an increasing number of school children, councils have already endured two years of Labour austerity; two years of Labour sticking to Tory spending plans; two years of cuts and council tax rises.

Labour would like us to think that year zero started with the comprehensive spending review. We are to forget the first two years of a Labour Government, and focus on the next three. "Cash for change" is the cry, but that ignores the cumulative effects of years of inadequate settlements under the previous Government, and now under this Government. In the real world, Labour's spending commitments are being oversold and underfunded. Over the lifetime of this Parliament—not just the last three years—compared with the last full Parliament, current real annual spending growth has halved: 1.4 per cent. versus 2.7 per cent.

On education spending, there is the much-vaunted £19 billion extra. The number of times that this figure, and sub-sets of it, has been launched and relaunched would place the Government well at the top of the Audit Commission's league table on recycling. Apart from being a three-year cumulative figure—rolling up total spending compared with current years—it is conveniently forgotten that the figure includes three years' worth of inflation and all aspects of education funding, including colleges, universities, Ofsted inspectors and special grants.

Nearly half the Government's promised increase is not an increase in funding, but comes in the form of standard spending assessment increases. That is not cash from the Government, but cash from council tax payers. Councils taking up the Government's so-called generous SSA increase will have to cut other budgets or increase council tax—or, in most cases, both. Last year, the Government left councils to find £562 million for local education in that way. The result was that class sizes went up, not down—which was an early Government pledge.

The total increase in central Government funds to local authorities is set to rise by an average of £1.5 billion over each of the next three years, and education's share of that is likely to be no more than £600 million a year. Those figures take no account of the teachers' pay award this year and the Government's failure—again—fully to fund the award leaves councils having to find an extra £68 million in the coming year.

It is not just in education that cuts in other budgets or increases in council tax will be needed to bridge the gap. A closer inspection of figures provided by the Library reveals that the social services standard spending assessment for England will rise by just 1.3 per cent. after

changes in the grant and special grant regime that provided for community care in the past have been taken into account.

Even on the Government's own fantasy figures, that will leave a £100 million gap, simply to meet inflation, for social services to pick up. A lower inflation increase for social services will make cuts in current services inevitable. Undermining current social services by underfunding makes no sense at a time when the Government, rightly, are setting targets and directing a host of specific grants at social services to secure change and improvement. Ultimately, that is self-defeating.

To make matters worse this year, local authorities have been left waiting for the Department of Health to publish the conditions for all the new grants, turning the planning and budgeting exercise into a nightmare. Only last Tuesday, the conditions for the three biggest grants were finally published—well after most local authorities will have set their budgets and made their decisions about council tax.

It is not just the levels of council tax funding that make a difference, or the way in which money is distributed; it is also the capping system itself. The Government amendment applauds the abolition of crude and universal capping—and we, too, would applaud that. However, capping is still with us this year. The only difference is that the Deputy Prime Minister is keeping the figures to himself; he is not sharing them with anyone else. As a result, councils are forced to play Russian roulette with school budgets, meals-on-wheels charges and other services.

Just in case councils do not get the capping message from the Government, there is new Labour's own brand of crude and universal capping. Council tax benefit subsidy limitation gives the Government the power to claw back council tax benefit from councils increasing their council tax by more than 4.5 per cent. The result is a further increase in council tax or a budget cut to pay for the loss of council tax benefit subsidy.

The Labour manifesto promised an end to crude and universal capping, but with reserve powers to control council tax rises. The clawing back of council tax benefit is not a reserve power: it is crude and it is universal. A council with an 8 per cent. council tax increase will receive no further funding for council tax benefit for the poorest in its community, so the nearly poor will have to pay for the benefits of the really poor in their communities. So much for ending crude and universal capping.

For Liberal Democrats, local accountability means greater financial independence. As a first step, we would return to local councillors the power to determine local business rates, which would increase the amount raised locally for council expenditure from a quarter to nearly half. That would begin to rebuild financial independence, creating greater transparency and accountability to local people.

The figures are clear—the average council tax increase is 6.8 per cent., which will result in an average band D increase of £51 a year. That is more than the Government claimed, and more than people were led to believe.

Mr. Simon Hughes (Southwark, North and Bermondsey): My hon. Friend has been very accurate in his general observations, but I want him to answer a particular question which may be of interest to the Minister, who lives in the borough that I represent. When my constituents complain that the Labour council is closing day centres for the elderly and for adults with learning difficulties, and wants to sell off housing estates because it does not have enough money to repair other estates, is that more the local Labour council's fault, or more the Labour Government's fault? Which manifestation of Labour should people blame?

Mr. Burstow: I am grateful to my hon. Friend. Every single council tax payer faces that dilemma because accountability is even more blurred now than under the previous Government. Labour councils implement Labour Government council tax increases and cut services to try to keep council tax down a bit. Of course, individual councils have to set priorities, but in my hon. Friend's area a Labour council is making decisions that cut local services.

I have a final quotation:

"It is no good the Government complaining that councils blame central Government. Central Government have so constructed the system of local government finance that they tell it how much it can have, what it can spend it on and how to spend it. The country has rumbled that and knows that central Government are taking decisions and deciding how those decisions will impact in every area."—[*Official Report*, 3 February 1997; Vol. 289, c. 760.]

How very true were those words, spoken by the current Minister for Local Government and Housing; and they are truer today than when she first spoke them. The Conservatives may have engineered the local government finance system, but Labour has fine-tuned it to give Ministers even more power to direct what councils can or cannot do. The Government, more than local councils, have taken the decisions that have determined council tax increases, because so much of the money comes from the centre.

The people have indeed rumbled what has happened, and have seen that, as a consequence of decisions taken by the Government, there will be a massive back-door increase in taxation. Labour should carry the can for that.

4.49 pm

The Minister for Local Government and Housing (Ms Hilary Armstrong): I beg to move, To leave out from "House" to the end of the Question, and to add instead thereof:

"notes that the 1999–2000 local government settlement was the most generous since the introduction of the council tax; further notes the Government's commitment of an extra £40 billion for schools and hospitals; and welcomes the introduction of Best Value, the abolition of crude and universal capping, the reform of political management structures and the new ethical framework, set out in the local government White Paper."

This debate is interesting. Hon. Members may already know that it is little more than a fig leaf to cover the embarrassment caused by the Liberal Democrats' confused and contradictory local government policies. The hon. Member for Sutton and Cheam (Mr. Burstow) is a prisoner of his own party activists. He knows that the interests of Liberal councillors are not the same as the interests of local people.

Jackie Ballard (Taunton): He is a party activist.

Ms Armstrong: Perhaps the hon. Lady has given us the truth.

[Ms Armstrong]

The interests of Liberal Democrat Members are not the same as the interests of the general public. Liberal councillors want higher taxes from local people, while local people want best value for their money. The hon. Member for Sutton and Cheam knows that he cannot take a responsible and grown-up attitude to local government policy and please both—so he has chosen to put party before people. Because the hon. Gentleman cannot reconcile the interests of his councillors with the interests of the electorate, he has this afternoon tried to shift the blame for council tax rises, many of which have been the direct decision of his party, away from councils and on to the Government.

Liberal policy is muddled: the Liberal Democrats say that they want the Government to grant more money to local councils, but councils to raise more of their money for themselves. The Liberal Democrats say they want lower council tax rises, but want to abandon all controls on local government spending. They say they support public services, but want to do nothing to ensure best value for local people. Much of local government has moved on from the old politics of spend and blame; it seems that the Liberals have not. They have become apologists for old-style municipal tax and spend, high taxation and low efficiency.

Jackie Ballard: If the Minister thinks that Liberal Democrat councillors and activists are so out of touch with the wishes of local people, will she explain why the Labour party—especially in the north-west of England—has lost council seat after council seat to the Liberal Democrats over the past year or two?

Ms Armstrong: If the hon. Lady revealed the turnout at those by-elections, she might not be so gung-ho. The Tories craved too much control over councils, but the Liberals propose out-of-control councils—with taxes as high as they like, spending as much as they want, service standards as low as they get—with the Government taking no responsibility for improving public services or protecting local taxpayers. The Government reject both those approaches.

Mr. Burstow: The Minister asserts that our policy is to release local government from central Government control, and she is right. However, much of what Liberal Democrats have said for many years is also the policy of the Local Government Association, including returning business rate control to local councils and a local income tax. The LGA has long campaigned for those policies.

Ms Armstrong: The hon. Gentleman will wish to retract that statement, because I have never known the LGA to propose a local income tax. I hope that the hon. Gentleman's enthusiasm will take him down the right road. The LGA has argued for the return of business rates to local control, but it also accepts that redistribution would be needed if that were to happen, from those authorities—

Mr. Burstow *indicated assent.*

Ms Armstrong: The hon. Gentleman did not make that point clear. Such redistribution moves away from the relationship between central and local funding. We believe that central Government should work alongside local councils to get the best for the local taxpayer and encourage local democracy. Central government should not seek to control too much or to abandon responsibility for what happens.

It is in the national interest that local communities should take more decisions for themselves; that local councils should be more responsible to local people than to central Government; and that responsible councils should set their own levels of taxation. It is also in the national interest that central Government should ensure that national standards of public service are set and met, and major failures in service delivery are halted and reversed. It is the responsibility of central Government to make resources available to local councils to provide and enable the provision of modern public services, at a price people are prepared to pay, and it is right for the Government to ensure that those resources are spent wisely and well.

The hon. Member for Sutton and Cheam tried to pretend in his peroration that the Government had not been generous to local government. In fact, in the five years of the previous Parliament, standard spending assessments fell by 3 per cent. in real terms, while the Labour Government have already increased SSAs by 2.6 per cent. During the first four years of the Government, SSAs will increase by 6.9 per cent.

When the Conservatives exercised central control through crude and universal council tax capping and pre-announced spending limits for every council in the country, it could fairly be claimed that they took responsibility for every council tax rise. The capping threshold ceased to be a maximum spending limit and increasingly became the norm. Conservative Governments enjoyed the right to limit every budget increase, and they must therefore take responsibility for every council tax rise. As we said we would in our manifesto, we have ended crude and universal council tax capping. This year, there have been no pre-announced capping limits.

Mr. Simon Burns (West Chelmsford): The hon. Lady said during her flight of fantasy that it was the responsibility of central Government to provide money for local authorities to provide local services. *[Interruption.]* She now says that she did not say that, but that was certainly the impression that she gave in her speech. How, then, would she respond to the hon. Member for Brent, East (Mr. Livingstone), who said that, as a result of the Government's settlement, £2.4 million would have to be cut from education in Brent? In addition, the hon. Gentleman said that provision of care for the elderly would be cut, that libraries would close and that children and the disabled in care would suffer. What would the hon. Lady say to her hon. Friend?

Ms Armstrong: It is not my job to account for the meanderings of my hon. Friend the Member for Brent, East. I am not responding to his electioneering; I am here to deal with the electioneering of the Liberal Democrats, and with the feeble attempts of the Tories.

Councils have set their tax and spending levels for themselves this year. They are responsible to their electorates for them, and they must now account for their decisions. Such decisions include that in Torbay—I am

pleased to see the hon. Member for Torbay (Mr. Sanders) in the Chamber—where responsibility for the council tax increase of 17 per cent. lies with the Liberal Democrat council. Those decisions include that taken in Herefordshire, where responsibility for the council tax increase of 10.8 per cent. lies with the Liberal Democrat council. The biggest council tax rises among unitary councils are by Liberal Democrat councils. The Liberal Democrats can duck and dive, but they cannot escape their own responsibilities for council tax rises. It is little wonder that the average council tax bill per dwelling in Liberal Democrat areas is higher than in Labour areas.

Mr. Adrian Sanders (Torbay): Which Government were responsible for reducing the formula for bed nights, which has affected tourist areas; which Government reduced weighting for elderly people; and which Government have caused problems for areas with rising numbers of school pupils because of the time lag in the head count in standard spending assessments? Can the Minister name a council affected by all three of those factors? I can give her an answer: Torbay, where those characteristics account for a large proportion of the tax rise.

Ms Armstrong: I wish that that were true. However, the truth is that Torbay is raising the council tax, not because it has taken SSA changes into account, but because it is raising its budget by 6.7 per cent., which is somewhat above inflation. That is why there is a council tax rise of 17 per cent. The Liberal Democrats are responsible for the rise in that budget and they are responsible for the consequent council tax rise.

The Conservatives are no better. Conservative councils have higher than average increases in council tax at 7.6 per cent. In shire districts, Conservative councils have higher average rises than Labour councils.

Mr. Sanders *rose—*

Ms Armstrong: The hon. Gentleman will have a chance to put his point in his speech.

In the 1980s, the Conservatives were proud of Wandsworth—their flagship borough. Last year, ahead of the local government elections in London, which may have been incidental, Wandsworth cut its council tax substantially. This year, when there are no elections, Wandsworth has the highest increase of any council in London, with a massive tax hike of 21.5 per cent. Compare that record with the rest of inner London.

All inner-London authorities were treated similarly in this year's settlement. There are only three Conservative councils in inner London. The top three increases in council tax in inner London are in those same three Conservative councils. In Conservative Kensington and Chelsea, council tax is up 7.5 per cent.; in Conservative Westminster, it is up 8.7 per cent.; and in Conservative Wandsworth, it is up 21.5 per cent.

By contrast, other councils—Islington, Greenwich, Hackney and Lambeth—are cutting council tax this year. In the London borough of Redbridge, the Conservatives and the Liberal Democrats combined to vote through a total council tax rise of 11.3 per cent. in the face of opposition from the minority, but ruling, Labour group. It is little wonder that, across London, councils run by Conservatives and Liberal Democrats have higher average council tax rises than Labour councils.

Mr. Sanders: The Minister attacked Torbay council for a 16.4 per cent. rise, which she blamed on the Liberal Democrats. Will she explain why the Labour group on Torbay council wanted a 20 per cent. tax rise?

Ms Armstrong: I am not responsible for Labour group decisions and I do not support all of them, as I will make clear in my speech.

I do not make these points for partisan reasons. While it is the case that Labour councils have lower than average increases in council tax, I readily acknowledge that, in some Labour councils, council tax rises are higher than I would have argued for had I been a councillor. Those rises and the increases by Conservative councils—which are higher than average—are the responsibility not of the Government but of local decisions taken by local councillors.

It is the Government's responsibility to ensure that those decisions do not bear too harshly on the public purse, either locally or centrally. To protect the local taxpayer, we will shortly announce whether and how we propose to use existing capping powers for 1999-2000. To protect the national taxpayer, we have made local councils responsible for the extra costs of council tax benefit caused by large council tax increases.

The national interest demands that, where councils are proving irresponsible, the Government should have the power to intervene. The Local Government Bill, which is before Parliament, creates a reserve power for the Secretary of State, so that excessive council tax decisions can be judged over time, measured against expressions of support by local people and, if necessary, restrained. The Liberals oppose any restraining powers on local government. So, while they are prepared unfairly to blame the Government for higher council tax bills, the Liberals would stand back and let those tax bills rocket out of control.

Mr. Simon Hughes: Given what the Minister has said, will she explain, for the benefit of our constituents, the answer to the question that I put to my hon. Friend the Member for Sutton and Cheam (Mr. Burstow). If our local council, which is Labour run—for the first time in its history, Labour now has control only through the vote of the mayor—cannot raise the money that it wants because it is capped and the Government are setting a limit, and if the Government do not give it the money that it is asking for, whom should the council blame? It has been told that its day centres are to close—some have closed and the day centres for adults with learning difficulties are to close in the next few days. It has also been told that some of the council estates will have to be sold because there is not the money to repair them. Whom should the council blame?

Ms Armstrong: The hon. Gentleman's problem is that he does not understand local government finance; it has nothing to do with the housing account. The Government have put substantial new money into housing and that is a separate matter from this debate. As I understand it, that is not the argument that Southwark council is putting about its estates.

[Ms Armstrong]

In respect of the other issues raised by the hon. Gentleman, he said that the Government were capping councils. The Government are not capping councils. Councils have the opportunity to set their council tax at a level that they believe will deliver the quality of services for which people are prepared to pay. It is important that councils take responsibility for those decisions, and that they discuss them and argue them through with local people. Under current legislation, they are not supposed to do that; that is why we are changing the legislation in the way that will be announced tomorrow.

The Tories, who for years were hooked on centralisation, are today reformed "capoholics", slowly emerging from their blue haze, trying desperately to come to terms with the reality of their past, not quite certain whether to control their addiction by an occasional fix or to give up the cap for good. In contrast to the Conservatives and the Liberal Democrats, the Government recognise our responsibility to ensure that local services are well resourced and well delivered.

Best value will sweep away the outdated over-regulation of compulsory competitive tendering and usher in a new era of rising standards of public service, greater involvement by local people in setting and monitoring standards and an emphasis on year-on-year improvement, innovation and public-private partnership. Best value provides the best means for keeping council tax rises down over the medium term. It is a fact that this year's local government settlement has been the most generous since the introduction of the council tax, with substantial extra money for education and social services.

As we have said, if council tax had increased in line with the increase in SSAs, bills need not have risen by more than 4.5 per cent. However, councils have decided to increase their spending by more than that, so council tax bills will rise on average by 6.8 per cent.—less than £1 a week, and a lot less than the double digit increases predicted by the Conservatives and the Liberal Democrats. *[Interruption.]* We made no predictions, but said that, if council taxes rose in line with the increase in SSAs, the rise would be 4.5 per cent. Those council tax rises have occurred despite the extra resources we have committed this year: an extra £2 billion of Government grant, which is an increase of 5.5 per cent., well above the rate of inflation. No local authority has received less grant this year than last year, and all education and social services authorities have received more grant this year than last.

Of course, the Liberal Democrats have today repeated their usual mantra: tax more, spend more. However, it is based on a false boast. The Liberals say that the Government have not put enough money into health and social services. At the election, they promised an extra £3.5 billion; we have put in an extra £21 billion. They say that we have not put enough money into education. They promised £9.5 billion; we are putting in £19 billion. This debate has been called by Liberal Democrat Front Benchers for no other reason than to curry favour with the Association of Liberal Democrat Councillors—one might almost imagine that a leadership contest was in the offing.

The debate has not been called to hold the Government to account, because we know that this year's settlement is the most generous for seven years and more generous than anything offered by the Liberals or the Conservatives at the election. The Liberals keep telling me, and Paddy Ashdown reaffirmed it—

Mr. Deputy Speaker (Mr. Michael Lord): Order. The Minister must refer to parliamentary colleagues in the correct form.

Ms Armstrong: I am sorry, Mr. Deputy Speaker. The right hon. Member for Yeovil (Mr. Ashdown), who is still a Member of Parliament, reaffirmed last September that the Liberals would have stuck with the financial memorandum that accompanied their election manifesto throughout this Parliament. The figures I am using are drawn from that document and, if hon. Members do not like it, I am sorry for them.

Mr. Paul Tyler (North Cornwall): Can the Minister be objective and non-partisan, just for a moment? From her remarks, it appears that she regards as irresponsible any local authority, whatever the colour of its controlling group, that has exceeded the 4.5 per cent. increase. Is that really what she is saying to the Local Government Association and to a large number of Labour-controlled local authorities?

Ms Armstrong: I have certainly not said that. That is why I have emphasised that we never set 4.5 per cent. as a figure above which councils should not go. We said that, if they went above that figure, they would have to share with Government the burden in terms of council tax benefit—

Mr. Tyler: The Government penalise them.

Ms Armstrong: The hon. Gentleman does not appear to understand that it is the taxpayer who funds council tax benefit, so the penalty is paid by the taxpayer. The Government are concerned about that, even if the hon. Gentleman is not.

Today's debate has not been called to highlight how responsible Liberal councils are. The hon. Member for Sutton and Cheam appeared almost embarrassed to mention Liberal councils.

Mr. Burns: She wrote that before the hon. Gentleman had even spoken.

Ms Armstrong: It is not written down here, so there you go.

We know that the average council tax per dwelling in Liberal areas is higher than in Labour areas, just as the average increase in Labour councils is lower than in Conservative councils. The debate has not been called to draw attention to the shires, because average council tax per dwelling in shire areas is lower in Labour areas than in either Liberal or Conservative areas. The debate has not been called to demonstrate how responsible Liberal Front Benchers are, because we know that they would let council tax rise faster and further without trying to protect the taxpayer, while their hare-brained local income tax scheme would cost millions to introduce and lead to a massive increased burden on business in implementing it.

Local councils such as Wandsworth, Torbay and Herefordshire are responsible for pushing council taxes up, just as local councils such as Bristol, Lambeth and Greenwich are responsible for keeping average rises down.

Jackie Ballard: Liverpool.

Ms Armstrong: Liverpool, I grant the hon. Lady.

The Government are responsible for putting in place the necessary resources for local services, and we have done just that; the Liberals would have done even less. The Government are responsible for protecting the taxpayer, and we shall do so through our new reserve powers; the Liberals would do nothing. The Government are responsible for driving the modernisation of local government, just as we are doing through the introduction of elected mayors and a new ethical framework—the Liberals and the Conservatives simply do not know what to do.

It would do the House some good and do local government a great deal of good if we moved away from the yah-boo politics of spend and blame. It is time for a grown-up relationship, where councils take responsibility for their decisions and central Government intervene only in the national interest. Today's debate has been called by the Opposition, but they would do better to join the Government in taking a mature approach to the politics of local government. That is the Government's approach, but it is clearly not shared by the Opposition. I hope that, over the next few years, we can foster such an approach and demonstrate that there can be a fruitful relationship between the centre and the localities, in which both accept their responsibilities and work to ensure that local people get the best for their money.

5.15 pm

Mr. Simon Burns (West Chelmsford): I congratulate the Minister on her Alice-in-Wonderland speech. The only thing that I can say in her defence is that at least she could not keep a straight face for most of it.

I listened to Labour spokesmen making speeches from the Opposition Dispatch Box during the previous Government. They would have been horrified to think that, only two years after its return to Government, Labour's approach to local government spending would be turned on its head and changed so dramatically. I thought for a moment that it was a Conservative rather than a Labour Minister speaking—let alone an old Labour Minister from an old Labour Department.

Mr. Simon Hughes: The hon. Gentleman makes a perfectly valid point: it sounded more like a right-wing Conservative speech than a new Labour speech. Will the hon. Gentleman explain why no more than three Tories have been present for the debate so far? At one stage, only one Conservative Member was present. If they are so concerned about local government elections and council tax rises, where are the massed ranks of the Tories?

Mr. Burns: There is a simple answer to that question. I will go down the same road as the Minister and say that I suspect that the Liberal Democrats called today's debate not simply to discuss local government finance. I think that several Liberal Members have other agendas. It is sad to see that three prospective leadership candidates have now left the Chamber. No doubt, when more electors are present, they will return to their rightful places—as they now do every morning in the Tea Room at breakfast.

The first sentence of the Liberal Democrats motion reads:

"That this House notes that the prime determinant of council tax levels is the amount of funding allocated by central government to local authorities".

That is such a truism that I suspect that no hon. Member disagrees with it. In fact, it is almost as straightforward and simplistic as the statement that the battle of Hastings was in 1066—as every schoolboy knows.

When announcing the local government finance settlement last December, the Deputy Prime Minister declared, in his normal rumbustious way, that he expected council tax to increase by an average of 4.5 per cent this year. In a flight of hyperbole, he described it as

"the best deal for years for local people." [*Official Report*, 2 December 1998; Vol. 321, c. 886.]

In the cold light of day, with council tax levels set for next year, the Deputy Prime Minister's view is not shared by most people around the country who are receiving their council tax benefits on their doormats.

Ms Armstrong: Council tax bills.

Mr. Burns: Many people will receive benefits as well—I shall come to that later.

If the Deputy Prime Minister's comments had been included in a prospectus designed to sell a commercial product or service, I suspect that the Serious Fraud Office would want to interview him. The situation that he described is far removed from reality. As my hon. Friend the Member for Croydon, South (Mr. Ottaway) rightly said, the Deputy Prime Minister is a bit like a used car salesman. As we know from the figures released by the Government this morning, the average council tax increase in England is 6.8 per cent.—which is significantly more than his overly optimistic forecast. On band D precepts, Buckinghamshire faces an increase of 9.8 per cent.; Oxfordshire, 11.8 per cent.; Worcestershire, Nottinghamshire and Cambridgeshire, 9.9 per cent.; Hertfordshire and Norfolk, 9.8 per cent.; Shropshire, 9.7 per cent.; North Yorkshire, 9.6 per cent.; and Northumberland, 9.5 per cent. Even my county of Essex faces an increase of just under 7 per cent. Those figures do not include council tax increases for borough and district councils, which will have to be added to them, or certainly amalgamated into them.

Unitary authorities, especially in London, face horrific rises. Brent will experience an increase of 15.2 per cent.; Kingston, 12.7 per cent.; Redbridge, 10.9 per cent.; and Bromley, 9.9 per cent. Wandsworth, which the Minister mentioned, faces a increase, when the figure is rounded up, of 16 per cent. Outside London, to mention only a few, Torbay faces a rise of 16.5 per cent.; Rutland, 9.4 per cent.; Milton Keynes, 10.7 per cent.; and Telford and Wrekin, 9.5 per cent. So much for the Deputy Prime Minister's statement last December and his forecasting skills. It is no wonder that no one outside Millbank and Blair's on-message babes thinks that this is the best deal for local people for years.

[Mr. Burns]

Will the settlement, which the Government claim is so wonderful, enhance local services? Sadly, the evidence from budget setting throughout the country is that it will not. All over the country, there are cuts in crucial services, such as the police, due to budgetary pressures. In Essex, the mounted police section is to close down. *[Interruption.]* The Minister may laugh, but that is not funny for the people of Essex, who want a decent police force to combat crime.

Ms Armstrong: The hon. Gentleman should know that Durham had to close its mounted police section some time ago, but such policing is necessary only in certain areas and at certain times, and that is frequently an operational, rather than a budgetary, decision.

Mr. Burns: I suspect that the right hon. Lady is, to coin a phrase, speaking on the hoof. The police authority in Essex has made it clear that, due to the lack of £7 million for funding the police this year, it is having to close down the mounted police for budgetary, not operational, reasons. The same is true of cuts in the motor cycle section of the Essex police and the closure of several rural police stations.

Mr. David Watts (St. Helens, North): Does the hon. Gentleman think that his speech has any credibility, when the previous Government slashed public services for 18 years and, at the same time, jacked up the council tax and the poll tax to unheard-of levels? St. Helens council faces a 1.9 per cent. increase in council tax this year, which is in stark contrast to the cuts that it experienced under the previous Administration.

Mr. Burns: The answer to the first part of the hon. Gentleman's intervention is yes, but I am sure that his Whip has noted his remark and that, when the reshuffle occurs, his bid will be fully considered. In answer to his second remark, I shall deal later with areas such as St. Helens and the fiddling that has occurred this year in the setting of the amount of money that local authorities have received. If he would care to wait a little, I will explain why certain parts of the north have done considerably better than certain parts of the south, due to the Government's allocation of funding.

As I was saying, the effect of the settlement in Essex has been particularly difficult for the police and has resulted in 36 fewer bobbies on the beat compared with two years ago. The pledge "tough on crime and tough on the causes of crime" seems to be rather hollow in my county because, despite the tremendous work that the police are doing, they have found themselves financially squeezed, with their resources and equipment reduced year on year and fewer bobbies on the beat.

The settlement has had a similar effect in Barnsley. In an earlier debate, the hon. Member for Barnsley, Central (Mr. Illsley) told the House about the £2 million-worth of cuts in services there. There have been redundancies among teachers in Somerset, cuts in social services in Oxfordshire and education cuts in Brent. If the Deputy Prime Minister wants to join the real world to discover what is really going on as a result of his settlement which he thinks is so wonderful, I can recommend no better person for him to talk to than his hon. Friend the Member for Brent, East (Mr. Livingstone), who wrote in the *Evening Standard* on 29 January:

"How has it all gone so sour so quickly?"

I asked the Minister during her remarks what her answer to that question would have been if she had had the pleasure of meeting her hon. Friend. I am not sure whether it was out of nervousness because she did not know the answer or the result of in-fighting within the Labour party, but she dismissed her hon. Friend in fairly rude terms. I hope for her sake that the hon. Member for Brent, East does not read *Hansard* every day.

Ms Armstrong: Does the hon. Gentleman accept that Brent still has the 18th highest standard spending assessment in the country?

Mr. Burns: If the right hon. Lady were to go to the main street in Brent to give that message to pensioners who are facing cuts in provision for their care, if she were to meet children in children's homes who are facing cuts in services and if teachers in Brent who are facing redundancies and cuts were to hear what she has said, I think that—to put it politely—they would laugh her out of court.

It is not the SSA that is of interest to the people of Brent. They are interested in the services that are provided and whether there is enough money for an effective, efficient service, and the hon. Member for Brent, East does not believe that that is the case. He has made it clear in the *Evening Standard* that he is appalled.

I am trying to tell the right hon. Lady—this is only one example—that the wonderful financial statement that has been spun round every studio in the country is not quite so wonderful in the real world with real people who are receiving real council tax bills and who have to pay them.

One of the well-rehearsed arguments about the current settlement is that the Government have penalised the south of England, and possibly London, to the benefit of the north. The hon. Member for St. Helens, North (Mr. Watts), in an intervention that was designed to be helpful to the Government, referred to the wonderful situation in St. Helens. As St. Helens is a beneficiary of the settlement, I shall deal with the hon. Gentleman's intervention as I promised.

Given that shire counties and district councils increasingly have to raise more of their revenue themselves, it is fair to ask whether all such councils are treated equitably by the Government or whether there is a geographical bias in favour of one part of the country over another. To my mind, that can best be considered by examining which councils face the best and the worst changes in their total external support and percentage of SSA between 1998-99 and 1999-2000.

Of the 10 shire counties with the most favourable change in TES relative to SSA, six are in the north-east or the midlands, while, of the 10 with the least favourable change, nine are in the south-east. If, on the same basis, we consider what is happening to the shire districts, we find that, of the 25 districts with the most favourable change, 15 are in the north of England and two are in the midlands. Out of the 25 districts that have done least favourably, 10 are in the south-east, eight are in the south-west and one is in East Anglia. Only three are in the east midlands, with only three in the west midlands.

Interestingly, there are no shire districts from the north of England in those figures. That analysis shows categorically that, of both shire counties and shire districts, there is a geographical bias in the 1999-2000 settlement against councils in the south of England. The logical conclusion to be drawn is that that area of England has fared particularly badly compared with the rest of the country in this year's settlement.

Mr. Brian White (Milton Keynes, North–East): Will the hon. Gentleman give way?

Mr. Burns: No, I shall not for the moment.

Consequently, the pressures on council tax increases and service cuts will be the greatest in this area—hence the litany of examples that I gave earlier.

In total, over the past two years, shire counties have lost about £250 million and London £140 million, while metropolitan areas have gained about £365 million. I am sure that any hon. Member, particularly from a constituency in the south, south-west or south-east, will recognise how skewed the settlement has been.

I am delighted to see that there are three Liberal Democrat Members in—

Mr. Andrew Stunell (Hazel Grove): Four.

Mr. Burns: I apologise to the hon. Gentleman. I thought that he was a Scottish nationalist. He has obviously made a great impression since he entered the House.

I am pleased to see four Liberal Democrat Members in the Chamber, especially as their hon. Friend the Member for Southwark, North and Bermondsey (Mr. Hughes) commented earlier in the debate about the number of hon. Members present.

Mr. Stunell *rose—*

Mr. Burns: I will give way, as I was wrong about the hon. Gentleman's party.

Mr. Stunell: I am a Liberal Democrat and I do not come from Scotland, although I am called Andrew. Perhaps that explains the link in the hon. Gentleman's mind. May I point out to him that there are in the Chamber at present more Liberal Democrats than Conservatives, as there are in local government in the country?

Mr. Burns: I accept that there are more Liberal Democrats in the Chamber, but the hon. Gentleman is wrong about local government. Following the local elections last May and by-elections since, the Liberal Democrats are no longer the second party of local government. They are the third party, and no doubt they will be even more so in about eight weeks.

I shall deal briefly with council tax benefit. The full bill for council tax benefit is met by central Government. However, despite vigorous opposition from local authorities, the Government have decided to proceed with the reforms that they outlined in their White Paper "Modernising Local Government" which will transfer to local authorities some of the responsibility for meeting the cost of council tax benefit above a certain threshold from the beginning of the next financial year. That is the wrong way to proceed, as it will have a disproportionate impact on council tax payers in areas where an above-average proportion of residents receive council tax benefit. As the Local Government Association rightly said, that will mean that the nearly poor are paying for the really poor. That is an extraordinary philosophy for any Government, let alone a Labour Government, to adopt unashamedly.

Mr. Burstow: Will the hon. Gentleman give way?

Mr. Burns: No, I am not giving way.

That is an arbitrary and unfair system. I urge the Government to think again and to take account of the effect on people just above benefit level.

Finally, I shall deal with capping. In their manifesto at the last election, the Government promised to end what they described as "crude and universal" capping. However, they have not lived up to their promise or the expectations that they raised before the general election. The changes that they have made for the coming year could best be described as arbitrary and retrospective capping, especially as the changes further blur accountability in local government and reduce transparency.

By deciding not to announce provisional capping limits, but retaining the power to cap budgets if they exceed what they deem appropriate, the Government have given themselves the opportunity to decide the capping criteria that they eventually use on the basis of which councils they wish to affect. That is a ridiculous and unfair way to proceed. It is clear that the Government have no intention of changing their policy at this late date, but I warn them that there will be severe repercussions in the coming year, which they will find it extremely difficult to justify to the people who will be so badly penalised as a result of that policy. It is unfair to have left local authorities effectively in limbo without laying down some criteria in advance of then setting their budgets.

I can only reiterate that the Deputy Prime Minister's expectation that the average council tax increase would be 4.5 per cent. has turned out to be a hollow sham. As council tax bills land on people's doormats, they will see clearly that the claim that the settlement is the best deal for local people is patently false—a myth which cannot be justified—and, in the coming six to eight weeks, Labour candidates up and down the country will rue the day in December last year when expectations were raised so high. The bills that council tax payers will have to pay in April will not live up to what they were led to believe would happen.

5.36 pm

Mrs. Louise Ellman (Liverpool, Riverside): I support the Government amendment to the motion. I am a strong supporter of local government and am absolutely convinced that local government working at its best can respond to local needs and wishes in a way that no other layer of government can. Local government working properly meets the needs of its communities; acts as a community leader; shows imagination, flexibility and initiative; and looks ahead as well as reacting to immediate difficulties.

I also understand the enormous damage that was inflicted on local government and on our communities in the 18 years before the Government came to power.

[Mrs. Louise Ellman]

Attacks were made on local government's financing and powers and on the whole principle of local government and local accountability itself. A start has been made on changing that in the two years since the Government came to power, but it is not feasible to imagine that those 18 long years of consistent attacks, consistent cuts and consistent denigration can somehow be ignored.

I consider what the Government have delivered to be the beginning of a new start for local government. Although I want a great deal more progress to be made in future years, that necessary beginning has been achieved, in the face of great difficulty and against that record of cuts and denigration.

The motion has been tabled by the Liberal Democrats, who are nothing if not opportunistic; indeed, they are everything to everyone. They are all in favour of public spending, as long as others are responsible for the bills. They hide away from responsibility, claiming that they want to spend public money, but blaming others if they are concerned that the public will not like the cost of meeting those bills.

Liverpool, the city that I represent, will benefit from next year's local government settlement; it is the most generous for many years and, at long last, recognises the needs of the city, which is in an objective 1 area—one of the poorest areas in Europe. The city has acute needs and tops the list of areas of urban deprivation in this country. For the first time, the real needs of the city are being addressed—by this Government; indeed, the settlement that they have delivered for next year has made it possible for a council tax freeze to be imposed.

Meanwhile, what are the Liberal Democrats doing in Liverpool? When the Government are delivering a revenue support grant settlement that starts to meet the needs of the people of Liverpool, the Liberal Democrats are mounting a major assault on pre-school services, on the youth service and on the voluntary sector. They are cutting funds for Lark Lane play association, and at Lodge Lane East residents association. They are cutting funds provided for children's services—after-school and pre-school services. They have threatened to close youth clubs, including Dehon youth club in Dingle, which is much used and much needed, and they are cutting funds for the pre-school education resource centre. While the Government are delivering money to Liverpool, the Liberal Democrats are mounting an assault on the voluntary sector and youth and pre-school services. That is what the Liberal Democrats mean, in practice.

Mr. Sanders: I feel rather confused. The Minister blames councillors for council tax rises, but the hon. Lady is giving the Government credit for a council tax freeze in Liverpool. Can she explain?

Mrs. Ellman: Certainly, I give the Government credit for increasing Liverpool's standard spending assessment for next year by 5.1 per cent.; increasing its education SSA by 3.7 per cent.; and increasing its social services SSA by as much as 11.3 per cent. It is right for the Government to be given credit for that, and for the Liberal Democrats to be deplored for cutting spending on the voluntary sector, the youth centre and pre-school services. That is a disgrace, and shows the hypocrisy of the Liberal Democrats.

The Liberal Democrats say a great deal in the Chamber about their support for public spending. I agree that public spending is critical to the existence of a civilised society which can attempt to achieve equity, but what we hear from the Liberal Democrats is simply a call for more spending on education. That, too, is important, but only infrequently do we hear about the need to spend on the health service, social services and transport.

Incredibly, only a few days ago, the Liberal Democrats voted against the introduction of working families tax credit, which will put an extra £22 a week or so into the pockets of the families who need it most. Their pragmatism allowed them to vote with the Conservatives against a measure that will benefit people. I bear that in mind when I hear them criticise what the Government are trying to do, and I shall always remember that they found it painless to vote with the Conservatives against a credit designed specifically to deliver extra cash to those in the greatest need. That may eventually be their epitaph.

At the beginning of my speech, I spoke of the legacy inherited by the Government—a legacy of local government cuts in particular, but of cuts across the range of public services. I do not pretend that, in their second Budget, the Government redressed the wrongs of 18 long years; indeed, I do not think that it is possible to do that. The Government have, however, delivered an extra £2.6 billion directly to local government for next year, on top of more than £42 billion extra for, in the main, education and health. That is a creditable beginning, although it is only a beginning.

One of the deficiencies and inequalities of what we have inherited from the last Government is the inequity of local government settlements, which we have now begun to address in Liverpool and elsewhere. The Government have also imposed a three-year freeze while there is proper study and consideration of how to put right those inequities. At long last, we are having a pause, so that a proper assessment can be made of the needs of various local authorities throughout the country.

That is an important initiative—indeed, I urge everyone with a view to make representations during the three years. I hope that, at the end of that time, we will do something to right the inequitable gearing effect, which was inherited and means that the poorer a local authority is, the harder it is for it to raise additional money to support local services. In Liverpool, where 67 per cent. of properties are in band A, compared with about 24 per cent. nationally, the gearing effect is drastic. I hope that the Government will use the three-year freeze to examine gearing, the area cost adjustment, equity, differing needs and a poverty index, so that we can have a fairer settlement at the end of that time.

Mr. White: Does my hon. Friend agree that, in examining the area cost adjustment, we should meet the legitimate aspiration of councils such as Liverpool, yet not penalise councils such as mine in the south-east of England that would lose up to £7 million if the area cost adjustment were taken away just like that? There must be a way in which to satisfy the needs of both.

Mrs. Ellman: I thank my hon. Friend for his comments. The purpose of having the three-year freeze is to allow proper consideration of the point that he has raised. That is the purpose of having time for assessment—for consideration of various points that have been made and of new points that are being made.

The hon. Member for Sutton and Cheam (Mr. Burstow) condemned the Government for what he described as a period of austerity. The Government's first two years in power have been not about austerity but about bringing stability to the inherently unstable situation that they inherited. That has allowed public sector deficits to be turned into surpluses. It has meant that we have the lowest long-term interest rates—and the lowest long-term mortgage rates—for more than 30 years. It means that we can look forward to a period of stability, where we can start to grow and move further on righting the wrongs of the past. In that economic climate, we will be able to continue to make progress and to look at the needs of varying communities throughout the country.

We must strike a balance between the need to spend more to protect public services and to promote higher standards, ensuring that there is efficient spending, and the problem of raising funds to pay those bills. I support public service. I have supported it for many years. When I was the leader of a major local authority, I took great pride in public spending—efficient public spending to promote high standards of service—working with the private sector to promote economic growth and economic development to support the needs of the community that I represented.

The Government are at a new beginning. Eighteen years of decline is a difficult basis from which to start, but, in the two years for which the Government have been in power, they have shown good faith and made a significant start in righting the wrongs of the past. They should be praised for that. They should be encouraged to do much more. That is why I support the Government amendment.

5.49 pm

Mr. Adrian Sanders (Torbay): As hon. Members will know, the history of council tax is really the history of the 1980s income tax cutting agenda. An unfair rating system—which people increasingly thought to be unfair, and which was certainly spotted by a previous Prime Minister as being particularly unfair—led to the introduction of the poll tax. However, the poll tax had a different consequence, enabling Chancellors in the 1980s to shift the taxation burden on to local government.

The poll tax proved to be unwelcome to many people. I think that probably all Labour Members—certainly all Liberal Democrat Members—fought long and hard to get rid of that tax. The Government of the day decided that they would get rid of it, but replaced it with another regressive tax—the council tax. Granted, that tax was slightly more fair. Nevertheless, it was a regressive tax and was not related to ability to pay.

With the council tax came two other things: the uniform business rate, and the standard spending assessment—with which I shall deal in a moment. Before and during the period for which the poll tax operated, about 40 per cent. of local government finance came from local taxpayers and about 60 per cent. came from central Government. After the poll tax was ended, there was a shift, when about 80 per cent. of finance came from central Government and only about 20 per cent. came from local sources.

Mr. Burns: I do not want to spoil the hon. Gentleman's train of thought, but I should like to correct him on his facts—in case it might make a difference to the conclusions that he is about to reach. The uniform business rate was introduced with the community charge, not the council tax.

Mr. Sanders: I thank the hon. Gentleman for correcting me, but the uniform business rate was operated with the council tax. It was a part of the shift, which was not reversed, of the taxation burden from central Government to local taxpayers. The consequence has been that local authorities are now more dependent for financing on central Government than they were, and the tax burden has been shifted from central Government to local taxpayers.

My hon. Friend the Member for Sutton and Cheam (Mr. Burstow) said that the most recent local government settlement was a "smoke and mirrors" settlement. I should describe the most recent Budget as a "smoke and MIRAS" Budget. The Red Book for this year—and the one for last year, if one was sensible enough to keep it, as I did—shows the problem with the Budget, by showing the amounts that the Government expected to receive in council tax receipts from 1996 to 1999.

In 1996-97, council tax receipts were expected to be £10.2 billion. In 1997-98, they were expected to be £11.3 billion. The next year, they were expected to be £11.8 billion. This year's Red Book—under the chart explaining "where taxes come from"—shows that council tax is expected to be £13 billion. In the past two years, therefore, there has been a shift in the taxation burden of approximately 20 per cent. from central Government to council tax payers.

The 20 per cent. increase is equivalent to 1p on income tax—which would have been a progressive tax, related to ability to pay. Council tax is not a progressive tax; it is a regressive tax. However, the Chancellor will be able to blame local councillors for any increase, rather than accounting for it in the Budget.

Although all councils are affected by those Budget changes and by the shift in taxation from the centre to council tax payers, some councils are more affected than others by the changes to the grant formulae.

The standard spending assessment is a guideline and is not necessarily the sum that will be paid to councils. A table listing the assessment of needs for 82 similar councils—both metropolitan and unitary councils—across Britain places my own local authority's SSA assessment of need at 34. Therefore, the Government's own SSA totals show that we are the 34th most needy local authority. However, in grants, my local authority is 50th out of 82 councils. Had we been treated as 34th in both tables, my local authority would have received £44 more per person, or a total of £5.4 million. It is no wonder that our council tax will have to rise this year.

A number of factors in the grant formulae adversely affect—or benefit—local authorities. The factors are essentially political decisions about which formula changes to allow.

There is within the formula a calculation of the assets sold by councils. However, the calculation is based on the interest that councils derive from investments—which presupposes that councils have investments. Moreover, it is based on an average, not on a council's actual investments. Therefore, a local authority that has sold off its assets will be quids in, whereas a local council in

[Mr. Sanders]

which people have said, "No, we don't want to sell off our assets," will be penalised. My local authority is in the latter position.

The grant formula for tourist areas is vital. In previous grant formulae, it was recognised that local authorities with many visitors have to provide facilities 52 weeks of the year, although the facilities may be used for only a short summer season. Such authorities may have to spend money on cleaning the beaches and streets, for example, or on providing more public conveniences for a population that rockets at some times of the year. Those are all big expenses for such local authorities. However, last year, the Government reduced the weighting for tourist nights. The reduction not only affected us last year but will affect us again this year.

The minimum wage will affect my local authority. The effects of the minimum wage will be greater in low-income areas than in other areas. This year, because of the minimum wage, contracts previously agreed with private sector contractors will have to ratchet up much more quickly in low-income areas than they will in other areas with higher incomes.

Mr. Burns: Did the Liberal Democrats not support it?

Mr. Sanders: We did not vote for a national minimum wage; we are in favour of a regional minimum wage.

Torbay, Plymouth and Devon, which are low-wage areas, have been hit particularly hard by the minimum wage, particularly in social services.

Mr. Andrew George (St. Ives): Cornwall has been hit, too.

Mr. Sanders: Yes, Cornwall also.

Weighting for elderly people has been reduced. Areas with a high percentage of elderly people will lose out from that part of the formulae, too. Moreover, as I said in an earlier intervention, rising pupil numbers are another important factor, as the head count in the education SSA is 18 months behind current pupil numbers. Although councils have to provide money to schools for current pupils, the money councils receive lags 18 months behind. If pupil numbers are declining, one will be quids in in current cash flow, although one will lose out in future years. However, the effect of the changes on councils with rising pupil numbers will be a greatly increased education bill and, with £2,300 for primary school pupils and £3,000 for secondary school pupils, it does not take many new pupils to cause a significant percentage increase.

Until 1 April, my local authority had the lowest council tax in the south-west. After the rise, only two of the 10 local authorities in Devon will have a lower council tax than Torbay. Torbay's council tax will still be £100 below the national band D average. However—in an area with some of the lowest incomes in the United Kingdom, and with GDP per capita equal to that in Cornwall—we face a massive 16.4 per cent. increase.

I know that councillors of all parties were concerned when setting the council's budget. The Labour group thought that a 20 per cent. increase was required to protect services and to fill the gaps created by changes to the formulae and the overall grant settlement for local government. I saw a councillor in tears at having to make a choice between cutting social services, care for elderly people and care for people with disabilities, or increasing council tax by 16.4 per cent. That percentage on the lowest council tax is not as great as a smaller percentage rise on a larger initial council tax, but in an area that has such low wages and is so economically disadvantaged as a result of 18 years of Conservative government, it is more than many will be able to bear. Coming on top of a 10 per cent. rise in water charges—the highest water charges in the country—it is causing great difficulty.

One could say that things were worse when we had the poll tax. We had the highest poll tax in the south-west when the Conservatives ran the council. The poll tax was significantly higher, even without adjusting for inflation, than the council tax is today for a two-adult household in a band A or band B property.

There are three factors involved. First, we have an unfair tax. The Government should be looking for a fairer system of taxation for local services. It should be truly related to ability to pay and should bring in accountability and transparency. It should be clear to people who is to blame for tax rises or poor services. Secondly, there is Treasury chicanery. The burden of tax has been shifted on to council tax payers. Thirdly, the shift in formulae has made a difference, hitting councils in the south-east and the south-west and those with particular circumstances hard, while those in other parts of the country have gained. The hon. Member for Liverpool, Riverside (Mrs. Ellman) said that it was wrong of the previous Government to fiddle the figures to benefit councils in London and the south—the flagship authorities to which the Conservatives used to refer—but that it was all right for this Government to tweak the formulae in a similar fashion and for the Chancellor to play around with the budget and the overall settlement.

I should like to hear a recognition from the Government that council tax is an unfair tax. They should look at the areas that have suffered particularly from the changes in the formulae—areas whose local circumstances resulted in their being hit by a big stick. The Government should look sympathetically on such councils and work with them to do something about the problem. I should like to hear less from Ministers about league tables. It is funny that, when the Conservatives are in government, Conservative councils normally deliver the lowest rises in local taxes, whereas when we have a Labour Government, it seems to be Labour councils. The people of this country are not fooled by that. They know that Governments use the local government system for political ends.

6.3 pm

Mr. Brian White (Milton Keynes, North–East): When I read the first sentence of the Liberal Democrat motion about

"the prime determinant of council tax levels",

I thought, "Yes, I am happy to agree with that." When I read the words about the inadequate financial settlements of recent years and the substantial rise in council tax, I thought, "Yes, I am quite happy to agree with that." The motion then

"calls on the Government to improve the funding of local services and abolish budget capping".

If this were 1997, I would say that that was entirely fair, but the motion fails to recognise what the Government have done in the past two years.

Failing to take account of the context is typical of the Liberal Democrats. They carry on making the same statements after the reality has changed. They asked for a penny on income tax, and they are still demanding it even after more money than they would have dreamed of has gone to public services. It is unacceptable to table such a motion without recognising the fact that the context has changed over the past two years. The Local Government Bill, which will receive its Third Reading tomorrow, will abolish crude and universal capping. That is a key manifesto commitment which we shall deliver on in this Session, never mind this Parliament.

Many people talk about local government finance, but I have yet to find anyone who can truly say that they understand it.

Dr. Alan Whitehead (Southampton, Test): *indicated dissent.*

Mr. White: My hon. Friend is the exception.

The Liberal Democrats did not compare like with like, but quoted meaningless statistics for different councils. For example, they took no account of the fact that some councils deliver nursery services and others do not.

It is important to recognise that the Government have introduced stability in the system. For many years, in the Local Government Association and previously in the Association of District Councils, I argued strongly that one problem with the system was that we did not know what was happening from one year to the next. The settlement provides stability for three years. Councils know what will happen. They can plan for three years because the formula has been set and they have stability. The comprehensive spending review has put billions of pounds into public services. Education services will get massively increased sums. That can be seen coming through into schools now.

I accept that this year's settlement does not rectify the legacy of 18 years of under-investment and a lack of decent settlements. One good settlement will not solve all the problems of local government, but ignoring the fact that there has been a good settlement, as the Liberal Democrats have, misses the point.

The Liberal Democrats are like Oliver, always asking for more, but they are not prepared to put in place the modernisations that are required to improve services. The Government have rightly said that the extra money is for improvements to services. The White Paper on modernisation of local government, the extra money, the best value pilots throughout the country and other schemes will stand local government in good stead. As a supporter of local government, I think that it is important to recognise what is good. One reason why I do not support the Liberal Democrat motion is that it does not recognise what is going on in local government.

My local authority has been going through a series of modernisations. The most recent was a referendum. I shall not go into details, but, if it had been left to the Liberal Democrats on the council, we would not have had a referendum and we would probably have had a 15 per cent. council tax rise.

The hon. Member for West Chelmsford (Mr. Burns) talked about fiddling. I suppose that the Tories know all about fiddling. He said that money was going to Labour councils, and then complained that Brent, a Labour council, was not getting it. He cannot have it both ways.

My hon. Friend the Member for Liverpool, Riverside (Mrs. Ellman) talked about the changes to the area cost adjustment over the next three years. It is important that those changes should start early. Negotiations and discussions with the Local Government Association should take place as early as possible to ensure the best chance of securing a consensus. If we get a consensus, there will be an opportunity to move forward. The worst thing for local government would be to waste the three years of stability and have a row at the end of it. We should use the opportunity that the Government have given with the three-year plan to get the right benefits for local government.

I was interested in the ability of the hon. Member for Sutton and Cheam (Mr. Burstow) to rewrite history. He seemed to blame this Government for the nationalisation of business rates, for the switch from council tax to VAT and for centralisation. To cap it all, he said that, even if there were a shift back to council tax, that would be wrong as well. Yet again, the Liberal Democrats are trying to have it both ways, condemning centralisation and condemning giving local authorities a greater say over larger amounts of money. I am a great supporter of the view that we should increase the amount that local government can decide, including returning business rates to local control. The Liberal Democrats fail to realise that it is not as simple as just wishing it to happen—their normal policy. It does not work that way.

How many Liberal Democrats have talked to their local business community to get them onside in a campaign for the return of business rates to local authorities? Merely saying it will not achieve it—nor will it tackle the difficult issues involved in the redistribution of business rates.

Mr. Ronnie Fearn (Southport): Does the hon. Gentleman realise that the Local Government Association is pressing for business rates to alter because, in seaside resorts, it is an unfair tax which needs to be changed? The British Resorts Association has said that the tax is not progressive, but vies against the homelessness and the elderly people in seaside resorts. The LGA feels that that is wrong.

Mr. White: I am a strong supporter of the return of business rates to local authorities. However, Liberal Democrats must recognise that it is not as simple as that—they must get businesses to go along with that policy. It is important that we achieve a consensus. Many businesses want the business rate returned to local authorities, not least because there are large numbers of economic partnerships up and down the country where businesses and local authorities work closely together. It would be an incentive to have the business rate set locally, where it could result in changes in parking and other policies in which businesses, the voluntary sector and local authorities have a vested interest.

Jackie Ballard: The hon. Gentleman is arguing that the Government need to get businesses onside before changing the business rate. Does he agree, therefore, that the Government should get local authorities onside before introducing council tax benefit subsidy limitation, as all 189 responses to the consultation were opposed to that? Is there one law for business and another for local councils?

Mr. White: The hon. Lady will know that that matter has been discussed in previous debates. Liberal

[Mr. White]

Democrats simply want to turn on the taps, and they have learned nothing. We want to make sure that the extra money starts to improve local services.

In my local authority, we have received the best ever settlement of 6.4 per cent. To counter the hon. Member for West Chelmsford, I should like to say that my authority is in the south-east of England and we received our best ever settlement.

The Government are right to put the case for modernisation. One of the problems with the motion is that the Liberal Democrats do not accept the massive changes that have been made by the Government. I find the opportunism of this debate rather depressing, but I should not be surprised by that. The Liberal Democrats say one thing to one person and another thing to someone else.

When my local unitary authority was created, the Liberal Democrats from the county were used to working with Labour, whereas the Liberal Democrats from the district were used to attacking Labour. The Liberal Democrat group meetings could not agree on whether to attack or support Labour—and they ended up doing both.

This debate shows the difference between the Liberal Democrats and Labour. Labour is about taking issues seriously and delivering services—it is not about protest votes, wishful thinking or whingeing from the sidelines. Labour is about delivering, and I commend the amendment to the House.

6.14 pm

Mr. Andrew Stunell (Hazel Grove): This has been an interesting debate. One of the key points of the hon. Member for Liverpool, Riverside (Mrs. Ellman)—who is no longer here—was that the Government have introduced stability. I was reminded of the political phrase "in the long run, we are all dead". When we are screwed down in the coffins, we have stability—and that is exactly what the Government have introduced for local government this year.

Before this year, Liverpool had the highest council tax in the country. Even after its freezing, under Liberal Democratic control—for the first time—it will still be the highest in the country. The hon. Member for Riverside did not make it clear whether she thought that the council tax should go even higher in Liverpool, or whether she had another solution—perhaps a more generous grant from the Government, which is, after all, the thrust of what is said today. There has been a tendency in the debate for Members to try to have their cake and eat it.

Stockport metropolitan borough council has had a 5.2 per cent. increase in its council tax, which is modest in comparison with the national statistics. However, it is faced also with cutting services by £4 million. It is a paradox that, in the year when the Government claim to have been so generous with their funding—with a three-year, long-term bonanza of money showering on us from the Treasury—Stockport is unable to set council tax at the rate that the Government predict unless there are massive and fundamental cuts to services.

Even in an attempt to reach the Government's guideline figure, the council is faced with cuts of £4 million. I am a serving member of Stockport borough council and, therefore, familiar with the financial problems there.

Ms Armstrong: Does the hon. Gentleman agree that the actual budget increase for Stockport is 4.7 per cent.—which is not a cut of £4 million? The £4 million is what Stockport would have liked to spend.

Mr. Stunell: We could have an interesting rerun of the budget debate in Stockport, where Labour Members claimed that we should be increasing spending to a greater extent to protect education. There are so many funny figures and phoney funds that Ministers often confuse themselves about the situation that they are imposing on councils.

Historically, Stockport has, year after year, spent significantly more on education than the SSA allocated by the Government for education. In other words, we have been spending more on our schools, pupils, books and education services than the Government have felt we should. This year, we have had the paradox of the £20 billion injected into education, which has resulted in an above-average percentage increase in our education SSA. However, that increase has not even brought the current SSA figure up to the level of spending on education last year. In our case, the £20 billion is illusory; it is a phoney increase, which nearly catches up with the spending that the council was already making.

To make the situation more difficult to comprehend for the council, the Government have made strong play of the need to passport all the extra money into education. We have been asked to demonstrate that we have transferred all the extra money into our education service. The paradox is that we have had the money allocated, almost bringing the notional figure up to the actual figure, but we have had to raise the actual figure to demonstrate passporting, so the gap between what the Government say we should be spending and what the council is actually spending has been increased, not reduced.

The overall allocation to the council is insufficient to meet the needs created by inflation and by factors such as the increased number of pupils and elderly persons. We have indeed put extra money into education, but just by cutting £2.8 million in social services. The Government ask us to spend more on supporting and developing children's potential, but force us to make cuts in children's services.

There are such astonishing discrepancies between adjacent authorities with similar needs that it is hard to take seriously what Ministers say. For instance, the education SSA for Stockport is £260 a pupil, but for the adjacent authority of Manchester it is more than £600. For certain neighbouring schools serving the two boroughs, the discrepancy is more than £1,000 a pupil. That is difficult to justify or to understand.

Unfortunately, there is also now a prospect of Stockport social services contributing to the problem of bed blocking in local hospitals as well, which an excellent partnership between the health authority and social services has up to now prevented.

The problem is not solely a matter for individual councils. In the metropolitan areas, various residual bodies and authorities have the power to levy a precept on

the metropolitan councils. The Greater Manchester waste disposal levy, which covers 10 metropolitan authorities, has caused a great deal of grief in Stockport this year. The unfairness of the system was so fully recognised that the Government announced the intention of changing it this year, and the draft budgets in Stockport were drawn up in that expectation.

It might be thought that the most obvious way of imposing a levy for the disposal of waste would be in relation to the volume or tonnage of material removed, and we hope that the levy will eventually move to that basis. Alternatively, one might levy a certain amount per head. In reality, the levy in Greater Manchester is imposed in relation to council tax values, which are completely irrelevant. There is a major disincentive to any of the borough councils to pursue a vigorous recycling policy.

Stockport's recycling rate is just a little above the national average of about 8 per cent., and we find it irksome that other—Labour—local authorities in Greater Manchester that have managed rates of only about 2 per cent., or a quarter of the national average, are getting away with it because the levy has not been adjusted.

We discovered in December, after the draft budgets had been drawn up and were being discussed by committees, that the levy would not, after all, be changed for the next financial year. An additional burden of £1.5 million was imposed on Stockport by the simple failure of central Government to implement a decision that they had already notified to the authorities concerned. There are therefore detailed, practical reasons why I am sceptical about what Ministers say.

The Greater Manchester police authority can also raise a precept on the boroughs, and properly so. Last autumn, the chief constable of Greater Manchester police announced that, on his forecast of what he would receive from the Government and the budget that he thought he could set, there would have to be a cut of £15 million for the coming year. He said that, were that cut to be implemented, 400 jobs would be lost in the police service.

Things have not turned out to be quite as dire as those first predictions suggested. The cut was £12 million, not £15 million. The chief constable has written a detailed brief confirming that the result will be 123 fewer police officers serving at the end of the coming financial year than at present, despite a levy on the boroughs of about 12 per cent. Councillors may be criticised for failing to take the right decisions or to be brave—Labour Members have a tendency to criticise Liberal Democrats in those terms—but they could do nothing about that. The police committee in Greater Manchester consists of nine Labour-controlled authorities, plus Liberal Democrat Stockport.

That cut comes on top of a drop of 34 police officers since the general election, so there will be 150 fewer police officers available in Greater Manchester next April than when Labour came to power in May 1997. I regard that as absolutely unacceptable. The basis of financing the police is clearly wrong. Conservative Members should not be cheered up by that news, because almost exactly the same number of police officers were lost between the 1992 and 1997 general elections. Greater Manchester will have lost 300 serving officers since 1992, under both Tories and Labour.

Stockport has the lowest SSA of all the metropolitan boroughs. The formula is wrong, and the leverage is wrong. For every £1 supplied locally, £9 is supplied by the national non-domestic rate and Government grant. The Government have made a rod for their own back. As my hon. Friend the Member for Sutton and Cheam (Mr. Burstow) said, we want to return the non-domestic rate to local control and, in the long term, to make the council tax a local income tax.

Mr. Watts: Does the hon. Gentleman believe that returning the business rate to local councils will automatically increase budgets? That may not be the case. The way in which the Government set up the redistribution network would determine whether local councils receive more cash to provide services.

Mr. Stunell: I thank the hon. Gentleman for his contribution, which brings me neatly to my next point. The Liberal Democrats believe that the proper role of central Government financing for local government is to achieve equalisation of resources, not to support the fundamental service. A significant fraction of the non-domestic rate is generated in the City of London and the fundamental task of central Government is to arrange an appropriate redistributive formula. In another life, I wrote a paper on how that redistribution should be organised.

Jackie Ballard: It makes good reading.

Mr. Stunell: I thank my hon. Friend for that remark, and I would be happy to forward a copy to the Minister, if she would undertake to read it.

Dr. Whitehead: Will the hon. Gentleman send me a copy?

Mr. Stunell: I am happy to put a copy in the Library, if that would suit hon. Members.

I have been critical of the Government because, while they have said the right words, they have done the wrong things. It is possible to make a speech from the Dispatch Box that sounds plausible and looks good in *Hansard*, but unfortunately bears no relationship to reality. Councils of every political persuasion face further reductions in the services they can provide and higher rises in council tax than the level nominated by the Government. The problem is not incompetence on the part of local councils, as I have demonstrated. It is not that local government cannot manage; it is that Government are bungling and fudging.

Mr. Andrew George (St. Ives): Does my hon. Friend agree that not only is the council tax regressive, but so are the powers associated with it? In my constituency, council tax payers in mobile homes have to pay sums well above their ability to pay, while wealthy second-home owners get a 50 per cent. reduction in their council tax. If the system is to reflect ability to pay, that issue must be addressed.

Mr. Stunell: I agree with my hon. Friend. If the council tax is to be retained, it needs major surgery, including the introduction of a band below A that deals with the situation that he mentioned. Some of us would also argue that we also need another upper band to deal with some of the discrepancies at the top end. However, in the long term, the council tax should be replaced by a fair and progressive tax, based on ability to pay.

[Mr. Stunell]

The brave words of the hon. Member for West Chelmsford (Mr. Burns) should not be taken at face value. His party introduced the current financial regime under which we suffer. His party swore blind that the regime would not lead to capping, but subsequently introduced universal, brutal and ridiculous capping for many local authorities. His Government planned to make the system more transparent, but introduced standard spending assessments whose complexity and folly concern anyone who considers the system. His Government enforced, in some cases with considerable glee, cuts on many services provided by local government, year after year. In the police service, as I mentioned, in education—which I could have mentioned—in social services and in many other services provided by local government, standards are worse than before the Conservatives began their attack on local government. The hon. Member for West Chelmsford pretends that, somewhere along the road to Damascus, something amazing has happened to the Conservative party. To me, it sounds less like Damascus and more like deceit. On the streets, many people know the truth about the Tories' legacy in local government, and they will show what they think of it on 6 May.

6.36 pm

Dr. Alan Whitehead (Southampton, Test): I apologise for not being present for the beginning of the debate. I wish to point out the apparent contradiction in the motion. The Liberal Democrats claim that they want more financial autonomy for councils, but the motion also calls for more money from the centre for councils, which logically means a higher gearing ratio when councils come to set their council taxes and, therefore, possibly less financial autonomy for councils.

I understand why the Liberal Democrats have advanced that position today. As a result of the collapse of the Tory vote in the shires, several authorities are under Liberal Democrat control, especially in the south of England. The Liberal Democrats find life difficult being in control, because they are more familiar with holding the balance of power. When they have to make the budget all by themselves, it can be a difficult process for them. It is also more difficult to write "Focus" leaflets when in control than when in opposition.

I can see the "Focus" leaflets being ground out as we speak. They will say that the Liberal Democrats raised the iniquity of the local government settlement with the Government in Parliament and did not get a satisfactory answer. However, I have some sympathy with the Liberal Democrats. The SSA system has been manipulated in the past by Government. It is also true that the conjoining of the SSA system to the idea of universal capping has meant that, increasingly, councils have spent up to their SSA limits. That has meant a decreasing amount of discretion on spending available to local government.

In recent years, local councils have invested large sums of money in commissioning reports and lobbying Government to tweak various measures in the SSA to the councils' advantage, possibly at the expense of examining the services they provide. In the past, we have seen outrages, such as the time when the Conservative Government tweaked the indicator on tourist bed nights to assist a particular local authority, which shall remain nameless. Its name begins with "W", which gives hon. Members a choice. Local councils believe that it can be worth their while undertaking complicated exercises to petition Government about the SSA system.

For various reasons, the SSA system does not achieve a transparent and fair distribution of money to local government. The Government have introduced a three-year freeze on the methodology of SSAs, so that the basis of the distribution can be considered. However, it is difficult to introduce a system of local government funding that does not produce winners and losers.

Not everyone can be a winner all the time. Our standard spending assessment system is the most complex system of evaluating the distribution of local government funding anywhere in the world, except the state of Victoria, Australia. One may regard that fact as good or bad: a system perceived to be fair is likely to be complex, and a system that is simple and transparent is likely to lose out on perceived fairness of equalisation. We have, however, an immensely complex system that is also not perceived to be terribly fair. We must consider distribution.

I favour putting a greater proportion of local government spending at the discretion of local authorities. Among other things, that would lower the gearing effect, creating a more genuine relationship between what local government says it raises from local taxpayers and the outcomes of local taxation. I hope that the review will consider that point.

I, too, have written a paper on the subject; I will swap it with the hon. Member for Hazel Grove (Mr. Stunell). The system is devilishly complex; and there is no easy, fairies-at-the-bottom-of-the-garden solution, as the Liberal Democrats sometimes pretend. We must take the matter seriously and spend time getting the system right. I hope that the Government can come up with a solution that the Local Government Association and local authorities will agree provides fair distribution.

Every year, some people will believe that they have not got the best deal, and they will complain about it. I doubt that we can create a system that will entirely rid us of that, but we must have a system that is transparent and fair. A combination of that intention and of this year's local government settlement—a good one by any reckoning—will pave the way towards such a system.

6.42 pm

Jackie Ballard (Taunton): I spoke earlier with some visitors from the United States of America who are examining the United Kingdom system of government on a Hansard Society scheme. Those visitors expressed surprise at the level of centralisation in our structures of government. They had noticed that local government did not have the freedom to do whatever it thought was in the best interests of local communities. They had noticed, too, local government's lack of financial freedom either to determine local taxation or to introduce different methods of taxation, such as the sales taxes or tourist taxes applied by many states of the USA.

Mr. Sanders: We don't want a tourist tax.

Jackie Ballard: We may not want those particular taxes, as my hon. Friend says, but the point is that local government in other countries has freedom to decide on the taxes appropriate in local areas. What may not be

appropriate to Torbay may be suitable in some other part of the country. Local authorities should be able to decide, as happens in many other countries, including European states that would not recognise our system, as the best example of a pluralist democracy.

Pluralism is not only about having the choice of which political party to vote for. It is also about having many centres of power within a democracy. Clearly, the Government are not particularly familiar with that concept.

Tomorrow, we shall debate the Bill that introduces best value. The Local Government Bill gives an extra 23 or 24 powers to the Secretary of State—I lost count of the exact number because one power was removed during the Bill's previous proceedings, a fact for which we are incredibly grateful. The Labour Government are continuing the process begun by the Conservatives of weakening local democracy and bringing more power to the centre.

The Minister has said, however, that she wants local government to be more accountable to local people. How can it be, when the local government funding system is so opaque? Is it thanks to Liberal Democrat councillors, for example, that Liverpool has had a 0 per cent. council tax rise this year? Or was that thanks to the Government's settlement? Is council tax above average in Buckinghamshire because of Conservative failure, or is that the fault of the mean Government settlement?

Who is to blame for service cuts in many local authority areas across the country? Is it the Secretary of State for Education and Employment, who says that all increased funding should be passported to schools? Or is it the fault of local councillors, of whatever political persuasion? How can a local citizen know whom to thank or to blame? [HON. MEMBERS: "Blame the Liberal Democrats."]

It is incredibly easy for each of us to say, "If in doubt, blame this party or that party." My hon. Friend the Member for Southwark, North and Bermondsey (Mr. Hughes) asked earlier whether the Labour council or the Labour Government were to blame for service cuts in his area. He is lucky: in his area, the answer is obviously Labour. Voting decisions for people in his constituency are easy, but the answer is not so easy for people in other constituencies.

The hon. Member for Liverpool, Riverside (Mrs. Ellman) gave credit for the freeze in council tax in Liverpool to the Government, but she blamed service cuts on Liberal Democrat councillors. Of course, Liberal Democrat Members will say exactly the opposite, which makes my point precisely. *[Interruption.]* If the Minister wants to intervene, I should be happy to allow her to, but as she keeps mumbling from a sedentary position, I find it difficult to understand her.

The Minister said that central Government were responsible for preventing excessive rises in council tax, and for ensuring delivery of local services. What is the point of local elections if central Government are to take all responsibility away from local government? She said, too, that the Tories had responsibility for every council tax rise because of universal capping. However, capping remains crude and universal. The only difference is that it is not preannounced. Local authorities have to guess what the Government will allow them to spend.

Ms Armstrong: Is the hon. Lady saying that there is no national interest for central Government in what local government does?

Jackie Ballard: The Minister will know my answer to that because we have had that debate many times during our happy hours on the Local Government Bill. Liberal Democrats believe that local authorities have their own electoral mandates and that they should be able to carry them out without being clobbered by national Government.

The Minister, and Labour Back-Bench Members who have spoken, may bandy about statistics. We have heard them repeat words about the same pot of funding over and over in the hope of fooling people into believing that they are generous to local government. However, local people will see the real impact on their services, not the fantasy figures put out by the Government. For example, in a survey conducted by Liberal Democrats in Brecon and Radnorshire—

Mr. Burns: Oh, yes.

Jackie Ballard: It is a very good survey, and surveys are one of the many ways in which we keep in touch with local people. In that survey, 90 per cent. of schools said that they were struggling with a standstill budget this year. They said that that was putting strain on staff, and that schools were having to cut back on books, equipment and staffing.

Mr. Richard Livsey (Brecon and Radnorshire): I am very pleased that my hon. Friend has mentioned my constituency. One factor there is that the Government and the Welsh Office failed to take account of the number of small schools. They did not calculate the impact that the number of head teachers would have on a standstill budget for education in the county. It is a classic example of centralised control.

Jackie Ballard: I thank my hon. Friend for that intervention. In the survey, 70 per cent. of schools said that they had to rely on fund raising by parent-teacher associations to finance delivery of the curriculum. We are talking not about extras, but about the basic curriculum. *[Interruption.]* I should tell the hon. Member for Milton Keynes, North-East (Mr. White) that that is the reality on the ground. Nothing has changed with the change of Government.

Mr. White: The reality in many schools up and down the country is extra money for books. In my constituency, a secondary school that has campaigned for years for a library finally has one. That is the reality: schools are getting the extra services and capital investment that they need.

Jackie Ballard: Is the hon. Gentleman telling my hon. Friend the Member for Brecon and Radnorshire (Mr. Livsey) that the 90 per cent. of schools that responded to our survey by telling us their reality did not know what they were talking about?

The hon. Member for West Chelmsford (Mr. Burns) attacked the council tax benefits subsidy limitation, as did Conservative members of the Standing Committee on the

[Jackie Ballard]

Local Government Bill, but they forget that their 1992 legislation enabled the Government to introduce the scheme. Indeed, the Conservatives thought up the housing benefit subsidy clawback, which was opposed by Labour Members when in opposition, but now that they are in government they have done nothing to end it.

In her opening speech, the Minister queried why we had called this debate. We did so to call the Government to account. That is one of the main purposes of opposition. The debate has been called to demonstrate that this Government are as centralising as the previous Government, that they do not believe in local democracy and that the local government finance system does not help to make local authorities accountable to their electorate. It has also been called to persuade the Government to reject new Labour dogma and to get back in touch with their local activists and local people who want their locally elected representatives to decide on the priorities of their communities.

We Liberal Democrats are optimists. We had hoped that the Minister would listen to the debate and take note of it. We still hope that she will take the shackles off local government and reverse the years of Conservative centralisation. If she does not do so, she knows that her party will suffer in the ballot box in May and she also knows that, as the hon. Member for Southampton, Test (Dr. Whitehead) said, Liberal Democrats will continue to expose the difference between what the Government say and what they do.

6.52 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Alan Meale): Contrary to what the hon. Member for Taunton (Jackie Ballard) said, my right hon. Friend and I have listened carefully to the points raised in the debate. My colleagues and I sometimes wonder whether Opposition Members, in particular the Liberal Democrats, have taken any notice whatsoever of the facts.

First, on the 1999-2000 settlement for local government, I repeat what my right hon. Friend the Minister for Local Government and Housing said—this is the most generous settlement for years. I commend the speech by my hon. Friend the Member for Liverpool, Riverside (Mrs. Ellman), who used the example of Liverpool to illustrate that point.

I agree with Liberal Democrat Members who say that, to some extent, local services have been underfunded for years, but that was not the fault of this Government—it was due to 18 years of misrule by the previous Administration. Total standard spending for 1999-2000 is up by 5.5 per cent. That is more than twice the average increase under the previous Government. Last year, we put an extra £835 million into education, over and above the spending planned by the previous Government.

Until the hon. Member for Taunton referred to education, the whole debate had been lacking any mention of that important subject—perhaps one of her hon. Friends referred to it briefly. As right hon. and hon. Members know, the Government have made education a priority. We want to improve the education of all children in the country. Funding is one important strand in achieving that aim. We have increased local government funding for education. Every council with responsibility for education will receive at least 1.5 per cent. more grant than last year—most will receive much more.

Furthermore, we are working closely with local government, so that it can improve and deliver best value to local people. As my hon. Friend the Member for Milton Keynes, North-East (Mr. White) stressed so avidly, that must be a continuing process. He said that the discussions, the debate and the help must continue. We are working closely with local government because we realise that local authorities want best value to work and they know that they can deliver better services. We are providing the funding that they need to do just that.

However, it is not merely about funding, but about improvements to local services. Throwing money at services will not improve them—indeed, it can and often does encourage waste. As my right hon. Friend the Minister and my hon. Friend the Member for Milton Keynes, North-East said, the Government considered carefully how much the country could afford to spend on local services when we carried out our comprehensive spending review last year. We will provide real increases in funding in the next three years, as well as stability in council funding to help local authorities to plan their spending.

Therefore, we do not accept that local services are underfunded.

Mr. Tony Baldry (Banbury): When will counties such as Oxfordshire know whether they will be capped this year?

Mr. Meale: My right hon. Friend the Minister referred to that matter and said that we had only just received all the various calculations today. I can only advise the hon. Gentleman that it will be in due course. I know that he will not appreciate that answer, but it is the only one that he will get at the moment.

We do not accept that local services are underfunded and that there is any need for large increases in council tax. Furthermore, the figures that were published this morning bear that out. Indeed, the average increase is 6.8 per cent., which is down from last year. We gave local authorities the freedom to decide their budgets and we asked them to behave responsibly—most of them have done so. Most authorities will be considering how to use the increased funding to improve the services that they provide to local people—the people to whom they are accountable.

For those authorities that do not behave responsibly, we have said that we will take action. By that, I do not simply mean capping. We will certainly consider this year and in future whether we need to use our capping powers. However, contrary to what Opposition Members seem to think, we do not want to cap councils. We believe in local responsibility. Hon. Members must recognise that the Government also have a responsibility to the taxpayer. There is even more to it than that, as my right hon. Friend the Minster stated. Under best value, councils will have to review their performance and publish their plans to improve. Those plans will be audited and, where local authorities are not delivering best value, the Secretary of State will have the power to take the appropriate action. That combination of measures will ensure the best use of the additional resources that we are providing to deliver

high-quality services. I was asked for a direct answer about building on the settlement to achieve future consensus. I can assure the House that that work will continue.

Opposition Members raised a number of queries. First, the hon. Member for West Chelmsford (Mr. Burns) said that the shire areas had done badly out of the settlement. We have treated all authorities fairly, whether urban or rural and in whatever part of the country. I cannot accept that we are biased against shire areas. In fact, they have had an overall increase in SSA of 4.9 per cent. compared with 4.8 per cent. in England as a whole. Shire counties did better than the average—they had a bigger than average increase in both SSA and Government grant. Their SSAs were increased by 5.2 per cent. Therefore, I cannot understand the hon. Gentleman's argument that they needed particularly large council tax increases. They have taken decisions locally and come up with an 8.3 per cent. average increase, which is well above the English average. I also find it hard to reconcile the good settlement for shire counties with the large increase in council tax there. I realise that they do not have any elections this year, but I am sure that the electorate will give their resounding response if the counties carry on in that way.

In response to the hon. Member for West Chelmsford, I should like to say that we promised to end crude and universal capping, and we have done so. Even the hon. Gentleman has admitted that we have not pre-announced capping limits. That is not arbitrary and retrospective. It has given councils an opportunity to consider carefully their local needs and resources when setting their budgets.

The hon. Member for Torbay (Mr. Sanders) illustrated all too clearly the Liberal Democrats spend-and-blame mentality. As he knows, most councils have disposed of surplus assets to the benefit of the people and of local taxpayers. Torbay council decided not to sell assets and has forgone the income that that would have generated in the belief that Ministers would increase grant distribution for the higher taxes that someone would pay in Torbay. We have not agreed to that at all.

The hon. Gentleman asked us to reconsider grant distribution. We made it clear from the outset that we do not intend to alter the distribution formula over the next three years, and that decision will stand. Although I am more than willing to accept the hon. Gentleman's invitation to visit Torbay and meet local representatives, I am not prepared to discuss that subject. He referred to changes in the standard spending assessments; those changes were justified by extensive research—some of which was tested and refined over three years—and will give fairer distribution. I hope that the hon. Gentleman will take that point into account.

The hon. Member for Hazel Grove (Mr. Stunell) implied that there would be cuts in policing and that the numbers of bobbies on the beat would be reduced. That is not the case. I have been given local information by the chief constable of Greater Manchester, who assures me that those numbers will not be cut.

As the Liberal Democrats took up so much time in the debate, I have gone slightly beyond the allotted time, and I formally close the debate.

Question put, That the original words stand part of the Question:—

The House divided: Ayes 40, Noes 309.

Division No. 123] **[7.1 pm**

AYES

Allan, Richard
Baker, Norman
Ballard, Jackie
Beith, Rt Hon A J
Brake, Tom
Brand, Dr Peter
Breed, Colin
Burnett, John
Burstow, Paul
Cable, Dr Vincent
Chidgey, David
Cotter, Brian
Cunningham, Ms Roseanna *(Perth)*
Davey, Edward *(Kingston)*
Fearn, Ronnie
Foster, Don *(Bath)*
George, Andrew *(St Ives)*
Hancock, Mike
Harris, Dr Evan
Harvey, Nick
Hughes, Simon *(Southwark N)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, Charles *(Ross Skye)*
Kirkwood, Archy
Livsey, Richard
Maclennan, Rt Hon Robert
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Oaten, Mark
Öpik, Lembit
Rendel, David
Russell, Bob *(Colchester)*
Smith, Sir Robert *(W Ab'd'ns)*
Taylor, Matthew *(Truro)*
Tonge, Dr Jenny
Tyler, Paul
Wallace, James
Webb, Steve
Willis, Phil

Tellers for the Ayes:
Mr. Andrew Stunell and
Mr. Adrian Sanders.

NOES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Anderson, Donald *(Swansea E)*
Armstrong, Ms Hilary
Austin, John
Barnes, Harry
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Stuart *(Middlesbrough)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blair, Rt Hon Tony
Blizzard, Bob
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brown, Rt Hon Gordon *(Dunfermline E)*
Brown, Rt Hon Nick *(Newcastle E)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Caborn, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Caplin, Ivor
Caton, Martin
Chapman, Ben *(Wirral S)*
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foulkes, George

Fyfe, Maria
Gapes, Mike
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hoey, Kate
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Khabra, Piara S
Kidney, David
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kingham, Ms Tess
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McLeish, Henry
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meale, Alan
Merron, Gillian
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Rt Hon John *(Aberavon)*
Mountford, Kali
Mullin, Chris
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Giles
Rapson, Syd
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple–Morris, Peter
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woolas, Phil
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. David Clelland and Jane Kennedy.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith, pursuant to Standing Order No. 31 (Questions on amendments), and agreed to.*

MR. DEPUTY SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House notes that the 1999–2000 local government settlement was the most generous since the introduction of the council tax; further notes the Government's commitment of an extra £40 billion for schools and hospitals; and welcomes the introduction of Best Value, the abolition of crude and universal capping, the reform of political management structures and the new ethical framework, set out in the local government White Paper.

EU-US Trade

7.16 pm

Mr. Michael Moore (Tweeddale, Ettrick and Lauderdale): I beg to move,

That this House deplores the failure of the USA and the EU to resolve the trade dispute arising from the so-called banana war; recognises the serious impact which the US retaliatory measures are having on British industries, in particular the devastating impact on the cashmere industry in the Scottish Borders; is concerned that these actions are a precursor of further major trade disputes over the importation into the UK of genetically and hormonally modified food products from the USA; and urges the Government to step up its diplomatic and other efforts to ensure that all parties work together to first reform the WTO regime to ensure compatibility with international biodiversity agreements, environmental and animal welfare objectives, and then to ensure compliance with the WTO objectives of free and fair trade.

The motion stands in the names of my right hon. Friend the Member for Yeovil (Mr. Ashdown) and other right hon. and hon. Friends—*[Interruption.]*

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. The hon. Gentleman is addressing the House and hon. Members must come to order.

Mr. Moore: Thank you, Mr. Deputy Speaker.

A vital part of world trade has entered a mire and, to an increasing extent, the very principles of free and fair international trade are at stake. A dispute about the world banana trade has got out of hand and now threatens the jobs of thousands of people employed in industries throughout the country, ranging from cashmere in the Scottish borders to candles in north Cornwall. Today we learned that not even the Scottish Tunnock wafer is safe.

To ensure the freedom and fairness of world trade, there have to be rules that are agreed by the participants and overseen by a credible international body. Painfully and painstakingly, over several decades, moves were made toward a consensus on that matter, leading only a few years ago to the establishment of the World Trade Organisation. Yet, as the WTO prepares for the new round of trade negotiations later this year, the whole trading edifice is on the verge of collapse.

The origin of the current dispute between Europe and the United States lies in a row over bananas that has rumbled on for many years. At the heart of that dispute is the European Union import regime, which offers special preference to former colonies in the Caribbean and elsewhere. The main points of today's debate relate to the manner in which the dispute has been handled by Europe and America and to the consequences of our failure to resolve it, but there are many other issues—for example, my hon. Friend the Member for Lewes (Mr. Baker) hopes to speak about genetically modified organisms.

It is worth remembering that, although the United States is much exercised about the problems affecting the export of Latin American bananas into Europe, the African, Caribbean and Pacific countries have only 20 per cent. of the European Union market, whereas three north American multinationals—Chiquita, Dole and Del Monte—control two thirds of the world banana market between them. The questions have to be asked, exactly how much do they think they need and how much do they think is fair? Ensuring fairness to African, Caribbean and Pacific countries in the resolution of the dispute will be one of the keys to a decent solution.

It is evident that there is great animosity between both sides in the dispute. At different stages, my hon. Friends, especially my hon. Friend the Member for Roxburgh and Berwickshire (Mr. Kirkwood), and I have lobbied various people and organisations, including American ambassadors and the WTO itself. It has been apparent throughout that the WTO is caught in the middle as Europe and the United States flex their diplomatic muscles rather than try to find a solution. The situation is out of hand.

Mr. John Bercow (Buckingham): The hon. Gentleman mentioned three United States companies that he accused of controlling 60 per cent. of the market. Am I mistaken in thinking that the Liberal Democrats used to believe in free trade? Would the hon. Gentleman care to say instead that those companies won that share of the market?

Mr. Moore: The hon. Gentleman may advance the cause of those multinationals later if he catches your eye, Mr. Deputy Speaker. In response to his point, some of the practices of those multinational companies in different parts of the world are entirely questionable. I pointed out that the African, Caribbean and Pacific countries that import to the European Union have only 20 per cent. of the European market. So Conservative Members have ignored the fairness argument, which is surely as important as the free trade argument.

Moving away from bananas, the immediate and painful consequence of this dispute is the loss of thousands of jobs in the cashmere industry, in both small and large operations in Hawick and Innerleithen, and in the candle industry in operations such as Art Candles in Bodmin and Eclipse Candles in the constituency of my hon. Friend the Member for Weston-super-Mare (Mr. Cotter). In the medium and long term, the very principles of international trade may be damaged irrevocably if there is no solution soon.

For months, my hon. Friend the Member for Roxburgh and Berwickshire and I have been putting the case for an early resolution of the dispute to both the European Union and the United States on behalf of our constituents in the cashmere business. The situation was summed up for us when we travelled with my right hon. Friend the Member for Yeovil (Mr. Ashdown) to the World Trade Organisation in Geneva just over a week ago. When we visited the European Union ambassador to the WTO, he was very patient. He took his time and explained that it was all the fault of those nasty Americans. We then travelled around the city of Geneva to meet the American ambassador. She was also patient and energetic. She expressed sympathy with our cause, but explained that it was all the fault of those nasty Europeans.

It is clear that the WTO can resolve the dispute only if both sides make a serious effort to sort out the basic differences. The organisation is under-resourced and under-staffed, and many would say that it is being asked to solve an impossible problem. There is no point in the European Union or the United States blaming each other, because that ignores the real pain endured by our constituents in the borders, where thousands of jobs have been lost in the textile, electronics and farming industries in the past two years.

There can be little doubt that the European Commission has been sleepwalking through this crisis. It has failed at every stage to recognise the seriousness of the American

[Mr. Moore]

Government's intention to sort out the dispute on their own terms. For at least the past six months, the European Commission has been more interested in name calling than in serious diplomatic efforts. In this area—as in so many others recently—the European Commissioners have clearly not been earning their pay.

In the wake of the Commission crisis, nobody knows who is in control. It could not have come at a worse time for these industries and for the jobs that are in jeopardy across the country. The House must send a strong signal to Sir Leon Brittan: although he may be tempted to campaign for another job, he must remain firmly focused on securing a resolution to this dispute before it is too late. We do not want him to get a new job if thousands of others lose theirs.

While the Commission is in limbo, Sir Leon has an opportunity to devise a scheme that will resolve the dispute fairly and equitably and to present it to the President of the European Union, Chancellor Schröder. The President could discuss the issue on his shuttle trips around the capitals of Europe and provide some impetus for a solution. Every day counts. The seasonality of the business—particularly the cashmere industry—means that, if producers do not sort out their orders in the next month, job losses will follow almost immediately.

For its part, the United States has earned little credibility. Notwithstanding the merits of its case, its unilateral response is completely illegal in international law and outwith the framework of the WTO, which the US claims to support. The list of targeted goods is openly cynical and is clearly targeted at the most vulnerable European work forces. The tactics are those of the international bully boy, and our constituents up and down the country are entitled to question whether our special relationship with the United States—of which we hear so much—is worth very much. Both sides in the dispute must recognise that the World Trade Organisation alone is the judge of the merits of the case and must be respected.

The United Kingdom Government clearly appreciate what is at stake. They have been keen throughout to highlight the role of the European Commission and the fact that it is the lead authority in the negotiations. It is also clear that, in choosing the list of goods to target, the Americans wanted to influence the British Government, whom they believe have not tried seriously to solve the problem. Ministers will have an opportunity to respond to that point later, and I recognise that they have made serious efforts in the past few months. However, that is not the perception of the American Government.

The meetings with American officials and ambassadors to which I referred have illustrated an awareness of the seriousness of the situation. The Department of Trade and Industry and the Scottish Office have been keen to listen to our views and those of others. However, the Government must be seen to be getting behind a fair and equitable solution to the banana crisis that Britain actively supports and encourages. While not employing the bully boy tactics of the United States, this Government must be seen to be interested in finding a solution. If they do so, British goods may come off the American hit list.

On 4 March, in response to a private notice question from my hon. Friend the Member for Roxburgh and Berwickshire, the Secretary of State announced that the Government would introduce a guarantee scheme for the cashmere industry. My hon. Friend and I welcomed that announcement, which recognises the special conditions that pertain in the cashmere industry and the importance of the American market. However, we face a real problem because the scheme's detailed requirements are not yet in place. Although we accept in principle that the Government intend to introduce the scheme and keep it in place until the dispute is resolved, the problem is that every day without a scheme sees the erosion of the confidence of US customers and of carriers such as DHL and Federal Express. It is critical that we retain that confidence and ensure that we get the orders.

Speed is of the essence. On 4 March, in response to my question, the Secretary of State said:

"I agree that time is of the essence and that we have to get the scheme in place as a matter of urgency."—[*Official Report*, 4 March 1999; Vol. 326, c. 1226.]

The statistics of the order book in the past fortnight vividly demonstrate that point. Two weeks ago, the United States' order book for cashmere was worth £4 million. Since then, that amount has doubled. This is a fast-moving situation. Perhaps more tellingly, however, although the amount on the order book has doubled, the same amount again has been lost because people are not prepared to gamble and take on board what the Government have been saying.

Murray Allan, a company in Innerleithen in my constituency, told me today that the latest visit to the United States by one of its sales representatives had resulted in two major US department stores declining to do business. One demanded a personal guarantee and disclaimer and another said that the risks were not worth taking. Those who work at Murray Allan, Ballantyne, Barrie and other companies in the cashmere industry want to know when the scheme will be up and running and the details known. For now, the clouds of uncertainty surround the industry and people are deeply worried. I hope that the Minister, in his response, will be able to give us an assurance and a reason to be optimistic.

As I have said, thousands of people are on the brink of losing their jobs because of macho diplomacy in the capitals of Europe and the United States which is divorced from the world of those whom it affects. Whatever the motivations of the different parties in the dispute, it is clear that one issue is a warm-up for the next set of issues to arise between America and Europe, whether they relate to bovine somatotropin, hormones in beef or genetically modified organisms.

Whatever else we learn from the dispute, it is clear that the macho tactics of the Europeans and the Americans do not work. The only way that we can hope to build up the credibility of the international trading order is to give the WTO full support. The Government have a major responsibility in that and must take the lead. We are in an awful mess and we need to get out of it as soon as possible.

7.33 pm

The Minister for Home Affairs and Devolution, Scottish Office (Mr. Henry McLeish): I beg to move, To leave out from "House" to the end of the Question, and to add instead thereof:

"recognises the significance of the EU/US relationship and notes that the majority of that trade relationship runs smoothly; commends the efforts of the Government to secure the Transatlantic Economic

Partnership Agreement last year; acknowledges the efforts of the Government to find a way through the bananas dispute so as to minimise the impact on British industry and in particular the cashmere industry; notes the current position on the hormones dispute; welcomes the Government's commitment to sustainable development; and endorses the Government's support for comprehensive multilateral trade negotiations to be launched in Seattle at the end of this year."

I am pleased to have the opportunity today to speak on the subject of the EU-US trade relationship, the Government's efforts to strengthen that relationship, our efforts on the dispute about the EU's banana regime and, among other matters; our wider ambitions for the Seattle World Trade Organisation ministerial conference at the end of the year.

The hon. Member for Tweeddale, Ettrick and Lauderdale (Mr. Moore) has put a reasonable case to the House about his local concerns and he expresses a view that is shared by hon. Members on all sides of the House, especially in relation to Scotland. However, it is important to remember early in the debate that this is an issue not only for Scotland, but for the United Kingdom and the European Union.

The EU-US trade relationship is substantial and strong. The EU and US are the world's largest two economies, and together they account for about 54 per cent. of world income. Even excluding trade within the EU, together they account for around 38 per cent. of world exports and 39 per cent. of world imports. In 1997, EU goods exports to the US were worth $160 billion, compared with imports from the US worth around $156 billion.

The bilateral trade balance has fluctuated between surplus and deficit over the previous five years. The US is by far the most important external export market for EU firms, accounting for nearly 20 per cent. of exports. In 1997, direct investment flows from the US to the EU amounted to $24 billion. The US is the most important source of external investment into the EU, accounting for over 50 per cent. of the total. In 1997, EU investment flows to the US were worth $42 billion, with the US accounting for over 40 per cent. of total EU direct investment overseas.

Those figures demonstrate the depth and significance of the relationship between the EU and the US, but the bilateral relationship is not the only reason why the EU and the US matter so much in the world trading system. Together, the EU and US are the twin pillars of that world trade system, and co-operate to advance our many shared interests in world trade, some which have been expressed by the hon. Member for Tweeddale, Ettrick and Lauderdale.

All in all, it is important to bear it in mind that the vast majority of that trade and investment between the EU and the US takes place freely and without any difficulty whatsoever. Although there are a number of important disputes, it is vital to keep those in their proper context, and to ensure that the relatively few—although admittedly important—disagreements do not colour the nature of the relationship as a whole.

The transatlantic economic partnership was negotiated under the UK presidency of the EU last year, and agreed at the EU-US summit in London in May 1998. The TEP builds on an already strong transatlantic trading relationship. It provides a range of opportunities to improve the bilateral trade relationship between the EU and the US. It provides also a formal opportunity for an on-going dialogue to remove trade frictions and build confidence between the EU and the US. In addition to bilateral benefits, it provides a means of maintaining open markets and promoting the expansion of trade through the continued development and strengthening of the multilateral trade system.

The bilateral aspects of the TEP include substantial elements relating to services, where there is an opportunity for addressing sector-specific obstacles, and to agriculture, environment, food safety and biotechnology, with an agreement to establish proper dialogues to provide a system of early warning for potential disputes in each of those areas. Although those initiatives are at an early stage, they are important and we must build on them.

On electronic commerce, there will be further dialogue to ensure the elimination of unnecessary legal and regulatory barriers and the continued duty-free treatment of electronic transmissions. The TEP deals also with technical barriers to trade, and there is agreement to identify and implement jointly defined general principles for effective regulatory co-operation and to extend the current mutual recognition agreements to new sectors.

The issue highlighted by the hon. Member for Tweeddale, Ettrick and Lauderdale is the banana dispute, which is faced by the UK, along with many other EU member states. Acting through the European Commission, we have made a great effort to seek a solution to the banana dispute through the World Trade Organisation. I say again to the House—emphasising what my right hon. Friend the Secretary of State for Trade and Industry said on 4 March—that we view the US action of withholding liquidation on a range of EU products as deplorable. That action was completely unauthorised by the WTO and ignored the WTO arbitrator's appeal for discussions to continue without premature action. We have raised our objections at the highest levels. Only last week, my right hon. Friend the Secretary of State for Scotland lobbied the US Administration and the US Congress during his visit to Washington.

It is particularly unfortunate that the US action is directed against industries that are in no way connected with bananas. That is the source of the irritation that most people feel on this issue. There can be no justification for inflicting great damage on small, vulnerable businesses and communities, as the hon. Member for Tweeddale, Ettrick and Lauderdale pointed out. The US action has already stalled American orders for Scottish cashmere, and there is a real threat of job losses in the textile-dependent borders region. Of course, it is not only cashmere that is affected; biscuits, batteries, plastics, packaging, candles—to which the hon. Gentleman referred—bed linen and many other products are also on the US list.

Although the US argued that its higher tariffs will not apply until the WTO arbitrator rules and it is granted authorisation by the WTO, the effect of its action of 3 March is the same as if the higher duties were in place now. In view of the highly seasonal nature of the cashmere industry, where a high proportion of the industry's annual orders are being placed now for delivery later in the year, the Government announced that we would implement a scheme to guarantee the bonds requested by US customs in respect of cashmere knitwear.

[Mr. Henry McLeish]

I am pleased that the announcement was warmly welcomed by the industry and hon. Members on all sides of the House and, later in the debate, my hon. Friend the Minister for Trade will give details of the way in which we shall implement that commitment. The hon. Member for Tweeddale, Ettrick and Lauderdale sought clarification on that, and I pleased to say that my hon. Friend will provide that.

Even now, it is not too late for the US to reverse its decision on retaliation in the interests not only of the EU-US relationship but to safeguard the WTO. Recognising the importance of resolving this dispute and of safeguarding the WTO's dispute settlement system, the Government are, first, fully committed to implementing the WTO panel and arbitration outcomes, whatever they may be, without delay.

Mr. Archy Kirkwood (Roxburgh and Berwickshire): Does the Minister understand that there is an opportunity between now and the dispute resolution panel's finding being published on 12 April to seek an accommodation between the United States and the European Union that would be acceptable to all parties, and that would be the end of the matter? Are the Government using every capable power that they have to hand to obtain for the EU a sufficient mandate to enable a deal to be struck with the US before 12 April?

Mr. McLeish: I am pleased to give the hon. Gentleman that reassurance. I think that everything that can be done is being done by the Government to bring this matter to a conclusion. Clearly, we await the arbiter at the end of the process. There is then a meeting of the panel, and 12 April is a pretty important day. In the meantime, every conceivable step is being taken because of the importance of the issue not only to the cashmere industry, but to the principles that lie behind what is happening. Obviously, we expect our EU partners and the United States to take the same approach. We are hoping that, in the United Kingdom and elsewhere, there will be positive moves to try to resolve the matter.

We are encouraging the European Commission to discuss options with the US. For example, the WTO lays down that compensation is a preferable alternative to retaliation. If the WTO rules against the EU, compensation would be preferable in this, as in other cases.

I assure the House that we are also very concerned to safeguard the interests of traditional African, Caribbean and Pacific banana suppliers. Both the United Kingdom and the EU have long-standing political and legal obligations, which we shall respect. The UK also remains fully committed to safeguarding the WTO's dispute settlement system, and we shall do all that we can to make it work effectively.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Could my hon. Friend get over a fairly straightforward message to our American cousins, which is that, if they wipe out the one-crop export from very poor Caribbean islands, the people on those islands will certainly grow other products? In the end, the United States will be the recipient of those various products. If that is not so, the Caribbean islands may very well act as gathering points for other people's drugs. If that is a message that cannot be understood, will my hon. Friend please try to put it in simple terms or picture language, or something, that will get over to our American cousins what they are doing?

Mr. McLeish: I am grateful to my hon. Friend's contribution. I can reassure her that what she says is being done by my hon. Friend the Minister for Trade day in and day out, given the implications of what is happening. It is important also to acknowledge the importance of bananas to the countries that we are talking about. They are part of the wider and complicated matters with which we are dealing. I can reassure my hon. Friend that every step will be taken in a straightforward way to impress on the United States the importance of the matter being resolved.

I was talking about the WTO's dispute settlement system. It has already served us well, for example, in opening Japan's market to Scotch whisky, and it will continue to do so in future.

The European Union's ban on hormone-treated meat has been in place for more than 10 years. In 1998, the WTO found that the EU ban was inconsistent with WTO rules because it did not follow from a properly conducted risk assessment based on science. The EU was given until 13 May 1999 to comply with the ruling. It now seems that the EU will not meet that deadline.

The rules of the WTO require that trade measures put in place to protect human, animal and plant health must have a sound scientific basis. Governments can and do apply restrictions to protect their consumers, but they must be in line with international standards or justified by a risk assessment where they are more stringent than international standards. If those rules were not in place, countries could impose restrictions simply designed to protect their own domestic industries, but disguised as consumer protection measures.

We are encouraging the Commission to explore constructive solutions with the US and Canada, particularly ideas on labelling, and temporary compensation to avoid further escalation of the hormones dispute into a damaging trade war. I hope that those discussions will find a way forward in this dispute.

The hon. Member for Tweeddale, Ettrick and Lauderdale raised the issue of sustainable development, to which the Government are committed. All Governments need to consider their trade and environmental policies together. Protecting the environment and maintaining an open, non-discriminatory and equitable multilateral trading system are essential to achieve our objective of sustainable development. There are many effective, internationally recognised measures which aim to protect the global environment. There is more to be done, however, although significant progress has been made in the past 20 years or so with a number of multilateral environmental agreements. Liberalising trade helps to ensure that resources are used efficiently; it helps generate the wealth necessary for development and environmental improvement, and it encourages the spread of clean technology.

The world trade system should not be undermined. To do so would put at risk our aim of achieving sustainable development. That in turn would, of course, have negative environmental impacts.

It is clear that trade and environmental policies must accommodate each other to be fully effective. They are less in conflict than some might claim, but that does not mean that potential conflicts do not exist. Governments have a duty to balance the objectives of protecting the environment and of upholding the multilateral trading system, whether they are negotiating in a trade forum or an environment forum. It is therefore for parties to both existing and new agreements to ensure individually and collectively that they do not sign up to conflicting requirements. At the most recent WTO ministerial meeting in Geneva, my right hon. Friend the Prime Minister said:

"Governments need to consider the environmental impact of everything they do, including in the trade sphere. Trade rules should not be used to impose unfair standards on developing countries, nor to discriminate against their exports."

I shall make some brief points about comprehensive multilateral trade negotiations. This is a welcome and timely opportunity to say something about the Government support for a comprehensive round of trade negotiations, which will be launched at the WTO ministerial conference in Seattle at the end of the year. The Seattle ministerial will be the third ministerial conference. The first meeting in Singapore in December 1996 put in place a work programme on new issues such as investment, competition, procurement and trade facilitation. The second meeting in Geneva last May agreed the process of preparation for Seattle. The UK believes that a comprehensive round would allow all countries, including developing countries, to secure an overall package that would reflect their broad interest, largely because of political impetus and because it would allow trade-offs across a range of areas.

Some have questioned the wisdom of pushing ahead with trade liberalisation proposals at a time of difficulties in the global economy. Trade policy was not the cause of the Asia crisis, nor does it provide a complete solution. However, it can help the world on the road to recovery. Freer trade has brought substantial gains to the global economy in the post-war era. Most recently, the Uruguay round brought a significant boost to world trade and incomes. One of the key lessons from the 1930s is that a protectionist response to a global crisis makes matters much worse. So far, there has been relatively little protectionist backlash. However, there are some signs of growing pressures, especially in the US. It is therefore essential that momentum for further liberalisation is maintained. That is why—I repeat the reassurance—the UK and the EU have pledged to resist protectionism, and are at the forefront of efforts to secure a new round of multilateral trade negotiations.

Mr. Terry Rooney (Bradford, North): The House may know that the largest cashmere manufacturer in Britain is in my constituency. Part of the settlement under the Uruguay round was that British textile goods sent from the United Kingdom to the United States carried a 37 per cent. tariff, reducing by 1 per cent. a year over 10 years. Can we have that issue on the agenda at the Seattle conference at the end of the year? It is not free trade, but protectionism.

Mr. McLeish: The first priority is to resolve the outstanding issues that we face in that regard. I think that my hon. Friend acknowledges that. I am sure that my hon. Friend the Minister for Trade has acknowledged my hon. Friend's contribution and that he will make some reference to it in terms of the agenda for the next round in Seattle later this year.

I shall identify briefly some of the subjects that are particularly important to the UK. They include further tariff reductions, reducing the burden on business and barriers to trade represented by industrial standards and technical regulations, opening up Government procurement markets in third countries, simplifying import and export procedures, seeking substantial progressive reductions in support and protection for agriculture and developing better regimes to cover issues such as food safety, deepening and broadening the liberalisation of trade and services and establishing a liberal rules-based framework for international investment. Those are all issues that are very important for the UK and, of course, for the EU.

The Government are conscious of the fact that not all WTO members support a comprehensive round: many are more focused on market access than on new rules issues, and others stress the need to stick only to those negotiations to which we are already committed—those on agriculture and services. President Clinton's recent signal, in his state of the union address, of support for a new round was a welcome development.

It is too early to say what package will emerge from the ministerial conference this year. Discussions in Geneva have so far been necessarily general, in order to avoid pre-negotiation. As with all issues in the WTO, decisions on the scope and shape of those negotiations will be taken on the basis of consensus.

New issues, including new work on the environment, are likely to be the most difficult in the new round. Developing countries in particular are saying that those issues are not ready for substantive negotiation. Although we must be realistic about what is achievable in the circumstances and within the time constraints, we see value in such issues being included.

Clearly, there will be a strong focus on agriculture. The WTO negotiations will put added pressure on EU common agricultural policy reform. Agriculture liberalists are making it clear that they will want major liberalisation of tariffs, quotas and export subsidies. That is an important issue for developing countries.

Concerns are being expressed in Geneva about the implementation of existing agreements. A more coherent focus will be needed on technical assistance and capacity building. That is not, of course, for the WTO alone—the United Nations conference on trade and development, the World bank and the International Monetary Fund will have a part to play.

Developing countries make up the majority of the membership. Decisions in the WTO must be taken by consensus, and there is every sign that developing countries will articulate a clear agenda of their own interests, including implementation issues, anti-dumping rules, textiles liberalisation and agriculture. They will not be silent partners. The UK is doing all that it can to encourage their active participation. That is vital. Trade liberalisation is, of course, essential for economic growth, development and raising living standards.

Mr. James Wallace (Orkney and Shetland): Hon. Members in all parts of the House would agree with much that the Minister has said. He acknowledged that my hon. Friend the Member for Tweeddale, Ettrick and Lauderdale (Mr. Moore) was constructive in the way in which he moved the motion and gave credit to the Government where it was due. Is there anything in the motion that the Minister finds objectionable? If not, would it not be better for the House to speak with one voice?

Mr. McLeish: It is always a pity to undermine consensus by making a thought-provoking suggestion to a Minister at the Dispatch Box. I am in a mood, in a jocular way, to resist the hon. Gentleman's invitation. [HON. MEMBERS: "Why?"] We will find out later. I am sure that my hon. Friend the Minister for Trade will continue in our easy-going style at the Dispatch Box.

In summary, we are clear that free trade has never meant a free-for-all. That is always a danger. There is plenty of scope for reflecting particular concerns about health and so on in any country's actions. However, a system of international rules must have objective reference points. That is why it is important to rely on scientific justifications, to avoid a free-for-all.

The WTO has the difficult task of balancing the interests of all its members, which are at different stages of development. That fact, together with concerns about access to third-country markets on a non-discriminatory basis and the ability of member countries to develop and improve living standards, will influence the future as it has the past.

The subject is complex. I hope that, in the House, we can co-operate to ensure that we move quickly to resolve the issues globally and for the communities that each of us represents in the United Kingdom.

7.53 pm

Mr. Christopher Chope (Christchurch): This is indeed an important debate. We heard interesting contributions from the hon. Member for Tweeddale, Ettrick and Lauderdale (Mr. Moore), who introduced the debate, and from the Minister.

Global free trade must be in our economic and political interest. We as a nation have more to lose from protectionism and trade wars than the Americans or most of the continental Europeans. As we have heard, there are innocent victims in any trade war.

I was disappointed that the Minister did not say what would happen after 12 April. If the World Trade Organisation rules against the revised EU regime, what will be the approach of the EU and of the British Government? If the WTO rules in favour of the retaliatory action that the United States said it will undertake, what will be the approach of the EU and of the Government? I was worried when the Minister seemed to imply that compensation was a better option than compliance. Surely, if we are to make the WTO rules work, we should look for compliance before we look for compensation.

The Government have not taken the matter as seriously as they should have done, certainly in the earlier stages. When, on 23 February, my hon. Friend the Member for Woodspring (Dr. Fox), who speaks for the Conservatives on constitutional affairs, asked what contacts the Government had made directly with counterparts in the United States, and what contacts the Prime Minister had made with President Clinton on this serious subject, he was effectively told that there had been no contact at all.

We know that the Prime Minister is prepared to talk turkey with the President of the United States on issues affecting the President's personal life. It is a pity that the Prime Minister has not used his working relationship with the President to pursue the United Kingdom case in this important trade dispute. It was not until 4 March that the Secretary of State for Trade and Industry did anything.

Some Liberal Democrat Members have tended to simplify the issue. It is simplistic to say, as the right hon. and learned Member for North–East Fife (Mr. Campbell) did, that

"United States companies have 78 per cent. of the European banana market, compared with the Caribbean's 9 per cent, and that none of the bananas about which there is a dispute are actually grown in the United States".

but where does that take us in the context of global trading rules?

In opening the debate, the hon. Member for Tweeddale, Ettrick and Lauderdale called the United States an international bully-boy engaged in macho diplomacy. Such comments are hardly designed to improve relations. I agree with the hon. Gentleman that the WTO must be respected. As the Under–Secretary of State for Scotland, the hon. Member for Western Isles (Mr. Macdonald), said,

"The European Union banana regime is designed to comply with the World Trade Organisation regulations while honouring our commitments to those countries in Africa, the Pacific and the Caribbean with which we have relations through the Lomé agreement. We stand by those commitments.—[*Official Report*, 23 February 1999; Vol. 326, c. 162-63.]

It has been common ground among British Ministers both before and since the change of Government that the commitment to traditional ACP suppliers, as confirmed in the current Lomé convention, should be honoured, but there has always been a recognition that there might be different mechanisms for honouring that commitment.

As we know, the dispute goes back many years. Under the new WTO regime, unanimity is required for the report of a disputes panel to be overruled. The ruling of a disputes panel cannot be ignored. The WTO can justify retaliatory action against a country against which a ruling has been made. That is the problem facing us.

The WTO disputes panel reported as long ago as May 1997 its finding that the EU's banana import regime violated free trade rules on 19 counts. Significantly, as emphasised at the time by the *Financial Times* and other newspapers, the report did not target EU tariff preferences for Caribbean banana-producing countries, but focused on the EU licensing regime. The proportion of bananas that are coming from the Caribbean countries is irrelevant. The US and the WTO have accepted the tariff preferences that the EU has in place for the Caribbean banana producers.

In May 1997 the WTO panel ruling was confirmed, and in September 1997 it was confirmed on appeal. The EU was required to make its banana regime compatible with WTO rules by 1 January this year—quite a long period in which to do so. On 26 September 1997 the EU announced

that it accepted the WTO ruling. It is important to remember that. As the then Minister of Agriculture, Fisheries and Food said,

"We have obligations under the WTO. We must find ways of revising the EU arrangements so that they conform with the rules."

The issue is whether that has been done.

We have not heard anything about the consumer, but the World bank estimates that the EU banana regime is costing consumers $2 billion a year and, that for every dollar, only 7.5 cents goes to the benefit of the former colonial producing countries. Going for a compensatory rather than a compliant regime would, I fear, result in the burden on the consumer becoming even greater.

In June 1998, a deal was agreed in the Council of Ministers. It was announced to the House on 3 July by the Minister of State, Ministry of Agriculture, Fisheries and Food. The United States and five Latin American countries argued that the EU's changes were merely cosmetic and that the WTO should reopen its disputes panel on that issue. The United States announced its intention to impose duties on products exported from Europe, arguing that that was justified under the WTO rules. The EU argued that the matter should be referred again to a disputes panel, to determine whether the revised EU regime was incompatible with those rules. As we know, in January 1999 Ecuador called for a disputes panel to rule on the compatibility of the revised regime.

The United States agreed not to impose duties before 3 March and the EU went to the WTO arbitrator for a ruling on whether the level of retaliation proposed by the United States was appropriate. We know that 12 April is decision day and we will find out then whether the revised EU banana regime is compatible with WTO rules, but we do not know what will be the reaction of the EU, or of the Government, to any findings which emerge. More information has been asked for and, I understand, is being provided, but, from a United Kingdom perspective, it is important to realise that those Caribbean arrangements are not the issue of dispute.

It is also worth reminding individuals in the United Kingdom who are caught up in the dispute—not least those people in the cashmere industry in Scotland—that two European countries, Denmark and the Netherlands, voted against the revised banana regime in summer 1998. As a result, they have earned themselves exclusion from the list of retaliatory duties proposed by the United States. If the Government had done likewise, the threat to the Scottish cashmere industry would never have materialised. Perhaps the Minister will respond to that point.

Mr. Bowen Wells (Hertford and Stortford): Does my hon. Friend know why the Netherlands and Denmark voted against the regime? The reason, if I may suggest it to him, is that the subsidiaries of Chiquita, which distribute central American bananas, have the entire Danish and Dutch markets to themselves.

Mr. Chope: My hon. Friend implies that there is something unjust about a large number of bananas being produced for market by three United States-controlled companies. I have to disagree with him if he is implying that there is something inherently unfair about that; in itself, it is not against the WTO rules. This dispute is not about those particular companies. My hon. Friend suggests that the behaviour of two other members of the EU is wholly motivated by their connections with those companies. Although I understand his concerns on that point, I certainly would not jump to such a conclusion without clear evidence.

Mrs. Maria Fyfe (Glasgow, Maryhill): The hon. Gentleman is displaying a great deal of interesting expertise. Does he know the typical daily wage of a worker on a plantation owned by Chiquita and of a worker on a Fair Trade plantation in any of the relevant nations? I am concerned about knitwear workers in the borders and other workers in this country, but, like many people in this country and in the United States, I am also concerned about fair pay for people who grow the bananas in the first place.

Mr. Chope: I fear that the hon. Lady's intervention is depressing, because it shows that Labour Members are willing to engage in irrelevancies in the context of a world trade dispute. How much people are paid to produce bananas in any particular country is not the issue in dispute, and the WTO rulings do not take it into account at all.

Mr. Stephen Dorrell (Charnwood): Did not the hon. Member for Glasgow, Maryhill (Mrs. Fyfe) reveal a split between herself and her Front Benchers? We heard an impassioned plea for free trade from the Minister, but the hon. Lady seems to be in favour of free trade only where she is in favour of the wages paid by the producers.

Mr. Chope: My right hon. Friend is absolutely right; one either believes in global free trade or one does not. Disputes will arise if any individual nation starts to interpret global free trade on the basis of whether it thinks that trade is fair from its perspective. That is why we have the WTO, which has—

Mr. Phil Woolas (Oldham, East and Saddleworth) *rose—*

Ms Tess Kingham (Gloucester) *rose—*

Mr. Chope: I shall not give way any more; I will make my point.

Dr. Norman A. Godman (Greenock and Inverclyde): He is needled.

Mr. Chope: I am not needled in the least. I am sure that Labour Members will want to ask Ministers why their views have not been reflected. Conservative Members have always been somewhat suspicious about the commitment of some hon. Members to global free trade; I hope that the Minister will reaffirm that the Government are unequivocally in favour of it.

Mr. McLeish: It is interesting to see how the consensus in the House is breaking down. The costs of employing people in third-world countries have been dismissed as "irrelevancies". If that is official Conservative policy, let us have it on the record. The hon. Gentleman referred to "those people" in the cashmere industry. They are workers with families and commitments and they want their products to be exported. Are costs in the third world

[Mr. McLeish]

irrelevant and is he dismissing the concerns of people in the borders, the east midlands and elsewhere as the concerns of "those people"? That would be outrageous; he should make clear what he means.

Mr. Chope: I am glad that I gave way to the Minister, because he has had the opportunity to try to wriggle on the issue of what will happen on 12 April. What will be the response of the EU and of the Government when the ruling comes? We have made it clear all along that we sympathise with people in the cashmere industry, who are the innocent victims of this trade dispute, but what will be done on 12 April to ensure that the cashmere industry is able to survive in the way that it has under the regime of free world trade?

The wages that people receive for producing goods in different parts of the world is not a world trade issue. I hope, as a lot of Labour Members may hope, that one of the outcomes of the Seattle meeting in November this year will be that China becomes a member of the WTO, which would be good for global free trade. We cannot emphasise enough the fact that we in this country depend more than the Americans and the European continentals on the concept of global free trade, which means that people should be able sell their labour in the marketplace and market their goods without facing unfair tariff barriers.

World free trade is in the best interests of the third world and the developing countries. It is a shame that the EU and the United States cannot negotiate a deal on bananas, but it is also unfair to put the blame for that failure largely on the Americans, as Liberal Democrat Members seem to be doing. If one looks at the facts, one can see that the Americans have complied with past WTO rulings.

I understand that this is the first occasion on which a WTO member that has lost a case has failed to eliminate its measures altogether or to change them after consultations with the complaining parties. The United States has made such changes in three cases, but the EU is the first WTO member to fail to do so. That was the response of the United States representative.

Mr. Moore: The hon. Gentleman has been at pains to characterise some of the Liberal Democrat arguments as simplistic. Are we to believe that the fault in this whole dispute relates entirely to Europe, and that the Americans are for some reason devoid of responsibility?

As for simplistic arguments, surely it is utterly simplistic to suggest that American multinationals should have carte blanche to do what they wish in world trade, with no regard for the fairness of that trade or the way in which the work forces are protected.

Mr. Chope: I do not suggest that the Americans are without fault. Certainly, they were offside in introducing a retaliatory regime while the issue was still before the World Trade Organisation; we have never advanced a contradictory view. I think we are naive, however, if we do not understand some of the frustration that is felt in the United States about the long time that it has taken to resolve the matter in the European Union. There was a ruling in its favour back in May 1997; now, in March 1999, it hopes that the issue will be resolved. Meanwhile, the European Union seems to have been delaying the issue. I hope that it will not delay further beyond 12 April, and that, notwithstanding the demise of the European Commission, there is a clear policy, worked out on a contingency basis, for an immediate response to the rulings that will be made on 12 April. If not, it is a serious matter.

Dr. Godman: The hon. Gentleman is right: we should not engage in a blanket condemnation of the Americans. May I point out that the American labour movement is actively engaged in a campaign to improve the terms and conditions of employment of those employed by American multinationals in central and south America, and elsewhere?

Mr. Chope: I thank the hon. Gentleman for pointing that out.

I have responded to a number of interventions. Let me now deal with the next issue on the horizon—the issue of hormone-treated beef, to which the Minister has referred. He told us, in a very matter-of-fact way, that he does not expect the European Union to comply with the World Trade Organisation ruling, which it must by 13 May, but he did not say why the EU would not comply with the ruling by that date. Is it surprising, in the light of that behaviour, that Richard Rominger, United States Deputy Agriculture Secretary, announced on Friday that the United States was drawing up a list of products that could face retaliatory sanctions if the EU failed to comply with the ruling? He is at pains to avoid such sanctions, but he has come to Europe seeking meetings with European Commission representatives, and, according to newspaper reports, has been told that it is not even possible to see officials at Cabinet level, let alone Commissioners, to discuss the crisis relating to hormone-treated beef. Moreover, only last week two European Commissioners missed a biotech conference at which they were to share a platform with Mr. Rominger.

That shows, on the part of the European Union, a disdain for the importance of world trade issues. I hope that the Minister will be able to assure the House that the Government are putting all possible pressure on the European Union to pull its finger out and get to grips with these important matters.

Another issue on the horizon—not mentioned in the motion—is that of hushkits. The EU is scheduled to put into effect, on 29 March, a law freezing the use of the aeroplane mufflers called hushkits, under which companies would be forbidden to add hushkitted aeroplanes to their fleets. A meeting is due to take place on 23 March between the United States Transportation Secretary and the European Union Transport Commissioner. It seems likely that the dispute will exacerbate the issue of EU-US trade, and it appears to be related very much to European Union protectionism. The only people who produce the hushkits are the Americans, and for the most part it is American airlines that use them. The European Union is saying that an arbitrary interpretation is being placed on an International Civil Aviation Organisation agreement, which seems to be being used to prevent the import and use of hushkits in the EU. That is another potential disaster for global trade. I hope that, as a Brit, the Commissioner responsible will realise that it would be counter-productive to proceed in the way proposed by the EU.

I shall end my speech now, so that others can speak, but I look forward to hearing the Minister's response. The Government have clearly recognised the importance of the debate, given that they have asked two Ministers to speak.

8.16 pm

Mr. Stuart Bell (Middlesbrough): I agree with the hon. Member for Christchurch (Mr. Chope): this is an important debate. The issue of hushkits is also important, but I shall leave it to the Minister to respond to a pertinent question put by the hon. Gentleman, which was also touched on by the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood): what will happen on 12 April?

If, on 3 March, the arbitrator had come forward with a resolution of the dispute between the United States and the European Union on whether the new regime conformed with WTO rules, or had made it clear that he had fixed the amount of compensation in some other way, it might not have been necessary for all this to happen. It might not have been necessary to withhold the liquidation of entries for products such as cashmere. What will happen on 12 April? The United States has taken its action because it believes that it will be given a compensatory amount in damages of some $500 million—possibly $520 million.

That being the case, what will be the EU's response? Will it accept that the amount should be paid by the EU overall in compensation, after which the withholding of liquidation of entries on the products that we are discussing will disappear? The question is pertinent; we shall have to await the outcome. The United States has clearly stated that it will accept any arbitration result. If the arbitration favours the US, it will accept that; if it favours the European Union, and the EU has followed WTO rules in relation to bananas, it will accept that, as is proper.

The House moves through many moods. Not long ago—two weeks ago, perhaps—we were all deriding the European Commission, and applauding the fact that all the Commissioners had resigned en bloc. We were all calling them incompetent. Now, we are having to try to defend the way in which they have handled a dispute with the United States that goes back for at least six years, as the hon. Member for Roxburgh and Berwickshire said.

When we speak of the United States, there is a point that we often overlook. The Minister touched on it when he said that 38 per cent. of world exports come from America, and that 39 per cent. of imports go into America. America remains the largest trading nation in the world. It is also self-sufficient. If it ever decided that free trade was not the policy that it wished to follow, the rest of the world would go bust. We ought to bear that in mind, and be grateful for the fact that the United States follows free trade policies. In January this year, it had a $17 billion deficit on its trade. It took in other countries' washing to the tune of $17 billion against its own exports.

We in the European Union vaunt ourselves because we have a surplus on our exports, rather than a deficit. The largest bilateral trade deficit that the United States has is with China—$4.88 billion, up from $3.98 billion.

The hon. Member for Christchurch mentioned China's involvement with the WTO, and hoped that it would happen in the autumn, when the Seattle conference would take place. It is a pious hope that China will be able to come into the WTO at that time, but I do not think that it is ready as a nation state to meet the obligations placed on it because of the WTO's free trade and fair trade rules.

My hon. Friend the Member for Bradford, North (Mr. Rooney) talked of the Uruguay round and its impact on textiles. For 12 years, we all followed the route of the Uruguay round—it went from Uruguay to Marrakesh—before the agreement was signed. The question of the entire Uruguay round was: how can free trade in the world be rules based? That touches on the point that was made by my hon. Friends the Members for Glasgow, Maryhill (Mrs. Fyfe) and for Greenock and Inverclyde (Dr. Godman). There have to be rules not only on trade through the WTO, but on labour through the International Labour Organisation.

There has to be free and fair trade for goods and services. There have to be rules under the International Labour Organisation. There have to be financial rules through the World bank and International Monetary Fund, which my right hon. Friend the Chancellor of the Exchequer is trying to bring about, but there cannot be free and fair trade in the world unless it is based on rules. In that sense, the hon. Member for Christchurch is right. It is a dispute about rules and about the interpretation of rules. It is important that we keep that fact in mind.

The issue of the African, Caribbean and Pacific countries and the European Union has been raised. The so-called Lomé convention is being renegotiated. In a few months, the 10-year agreement on issues such as bananas will come to an end. It is time for a renegotiation.

Dr. Godman: What my hon. Friend says makes much sense, but may I point out that many of the small producers in the Windward islands, for example, are deeply concerned about the massive lobbying power that Chiquita and others have on Capitol hill? The Caribbean producers feel at a distinct disadvantage because of that massive lobbying campaign.

Mr. Bell: Of course. We have heard much tonight about the various brands—Chiquita and the rest. I am grateful to my hon. Friend for reminding me of the situation in the Windward islands of Dominica, St. Lucia and St. Vincent, where bananas provide over half all export earnings. In St. Lucia, for example, the industry contributes about 16 per cent of GDP. In St. Vincent and Dominica, the figure is 17 per cent. Notwithstanding that, over the past year, production in St. Lucia has dropped by 7 per cent. because of drought and poor prices.

I take up the point about the African, Caribbean and Pacific countries and the negotiation with the EU. It may be an appropriate time for the two sides in the convention to design a specific and long-term aid package for banana growers that reconciles the need of those producers to continue to export to the EU, and ensures that agreement is reached between the United States and the EU on the implementation of WTO rulings. We come back to the rulings and to resolution of the dispute on bananas.

When we talk about the conclusion of the Uruguay round, I am reminded of the terrible difficulty that the EU had with the United States in resolving agricultural issues. There was a conference at Blair House in Washington in the United States. There were huge demonstrations in Paris by French agriculture workers and farmers, yet the issue was resolved in such a way that the Uruguay round

[Mr. Bell]

could be signed. As we come up to 12 April, it is important for the EU and United States to resolve the issue of bananas in such a way that we can continue with our rules-based trade and with the type of conference that is to be held in Seattle, to which the Minister for Home Affairs and Devolution, Scottish Office referred.

It is interesting and significant that the United States declined to enter into a new Uruguay-type round. It wished to tie up all the fine pieces of string that had been left lying around after the Uruguay round. In the end, it agreed that there should be a new comprehensive round that took into account trade, the environment and other issues.

Therefore, the United States is making an effort in that area. That effort should be welcomed and commended, but this is the beginning of a series of major trade disputes. The question of beef hormones has been referred to. I understood from the hon. Member for Tweeddale, Ettrick and Lauderdale (Mr. Moore) that genetically modified foods might be raised by the hon. Member for Lewes (Mr. Baker) before the evening is out. All that is significant and important. It means that the rules of the WTO become even more important.

The President of the United States has received telephone calls from the Prime Minister on the issue. The Secretary of State for Trade and Industry has made his views known. The Minister for Home Affairs and Devolution, Scottish Office has done so, and so will my hon. Friend the Minister for Trade, but I agree with the recent statement by the President of the United States:

"This dispute is not really about bananas, it is about rules.

We cannot maintain an open trading system which is essential to global prosperity unless we also have rules that are abided by".

As I have said, in terms of finance, the rules should be through the World bank and the International Monetary Fund. In terms of workers, they should be through the International Labour Organisation.

If we can develop those rules over time, the world can look forward to the next millennium with some confidence that the disputes can be resolved for the benefit of all. There is no question that we should let the banana producers in the Caribbean go to the wall. When he was the Minister of Agriculture, Fisheries and Food, my right hon. Friend the Member for Copeland (Dr. Cunningham) made it clear in a statement in October 1997 that we would not do so. We have their interests at heart. We will seek to maintain their interests. We will do it within the compass of the WTO and the Lomé convention. We will do it in such a way that their interests are defended and protected, but world trade rules are supported.

8.27 pm

Dr. Vincent Cable (Twickenham): It is a great pleasure to speak in support of the excellent speech by my hon. Friend the Member for Tweeddale, Ettrick and Lauderdale (Mr. Moore). I do so from two standpoints. One is a constituency interest and the other is a long-standing interest in trade policy, particularly the current dispute, which has rumbled on in different forms for the best part of a quarter of a century.

The constituency issue is not textiles, unless it is well concealed in Twickenham. Other industries are affected. One in particular, the sweet biscuit industry, touches base in south-west London. I have heard from the companies concerned about the problem, but the major issue is the fundamental one of principle that underlies the whole subject: the idea of the rule of law applied to international trade.

We should not underestimate the achievements of the early 1990s when the Uruguay round produced a dispute settlement agreement under the WTO. For the best part of 40 or 50 years, there had been semi-anarchy in international trade, with disputes being settled largely by force. Now we have a system of law. Independent panels apply the rule of law principle, which is of value, above all, to small and weak countries.

There have already been several examples of the system's value. In cases brought by Costa Rica, which is a very small country, and by Venezuela, the United States has been obliged, for example, to accept rulings based on the principles by which the World Trade Organisation disputes settlement panels operate. We should be concerned with upholding that principle. Both the major powers involved in the current dispute, in roughly equal measure, have done violence to that principle.

I do not think that it is helpful for us to be picking sides between the United States and the European Union. In their different ways, they have each added to the dispute and aggravated it. The United States has, for example, acted unilaterally, and the current case is not an isolated example. For a very long time, the United States has fallen into the habit of acting unilaterally and without warning in trade disputes. Throughout the 1980s, it used the so-called section 301 powers to bully countries into opening their markets.

The US's behaviour has been curbed somewhat by the World Trade Organisation, but its habits are still there. The US Congress has passed the Helms-Burton and D'Amato legislation, which are all about using power unilaterally to force other countries to open their markets. Its habits are now returning.

The European Union also has had serious faults. Although the hon. Member for Christchurch (Mr. Chope) was at the receiving end of some barracking in doing so, he was quite right in how he catalogued the way in which the dispute has evolved, and the fact that, for the best part of two years, the European Union has dragged its feet in implementing an international legal agreement.

There is a feeling—I am sure that some hon. Members will echo it in the debate—of some sympathy for the European Union, which is acting in the interests not of its own producers, but of producers somewhere else. However, we have to get the issue in balance. In many ways, I have some emotional sympathy for the Caribbean producers. In the 1980s, I worked for some time in the Commonwealth Secretariat and helped in negotiating the Lomé convention, and I saw the force of feeling in the Windward islands about the vulnerability of their economies. However, I do not think that we should be over-sentimental about the issue, as there is another side to it.

The main banana producer in Latin America is Ecuador. Producers in Ecuador are not in large multinational plantations; they are small-scale peasant producers. Honduras is another major Latin American producer. It has just been devastated by a hurricane, in which the northern city of San Pedro Sul, the banana

capital of Honduras, was virtually destroyed. They are very poor people who are trying to earn a living in the world market. They, too, have legitimate interests.

I think that the European Union has been seriously negligent in not appreciating sooner the problem that has been building, and has been around for a very long time. In the mid-1970s, I worked for some time in the diplomatic service, in London, and the section that I headed dealt with Latin America. We were perpetually on the receiving end of missives from the Ecuadorian and other Governments complaining about the dollar-area quota, which discriminated against them. The reply that we always gave was that it was a temporary measure.

The British Government—the Colonial Office—had invested a lot of money in the Windward islands, and, having given them that aid, we could not abandon them. That was 25 years ago. Consequently, we went out to the Caribbean islands and talked to people at St. Lucia, Dominica, St. Vincent and the other producing islands, and agreed with them that they had to diversify. That was a quarter of a century ago.

Mr. Dorrell: I have been listening with great care to the hon. Gentleman's comments; he is making a powerful case very well. His point on the alleged temporariness of protectionist controls is not unique to bananas, as the argument is used to justify almost every protectionist measure that is introduced. The "temporary" nature of the controls almost always proves to be much longer than people imply at the time.

Dr. Cable: The right hon. Gentleman is quite right—protectionism always generates its own vested interests. Although, as I said, the European Union has an important historical reason for wanting to be protective, it could have, and should have, thought much earlier about the need to switch quotas to tariffs, for example, and gradually to level out the tariffs. Those issues were discussed more than a decade ago, but no action was taken on them.

It is important to stress that the British Government have a particular responsibility in the current dispute, as they are in a uniquely advantageous position to influence the outcome. Britain is generally recognised, both within the European Union and outside it, to be a relatively free-trading country. We also have the confidence of the United States, in a way in which most other European Union countries do not. We also have an historic responsibility for the Caribbean islands. Combining the three factors, it is an issue on which the British Government should be giving leadership. Although the Minister for Trade made sympathetic noises, I feel that such leadership has, so far, been absent from the dispute.

The Minister was quite right to put the dispute in its wider context. If the dispute is not dealt with quickly and properly, we are on a conveyor belt to a very serious international trade conflict. Other disputes are brewing. Only the other day, the House of Representatives passed very serious protectionist measures on steel, and many other measures are coming. The old principle applied by Jacques Delors in the context of the European Union applies also in the current context: trade is like a bicycle, we have to keep pedalling or fall off.

Truly proactive action has to be taken to keep the trading system open and free of disputes and discrimination. That is why I strongly support current initiatives to launch another round of trade negotiations. That is partly to clear up some of the backlog of problems from the past, notably the limited progress on agriculture, but it is also to introduce new and difficult ideas. For example, international monopolies now apply not just in the banana trade, but in software and the media. The competition policies of individual countries are hopelessly inadequate and often incompatible. We need a global competition regime to manage the situation.

We have also seen an initially commendable effort to eliminate discrimination on foreign investment collapse pitifully in the Organisation for Economic Co-operation and Development, because it did not have full participation from all developing countries. The system has collapsed as a fiasco, and the World Trade Organisation has to take it on.

As the hon. Member for Middlesbrough (Mr. Bell) and others have said, another key issue is bringing into the World Trade Organisation key countries such as China and perhaps Russia, which are currently outside it. Probably the most difficult issue, to which my hon. Friend the Member for Lewes (Mr. Baker) intends to refer, is the very tricky problem of reconciling different health and sanitation standards. We know from our experience of the single market in Europe that that is not easy. Either standards have to be harmonised or there has to be mutual recognition of standards; both involve a surrender of sovereignty, which is difficult, but there will be great friction unless the issue is dealt with.

Unless the problem that we are facing is dealt with properly and quickly, it could destroy the rule of law in international trade, which has been carefully built up. I appeal to the Government, partly on behalf of the industries that have been affected, but also on behalf of a wider constituency, to act proactively and positively for a resolution to the dispute.

8.36 pm

Mr. Alan Simpson (Nottingham, South): I have listened with amusement and sadness to the way in which the debate has unfolded. It reminded me of the parallels with a recently released film called "This Year's Love" which has had wonderful reviews. It is a film with Kathy Burke about a series of disastrous relationships, in which people hop in and out of bed with each other to no purpose and pursue ultimately futile and unsatisfying relationships into their common and individual disasters. The current obsession—this year's love for free trade—is embodied in the Uruguay GATT agreement that we have signed up to. We should take the fundamental issues that underpin the disputes about this agreement more seriously.

The Liberal Democrats' motion is sunk by the fact that it is based on the oxymoron of free and fair trade. There is nothing fair about free trade and there is precious little free about it. It is worth reflecting on the state of the world markets in some of the commodities that have been mentioned: three global corporations control 80 per cent. of world trade in bananas; three companies control 83 per cent. of world trade in cocoa; five companies control 77 per cent. of world trade in cereals; and fewer than 10 companies control 94 per cent. of the market in agrochemicals.

A corporate agenda of trade is increasingly overriding any notions of free trade. The powerful preside over the global economy. There is precious little that the weak or

[Mr. Alan Simpson]

those with a commitment to social equity can do to redress the imbalance when the rules are governed by such powerful vested interests.

History will judge the Uruguay round either as a corporate charter or—perhaps more appropriately—as a crooks' charter. It allows for the serious undermining of lines of democratic accountability within and between democratic states, in terms of what suits the needs of their citizens and the framework of internationalism that they wish to pursue. To those who say that the Uruguay round was a wonderful achievement that opened up world trade, it is worth reflecting on a comment from the World Wide Fund for Nature, which said:

"the current pattern of trade and investment liberalisation has been accompanied by a worsening of all unsustainable trends—greenhouse gas emissions, deforestation, biodiversity loss—as well as growing inequality, both within and between nations."

What follows is not only huge social undermining, but huge social protest.

Against all measures of sustainability, the regime has failed lamentably to have made the world a better place. It is driving us recklessly towards the illiberal, the irresponsible and the unsustainable. The disputes that we are addressing tonight deal with which corporations happen to control the biggest slice of today's markets; markets which themselves are riven by overcapacity, inequality and insecurity. The human and environmental casualties in the process simply do not matter. It is merely a matter of which corporate giants have their way today in relationships that they will abandon tomorrow.

The dispute strikes at the core of big questions that we must address about democracy and sustainability. The banana dispute is not about the shape or size of bananas, and it was a travesty for it to be misrepresented in that way when the dispute between the European Union and the United States emerged. It is about the right of countries to act individually or collectively to protect those who live and work in vulnerable economies.

Some think that free trade will bring the best of all worlds to all people. Anyone who has looked at the vulnerable Caribbean banana-growing economies knows that, if the US has its way and the dollar bananas dominate the whole market, those economies will be virtually destroyed.

It is tongue-in-cheek for the Conservatives to sing the praises of such free trade, because they never want to accept the consequences of it. When an economy is devastated by having all the rules removed, the only thing that can be guaranteed is what the UN consistently warns us about—that destroying the basis of sustainable economies in any one part of the world will mean that the people who live there flee in search of somewhere to survive.

It always amuses me to hear rallying cries about the free movement of capital, but when we have to deal with the consequences—the free movement of labour which goes in search of survival—the first thing that we hear, particularly from the Conservatives, is, "Not to our shores. These are just economic migrants. Let them fend for themselves somewhere else." Yet, time after time, we have been the ones who have removed the barriers that allowed those people to have sustainable economies and gave them a breathing space within which they could produce a sense of diversity. Those who want to take away the trade barriers also want to throw up higher and higher human barriers against the floodtide of refugees that those policies create.

Mr. Wells: If the small Caribbean islands cannot export bananas, the islanders' only other way of earning a living is to grow drugs, which they are increasingly doing because of the dispute. Is that a desirable outcome?

Mr. Simpson: No, but it is a predictable outcome. Susan George, a social scientist, wrote in "The Debt Boomerang" about the way in which the poorest nations repay us in kind for all the damage that we do. We shift those countries from sustainable subsistence agricultures to industries that destroy the lives of many in our own northern industrial towns and cities. The hon. Gentleman is right to caution us about the hidden consequences of going recklessly down that path.

There is also a massive threat to democracy. Why should the United States threaten a trade war over banana regimes? The United States does not grow bananas, but it may well be a relevant factor that Carl Lindner, the head of Chiquita, just happens to be one of the biggest bankrollers of the American political process. Post-Uruguay, the corporate view is that one can expect the best democratic decisions that one is prepared to pay for. At every level of governance, corporations are increasingly insinuating themselves into the channels of democratic decision making, subverting accountability to the electorate and establishing a financial line of accountability to the corporation.

The history of Monsanto's interests in bovine somatotropin milk and genetically modified crops is littered with the company buying its way into public policy decisions in its favour. Last week, evidence was published to show that the science on BST milk is wretched, the politics corrupt and the consequences for human and environmental health potentially devastating. Monsanto faces a ruling either from us or from the European Union collectively that says that we are deeply unhappy about removing the ban on BST milk, because of the damage to livestock and the potential damage to human beings.

There are public movements against genetically modified crops. When Monsanto threatens to take us and the EU to the World Trade Organisation in pursuit of the free trade rights that it claims, it overlooks the fact that it has systematically sought to hide from politicians and the public the downside of all the magic science that it is sailing past us.

Monsanto has failed even to conduct the necessary broader-based research on environmental damage. It wants the right to pursue new monopolies in monocultures that it controls and that will be fundamentally self-destructive. It is an irony that, in the pursuit of free trade rights, Monsanto does not happily own up to the fact that it is invoking the part of the Uruguay agreement that gave it closed markets: the TRIPS agreements on trade in intellectual property rights. Those agreements allow the company to take out patents on the crops that it modifies and, in some parts of the developing world, it slaps patents on crops that it has found. Its rights to patent life are attempts to remove from common ownership things that we have had since civilisation has existed. The

company also seeks to take away rights from democratically elected Governments to protect the diversity of their environments and adequately to protect the health needs of their citizens.

If Monsanto obtains the rights to introduce the terminator technology as part of any WTO ruling, it will have the right not only to take ownership of life itself, but to take out a patent on death. The company says that it has encountered no problems in its experiments in the United States, but one should look at the vast acreage of GM crops on the prairies of Arizona where, apart from the Monsanto crops, the land is sterile. It has been soaked in the company's herbicide. It does not have a weed problem because nothing else can grow. When Monsanto is asked about the impact of its actions on biodiversity, its representatives throw up their hands and say that it is not an issue for them.

The company has manipulated the rules of the vetting agencies in a way that is technically brilliant, but ethically corrupt and degrading for humanity. We have to be prepared to make a stand against that. We easily forget, in this country and in Europe, that there is no public demand for GM foods and no agricultural need for them. The GM process has been driven past the advisory committees on the basis that it is the science that will save humanity, but it is the science that will turn bad research into huge corporate profits at huge social cost.

As a Parliament, we have been slow to catch up with the public's understanding of the issue. They know, in ways that we are only beginning to acknowledge, that Monsanto's claims about safety are bogus. The public know now that Monsanto's research on milk was fiddled. They know that the inclusion of GM soya with the rest of the soya crop was the result of calculated efforts by Monsanto to discover whether the public would buy GM produce if it were clearly identified. The company knew that the public would not do so, and it manipulated the regulatory regime in the USA so that it did not have to meet the obligation to identify it. The environmental damage falls outside the terms of the monitoring agencies in the USA.

As we debate the relationship between Britain, Europe, the USA and the World Trade Organisation, we must understand that people have given up waiting for a parliamentary lead. There are good reasons for that: we have a 200-year history of the public taking food safety disputes into our own hands. It was about 200 years ago when the first of Britain's food riots was caused by the adulteration of food. Farmers adulterated flour with sawdust and supplied the flour as part of the workers' wages. The riots were about whether anyone had the right to adulterate food in that way and I say with some pride that that was the momentum behind the Rochdale co-operative. The people wanted to be able to provide food that was safe for themselves and their children to eat. The same is happening now in the riots in India.

The "Cremate Monsanto" campaign is not waiting for a Government lead before burning the fields of GM crops that it does not want. The campaign is led by farmers and villagers who foresee the destruction of biodiversity in pursuit of corporate greed. It is echoed by the coalition of developing world countries who, at the Cartagena biosafety convention, said that they wanted the right to say no to such produce in order to protect their biodiversity.

Any international trade agreement that fails to deal with workers' rights or environmental and food sustainability will not be worth adhering to. Social movements in France and Canada are attempting to take direct action to challenge the corporate rights assumed by today's global giants.

When I talked to my family about this problem, it was lovely to discover that my mother had been a food freedom fighter during my childhood. She put me in a shopping trolley when we went around supermarkets when there was a food scare about Argentinean corned beef. My mother insisted that nothing should cross the front line of her fully loaded trolley that might poison her children, and she was absolutely right.

We should bear in mind the public movements staking similar claims in relation to genetically modified foods in today's supermarkets. If the United States of America and the food corporations are to threaten us with a trade war and World Trade Organisation rulings that define our actions as illegal, we must reply that the British public would probably deem a trade war to feed safe food to ourselves and our children a war worth fighting.

Those who want to open up the market without ethical or safety constraints are backing a horse that the public will not bet on. Rulings may go in their favour, but, if Monsanto and the USA win the right to dump unsafe foods in United Kingdom markets, we can overrule that right with a civic right to dump those products in the sea or leave them stockpiled at supermarket check-outs. We can assert our right not to buy something that we believe to be endangering our health, the environmental viability of our country and the international sustainability of relationships in vulnerable economies.

The challenge before us is not whether we vote for or against the Liberal Democrat motion, which contains a huge contradiction. We must support a call for a new round of trade rules that are not driven by freetrade fundamentalism. The Government must face the challenge of whether we are prepared to make different statements about the importance of the Seattle meeting.

We must say that today's free trade rules are self-destructive and unsupportable. They must be replaced by a set of global and sustainable policies that protect vulnerable environments. They must set down terms and conditions for employment rights and pay. There must be a right not to be saturation-sprayed while on the Chiquita banana plantations or anywhere else. Are we to have a set of trade rules that are ethically driven and environmentally sustainable? I have no doubt that the public in the UK, across Europe and internationally already want that. The question is: does the House have the courage to join them?

8.59 pm

Mr. Bowen Wells (Hertford and Stortford): I shall briefly remind the House of the history of the banana dispute. In 1947, the islands of the Caribbean were given the exclusive right to export bananas to the United Kingdom. That right was given in compensation for the fact that, during and before the second world war, the European nations, including our own, had been subsidising the production of sugar beet.

Sugar beet is not an efficient convertor of sunlight into sugar. In fact, it has one tenth the efficiency of sugar cane. We wanted to produce sugar beet to make us more

[Mr. Bowen Wells]

self-sufficient in sugar, rather than simply relying on cane production, principally from the West Indies but also from other Commonwealth nations. Similarly, sugar beet was also introduced in the United States of America. In both Europe and north America, sugar beet production was severely subsidised to enable it to compete in the market against sugar cane imports and, in the United States, against sugar cane production. Sugar beet is still heavily subsidised in Europe, the United States and most developed countries. As a result, sugar cane production was reduced or eliminated from many Caribbean islands.

In 1947, the then Labour Government were faced with trying to find some way in which the Caribbean islands could earn their own living. At the time, we did not have much money to give them—there was no aid budget available. As Michael Foot, luminary of this House, reminded me, the Government gave Britain's banana market to the Caribbean to enable the islands to grow bananas and diversify—we have heard that word already this evening—out of sugar.

That is why bananas became a major export of Caribbean islands that are undoubtedly, geographically and topographically, unsuited to their production. In contradistinction to central America, the land in the islands is mountainous. The soil is not the deep soil that the central American banana producers enjoy. In the Caribbean islands, bananas are produced by small farms in precipitous and inhospitable conditions. None the less, farmers there have managed to work the system and the plantations, many of which are as small as two or three acres, to produce a viable industry.

Importantly, the production of four tiny islands was combined and a shipment of bananas left the Leeward and Windward islands every week. In recent years, other diversified tropical products have been shipped on the same boats to be consumed in this country by West Indians and others who enjoy tropical fruits and vegetables. Unfortunately for the West Indies, without the banana trade the cost of transporting the other products would be prohibitive.

Therefore, in our arguments on the subject when we call for diversification, we must ask what the islands can diversify into. The answer is that, without bananas, they cannot hope to compete on any tropical vegetable or fruit with other major and efficient producers from the tropical countries of the world. The House should understand that the Caribbean islands can diversify their agriculture, but at a price.

Therefore, blocked as they are from coming to this or other countries to work, the islanders have to turn to something else, and that is undoubtedly happening. Perhaps you will be lucky enough, Mr. Deputy Speaker, to go on a Commonwealth Parliamentary Association trip to one of the islands. In St. Vincent in particular, there are empty banana fields because banana production has decreased by 50 per cent. Fields of marijuana are being destroyed by US helicopters with the permission of the Prime Minister. Let there be no doubt in the House that Caribbean farmers have no alternative other than to grow drugs if this ridiculous dispute continues.

I shall quickly remind the House of what the dispute is about. The banana protocol is protected by World Trade Organisation rules under waiver. Section 34 permits arrangements to be made, for poor developing counties, for preferential trade that is offensive to WTO rules under section 1. The banana protocol is protected in that way and the United States does not dispute that. However, that protection will last only until 2000, when regimes such as the banana protocol of the Lomé convention will have to be renegotiated.

The dispute is not over the protocol, but over the proposed banana framework agreement that the European Union now accepts was offensive to WTO rules. It was the hope of the EU that central America would agree, because only an extremely small percentage—less than 3 per cent. and falling—of the whole banana market in the EU enjoys the preferential arrangements given to the Caribbean, and in terms of the world banana trade, the percentage is less than 1 per cent. Incidentally, that trade is dominated—by more than 90 per cent.—by Chiquita, Dole and Del Monte. Those companies are in dispute with those tiny islands so that they can dominate the whole EU market, and they are making a huge trade war out of that dispute.

I do not want to go into the complicated details on which the WTO will opine in April. I appeal for sense and pragmatism to prevail. I give way to no one in my support for free trade, but free trade must be tempered with sensible arrangements for countries such as those small Caribbean countries for which special arrangements must be made. The alternatives are wholly unacceptable. I ask to the Government negotiators to appeal to the United States on the matter; indeed, I have asked the Prime Minister and the Secretary of State for International Development to intervene with President Clinton to call off this absurd trade war, which should not continue among sensible and pragmatic people.

9.7 pm

Barbara Follett (Stevenage): I welcome the opportunity to speak in the debate, although I deplore the necessity for doing so. The United States is a giant on the world trading stage and it is a pity, to say the least, that the United States should be taking retaliatory action against another giant, the European Union, for giving a few of the poorest Afro-Caribbean countries preferential access to our markets for a single crop—bananas.

I must declare an interest. I was born in the Caribbean and spent most of my early life in Africa. The disputed bananas come from struggling countries in those two regions and, from personal experience, I know how important it is to the people of those regions that what for many of them is their sole export crop should have access to our markets. For the tiny Windward islands of Dominica, St. Lucia and St. Vincent, bananas provide more than 70 per cent. of foreign exchange earnings and 60 per cent. of agricultural employment. As the hon. Member for Hertford and Stortford (Mr. Wells) has so eloquently described, the banana trade is the lifeblood of those islands.

Unlike the hon. Member for Christchurch (Mr. Chope), I do not think that it is simplistic to point out that Caribbean bananas account for only 3 per cent. of the world market and only 10 per cent. of the European market. That point makes it clear that we are arguing about crumbs from the giant's table. If that giant cared about the development of his fellow human beings, he would be glad to allow them those crumbs.

As the hon. Member for Tweeddale, Ettrick and Lauderdale (Mr. Moore) pointed out, the world banana market is dominated by three companies—Chiquita, Dole and Del Monte—whose turnover accounts for more than 64 per cent. of world trade, whereas the total earnings of the Afro-Caribbean countries from bananas accounts for only 4 per cent. of the turnover of those three huge companies. My hon. Friend the Member for Glasgow, Maryhill (Mrs. Fyfe) pointed out that working conditions in those three companies cannot be described as fair. I am aware that the problem is difficult and that there is no prescription for fair trading rules, but we must bear that in mind when we consider the merits of the case.

Chiquita—formerly known as the United Brand Company and, before that, as the United Fruit Company—dominated my teenage years and my 20s. The company came into existence in 1899, since when it has completely dominated banana production in the United States, Europe and Japan. It made an attempt to take over banana production in Jamaica in the 1930s. It is controlled by the American Finance Company and its assets total $25 billion. It has little to fear from tiny family farms of the Windward islands, where wage costs are higher and the terrain and climate less friendly. In the Windward islands, an estimated 27,000 producers scratch out a living on farms of less than five acres each. Such producers can never compete on equal terms with the vast plantations on the flat and friendly terrain of south America—they simply do not have the economies of scale.

When giants fall out, it is always the small people and the small countries that suffer; in this case, those are the African and Caribbean banana producers and the cashmere producers of Scotland. As the EU Trade Commissioner Sir Leon Brittan said, the United States has acted in an "unacceptable and unlawful fashion". It has violated the rules of the WTO's disputes procedure. As hon. Members have pointed out, that establishes a dangerous precedent, which could extend to the 10-year long dispute between the EU and the USA over hormone-treated milk, or to the potentially explosive issue of genetically modified crops and food.

The United States has displayed a singular lack of interest in the needs of the people of the developing world, where, as my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) and the hon. Member for Hertford and Stortford pointed out, the consequences of the Americans' actions could be diversification into the sort of crops that could harm the youth of the United States far more than the sale of Caribbean bananas at a preferential tariff to the EU could harm Chiquita, Dole and Del Monte. I hope that the Americans bear that in mind in the coming round of world trade talks, which hold out the hope of a solution to the problem.

I welcome what my right hon. Friend the Secretary of State for International Development is doing to promote diversification in Caribbean countries, but, as the hon. Member for Hertford and Stortford pointed out, that is not as easy as it sounds. In fact, it is extraordinarily difficult to achieve within the trading blocs of today's world. In the next millennium, we must do all that we can to solve such problems and ensure that everyone in the world gets a fair share of the world's trade. That is our task and the task that today faces the two giants—the USA and the EU.

9.14 pm

Mr. Norman Baker (Lewes): I shall curtail my comments to allow other hon. Members to speak. As a result, my speech will be slightly less balanced that it would otherwise have been—[HON. MEMBERS: "Oh, no."] Believe it or not, it is true.

The issue is not whether the rules have been interpreted properly—although that is a cogent argument, which has been advanced by the hon. Member for Middlesbrough (Mr. Bell) and other hon. Members—but whether the rules are right. In my view, the rules are not right because there is inherent conflict between the World Trade Organisation rules and the convention on biological diversity.

The World Trade Organisation is a powerful organisation with rules that can be enforced, but the environmental arm of international agreements is not so powerful and cannot be enforced. The biosafety protocol negotiations broke down because, as the *Financial Times* reported:

> "The US has warned that hundreds of billions of dollars of agricultural trade could be at stake in a controversial international agreement on the safety of genetically modified organisms".

Although the Americans were not a party to the agreement, it got Canada to scupper it for them. The consequences of the World Trade Organisation being more powerful than the CBD are significant.

I draw the attention of the House to what can happen if one multinational company seeks to abuse its position in the international market in order to cajole its friends in power to use the WTO to maximum effect. As the hon. Member for Nottingham, South (Mr. Simpson) said, that is what has happened with Monsanto. The company does not have a proud record. We have had problems with bananas and knitwear, but, as someone at the WTO meeting I attended said, GMOs will make bananas look like peanuts. We will have to address GMOs and bovine somatotropin further down the line. It is not simply about bananas, but about what we will do in the future. If we do not resolve this dispute properly, we will sell the pass. We will have not free trade, but trade on the terms of a small number of multinational companies that happen to be in a position to influence trade arrangements.

Is the system free and fair? No, it is not—Monsanto and other companies are making sure of that. Monsanto has said that we must accept BST. However, an independent European Union veterinary investigation was undertaken by Professor Donald Broom, who said that the drug should remain banned because claims for its safety are flawed. He said:

> "There is too much mastitis, leg disorders, reproductive disorders and injection site problems—and this is not a medicine, this is a substance that doesn't have to be used, and we think it shouldn't be used."

Those are the views of professionals in the European Union. Whatever happened to the precautionary principle?

The fact is that the World Trade Organisation does not take sufficient account of the environment and trade. Both those elements must be considered when the Government renegotiate the rules of the World Trade Organisation in Seattle later this year. I want the Government to confirm tonight that they will seek to include environmental, social and animal welfare issues in the discussions and will give them proper status within the WTO rules. We cannot

[Mr. Norman Baker]

enforce the rules regarding the shrimp-turtle case or leg-hold traps and, as it stands at present, WTO means "welfare taken out".

Monsanto has made itself public enemy No. 1. It has bulldozed elected Governments across the world and forced its wretched products on to the world's population, whether we want them or not. Monsanto must be brought urgently under democratic control. If the WTO rules permit such activities, they are wrong and must be changed. If we are not careful, Monsanto will become the bad news story of the 21st century. The company must be stopped.

Monsanto has deliberately refused to segregate GM and non-GM crops in order to deny consumer choice—something to which all hon. Members are committed. Monsanto also wishes to introduce GM crops, regardless of the possible environmental consequences. We know from the Advisory Committee on Releases to the Environment, other Government advisory bodies and the EU that there are significant environmental concerns about GM crops. Monsanto does not want to wait: it wants to steamroller those crops through and give us no alternative. When the crops are planted and problems arise, Monsanto will say, "Never mind, let's deal with it now."

The company wants to undermine alternative sources of non-GM crops. It is trying to stop us buying non-GM soya from Brazil by buying up Brazil and halting alternative supplies from that country. Monsanto is the antithesis of democracy. It is not worried about labelling; it is trying to persuade us that it is not necessary and that it is somehow a barrier to free trade. What nonsense. We are entitled to know what we are buying. To be fair, the Government have accepted that. They have always been committed to labelling. Monsanto does not want labelling: it wants its products to carry as little information as possible. It knows that if its products are labelled accurately—and they are not, because most GM material is not labelled under the present regulations—people will not buy them, and it does not want that.

Monsanto has been forcing crops into India and on to the developing countries of the third world. It has intimidated farmers in the United States by hiring private investigators and then fining farmers when a Monsanto seed is found in their soil.

In this country, Monsanto has been condemned by the Advertising Standards Authority, which found it guilty of making

"wrong . . . unproven, misleading and confusing claims"

in a £1 million campaign.

How does Monsanto manage to do all that? It uses the revolving door policy, and makes sure that personnel from Monsanto and Government agency advisory bodies frequently switch positions. Marcia Hale, the former adviser to the US President, is now the director of international government affairs for the Monsanto corporation. Michael Kantnor, the former secretary to the US Department of Commerce is now a member of the Monsanto corporation board. Josh King, the former director of production for White House events, is now the director of global communications for the Monsanto corporation. Margaret Miller, the former chemical laboratory supervisor for Monsanto, is now the deputy director of the new animal drug evaluation office in the US Food and Drug Administration. We have seen confidential European Union documents that have been passed to Monsanto by Dr. Nick Weber of the FDA, and a former Monsanto analyst.

Monsanto is abusing and twisting the system and getting from it as much as it can. It is getting the Food and Drug Administration on board and it is getting the US to fight its corner. I am in favour of free trade and the World Trade Organisation, but I am not in favour of one company so using its muscle and contriving matters for its own ends that the opportunity for consumer choice and Government decisions by democratic bodies is effectively removed.

Dan Verakis, the public relations manager for Monsanto in the UK, has said, "Everybody here hates us." I have to tell Monsanto that I hate it. It is the antithesis of democracy and it needs to be stopped.

9.21 pm

Mr. Phil Woolas (Oldham, East and Saddleworth): I am grateful for the opportunity to speak in this important debate. I congratulate the hon. Member for Tweeddale, Ettrick and Lauderdale (Mr. Moore) on raising this issue and giving us all an opportunity not only to express the concerns of the UK cashmere industry and others, but to have a fascinating debate about world trade and its future prospects.

I disagree with everything that the hon. Member for Christchurch (Mr. Chope) said in his speech, but particularly his earlier remarks. I say that not to win the sycophant of the week competition—I note that the diary sketchwriters are not with us this evening, perhaps because this is an important debate—but because the hon. Gentleman criticised the Government for their alleged inaction until the statement of 4 March. The work of the clothing and textiles all-party group has brought me into contact with employers, trade unions and hon. Members from both sides of the House. Since before Christmas, the industry has been supporting the Government in their actions and saying how well they have been doing, given the huge obstacles that they face. Those points were made by hon. Members from all parties in an Adjournment debate raised by the hon. Member for Tiverton and Honiton (Mrs. Browning).

The speech of the hon. Member for Christchurch contained a paradox in his tendency to attack the European Union for whatever it does and his wish to stand up for British industry. He is trapped in a cleft stick because he realises that, if he attacks the EU, his constituents will think that he supports the United States in this dispute. This debate has helpfully brought into the public domain the relationship between our industry and the EU on the one hand and the broader context of the US and the World Trade Organisation on the other.

I agree that the pay of workers in the developing world is not only a moral issue for Labour and Liberal Democrat Members, which the hon. Member for Christchurch dismissed it as being, but a part of world trade negotiations. The multi-fibre arrangement is, in part, premised on considerations of pay rates in China, north Africa and the Indian sub-continent. These issues are very important when considering the future of talks.

Mr. Denis MacShane (Rotherham): Is it not significant that the motion does not refer to social issues such as pay? It refers to

"environmental and animal welfare objectives"

and

"international biodiversity agreements".

Those objectives and agreements are very important, but the motion exposes the extent to which the Liberal Democrats are divorced from the real life conditions of working people in this country and throughout the world.

Mr. Woolas: I agree with my hon. Friend but, to be fair, his point does not negate the points that are set out in the motion, as I think he would admit.

Another interesting feature of the contribution of the hon. Member for Christchurch was his failure to recognise our responsibility to our Commonwealth partners. The responsibility which France and we in the United Kingdom recognise to our partners in the Caribbean and Africa has, in part, led to the dispute.

The cashmere industry—I highlight also the threat to the unembroidered cotton industry, which concerns Lancashire in particular—faces a vicious attack. I believe that the Americans knew full well the seasonal nature of the cashmere industry not only in marketing, but in buying and shipping. The position is made worse by the knowledge that if, as is happening, we lose this trade, it will go to China, which is the only other significant producer of cashmere in the world. It will be extremely difficult to get that business back.

It is worth pointing out on behalf of the United Kingdom clothing and textile industry that, if cashmere were not under attack, it could be Nottingham lace, Savile Row suits or Axminster. It could be any of the high-skilled, value-added sectors in the clothing industry on which that industry's future depends.

In this context, it is a very good thing that we are members of the European Union. Without the protection of that trade bloc, that single market, we would be vulnerable to the United States. I hope that no one will draw the conclusion from this trade dispute that membership of the EU is anything other than a good thing.

I shall conclude my remarks by drawing the attention of the House to one particularly important line in the motion. It sets out the fear that the dispute could be, or is, a precursor to future world disputes. However, since the beginning of the banana dispute, there has been a change, in that between the European Union and the United States we have two roughly equal trading blocs. I urge on the Government the importance of recognising the danger of mutually assured destruction between the two blocs.

9.28 pm

Mr. Stephen Dorrell (Charnwood): I shall not detain the House for longer than a couple of minutes. I begin by declaring an interest as a director of, and shareholder in, a clothing company that is not directly involved in the dispute that we are discussing. However, like virtually all modern clothing companies, it is actively involved in international trade.

This is an important debate. It has been occasioned by bananas and by the implications for the banana trade in the Caribbean and for our domestic cashmere industry of the actions that the Americans have taken as a result of the dispute. The significant point that the House should draw from the circumstances in which we find ourselves is the central importance, not only to the United Kingdom and other countries in Europe, but to poorer countries throughout the rest of the world, of following through the progressive liberalisation of trade that we have seen over the past half-century, since the end of the second world war.

The real debate this evening has been fascinating. It is the one that has taken place among the occupants of the Government Front Bench, my hon. Friend the Member for Christchurch (Mr. Chope) on the Opposition Front Bench and at least some Liberal Democrat Members. Liberal Democrats have argued the case for progressive liberalisation, while the forces that I think those on the Government Front Bench would recognise as old Labour, who are ranged behind them—at least they were—are still instinctively seeking to control, or to plan to safeguard, very proper concerns. Of course we are all anxious for living standards to be improved. Of course we should all be concerned to protect biodiversity and the environment.

Surely the history of the development of trade over the past half-century should persuade us that the best way of improving people's living standards, and of providing resources for reinvestment in the environment and other desirable social policy objectives—the best way of underwriting the improvement not only of standards of living, but of quality of life—is to create the wealth that allows those options to be open. The progressive liberalisation of trade makes that possible.

I agree wholeheartedly with the hon. Members for Middlesbrough (Mr. Bell) and for Twickenham (Dr. Cable) that the great gain that we have made in recent years is a decisive move towards rules-based trade. That is why the UK, every other member state of the European Union and the United States share essential national interests in strengthening rules-based trade, and in respecting judgments when they are handed down by the World Trade Organisation– the organisation that we have jointly set up to deliver that generality in the particular.

9.31 pm

Mr. David Chidgey (Eastleigh): I congratulate my hon. Friend the Member for Tweeddale, Ettrick and Lauderdale (Mr. Moore) on the powerful way in which he opened the debate. He made a strong case for the plight of his constituents, the thousands of people who run the risk of losing their jobs. He rightly pointed out the shortcomings in the diplomatic efforts of the European Union and the United States so far. We need a fair resolution and respect for the World Trade Organisation and its rule base, as the right hon. Member for Charnwood (Mr. Dorrell) said.

I am pleased that, when he spoke on behalf of the Government, the Minister recognised that my hon. Friend the Member for Tweeddale, Ettrick and Lauderdale had put up a reasonable case. There is all-party agreement on the matter. The Minister pointed out that we in the EU and the USA are the two key players on the world trade stage. We should all remember that. We are intertwined, and our economies are locked together. The Minister told us a great deal about our trade successes. With all due respect to him, we all knew that. The issue is what we are to do about the unwieldy and unbelievable dispute about bananas.

[Mr. David Chidgey]

The hon. Member for Christchurch (Mr. Chope), who led for the Conservative party, made some interesting comments about his preference for compliance rather than compensation, and about his complete faith in market forces and the unfettered exploitation of the most vulnerable. I have always believed that trade should be not only free, but fair.

The debate has shown that the so-called banana war has all the makings of a Whitehall farce. It is a throw-back to 19th-century gunboat diplomacy, but it is a farce with deadly serious implications for sensibly regulated world trade, and for safely harnessing the science of genetic modification and hormone additives in the food chain—something about which my hon. Friend the Member for Lewes (Mr. Baker) spoke so eloquently.

Neither the EU nor the USA is blameless in the present fiasco. By using loopholes in the WTO compliance rules, the EU has tinkered with its banana import regime, stalling over the day when it must change the system whereby it protects its former colonies.

Very few, if any, independent observers believe that the EU is acting legally, but the EU claims that it cannot be sure about that until the WTO rules again. On that basis, the EU could carry on tinkering with the rules and never comply with the WTO judgment.

America is also flouting WTO rules. By retaliating with trade sanctions through 100 per cent. duties on EU products targeted at the UK, it is effectively stopping trade. Not only will that destroy the livelihoods of thousands of workers in the Scottish borders, but the US is acting in direct contravention of WTO rules on free trade.

At the heart of the dispute lies a fundamental clash of different obligations to different parties. The EU has obligations to WTO trade rules and obligations under treaty to former colonies in Africa, the Caribbean and the Pacific. To American eyes, those colonial links might appear to be relics of the past, but it is time for America, as today's super-power, to accept the responsibilities of its dominant position and to think and act beyond the interests of short-term commercial advantage.

The dismantling of the EU banana regime would only marginally increase the profits of the multi-billion dollar American banana distributors, but it would destroy at a stroke about 25 per cent. of the economy of a string of Caribbean islands. America's response appears to be that the EU should replace preferential trade with economic aid. Nobody can imagine that destroying the fragile economies of small island states, and throwing thousands of people out of work and into benefit dependency, is a constructive policy. It flies in the face of America's own claims to social justice and Bill Clinton's claim that he would give America's poor a hand up, not a handout. However, he wants us to hand out aid in the Caribbean rather than have those economies prosper.

There is a darker side to the banana war—the blatant manner in which corporate America can corrupt political thinking in the Senate and in the White House. It would be far fetched to say that it was mere coincidence that the American banana distributors donated $500,000 to the Democratic party coffers only 24 hours before America lodged its latest complaint over the banana regime. Their actions show that the producers are more bent than the bananas that they sell.

A still darker side to the banana war could be the reaction in the Caribbean to massive job losses on the banana plantations. America has spent billions of dollars in Latin America trying to turn farming communities away from drug production to producing legitimate cash crops, and forcing a collapse in the Caribbean banana industry would only increase the likelihood of more illegal drug production. The hon. Member for Crewe and Nantwich (Mrs. Dunwoody) spelled that out early in the debate during an intervention. If more drugs are produced, they will go to the most profitable and readily accessible market. That is the United States of America.

The escalation of the banana war would bring a host of casualties—thousands of job losses in the Scottish borders, the destruction of island economies throughout the Caribbean and an increase in illegal drugs production and trade, targeted on America—but even more damaging in the longer term would be the signalling of a crisis of confidence in the WTO, which is the supposed arbiter of world trade disputes.

There is real danger that trade hostilities with America will escalate into other areas, and measures to protect its steel industry are before the Senate. America is angry about subsidies for Airbus, EU directives on data privacy and proposed rules on aircraft noise—the hushkits, which discriminate against American firms. Most worrying is American pressure on the EU to accept food produced from genetically modified crops and to lift the EU ban on American hormone-treated beef. At stake are the rights of the individual nation states, which have put the interests of public safety before access to the food chain for modified products.

As my hon. Friend the Member for Lewes pointed out, there are alarming reports from leading scientists in Europe about the drinking of milk laced with hormones increasing the risk of cancer. The bovine somatotropin hormone is the favoured method of American producers for increasing yields massively and reducing costs. In our view, the EU is right to ban those products in the face of scientific uncertainty over long-term public safety.

Dr. Ian Gibson (Norwich, North): Scare tactics by the Liberals.

Mr. Chidgey: I see that some genetically modified Members have entered the Chamber, but perhaps we can keep them under control until the end of the debate.

It cannot be right for America to use WTO rules against trade discrimination to force those products on to the European market; our farmers are banned by law from competing with such products. We are faced with growing conflict between regulation of biodiversity in environmental science and commercial exploitation of modified food. There is a conflict between harnessing the benefits of science, maintaining public safety and reassuring public opinion. It is clear that present international structures for regulating trade and the environment are not able to respond adequately to those new environmental and social challenges.

The World Trade Organisation's rules are designed to be flexible and not prescriptive, but fears are growing that the WTO seems to be incapable of enforcing its own rules, and that could prove to be a fatal flaw. If countries feel that the WTO does not work, more and more will be tempted to bypass and ignore it. The major trading

powers—America and the European Union—will be tempted to act unilaterally. Already, there are worrying signs that America is negotiating a bilateral trade agreement with China, shutting the door on the European Union and on established convention.

We are in danger of losing a predictable and fair rules-based system under the WTO, and gaining instead arbitrary arrangements based on power. That can lead only to more protection, more trade wars and, eventually, trade anarchy, which would inevitably stifle any response to the global, environmental and social challenges that we face. We must change the WTO's commitment to untrammelled, purist free trade to embrace the wider goals of achieving a sensible balance between free, fair and sustainable trade. We need to build mechanisms to resolve free trade and environmental arrangements—mechanisms that simply do not exist at present.

If anything, the process is moving into reverse. The collapse of the recent talks in Colombia, aimed at establishing a biosafety protocol, is a serious setback. The implications for trade, the environment and food safety are of major concern. It is now becoming clear that America and Canada are attempting to present us with a fait accompli on genetically modified organisms, first, by overriding legitimate concerns in the European Union about the environmental health aspects of genetically modified crops and food products and, secondly, by preventing consumer choice through the segregation of supplies and comprehensive labelling.

Even more alarming is the stance taken by the United States and Colombia that rules to protect the environment must be subordinate to trade rules. That will only heighten fears that trade liberalisation and environmental protection are mutually incompatible—and there is a real fear that the United States will try to overcome EU resistance to GMOs by using WTO dispute processes.

There is clearly a political conflict between the rights and obligations of the WTO and those arising from multilateral environmental agreements. It is vital for all WTO members to reach binding understandings, both political and legal, that will ensure that the trade provisions of the MEAs are accommodated within WTO rules.

This is where our Government must take a leading role. I am disappointed that their amendment merely "notes the current position". We could have done that before we started; what we want is a commitment, and some action. It is simply not good enough to "note the current position"; nor are the signals being sent by the Prime Minister—signals that he supports the American position—good enough. He appears to be backing the Americans' multi-billion-dollar GM commercial and industrial interests. I hope that he is not, but that is the signal that is sent.

The Government are failing to give a clear lead in suggesting that, while tremendous benefits can be gained from the science of genetic modification, it must be regulated and controlled in the interests of public health and the environment. As a result, we see shock-horror tabloid headlines, and widely conflicting claims about the supposed danger, or benefits, of GM technology. What is needed now is a breathing space for rational public debate. We need to find a sensible way of proceeding that will command widespread public support.

The Government should ask the royal commission on environmental pollution to look at all the evidence. It examined the issues in 1989, and is well placed to produce a balanced and authoritative review in the shortest possible time. The Government must also take the lead internationally. They must stand firm with our partners in the European Union, and must use their influence with the United States Government to reduce the possibility of a trade versus environment conflict. They must step up efforts to reform the WTO to ensure compatibility with multinational environmental agreements and compliance with the aims of free, fair and sustainable trade.

9.45 pm

The Minister for Trade (Mr. Brian Wilson): It is something of a cliché to say that we have had an excellent debate, but, more than usually, it is accurate. There have been some extremely well-informed contributions from hon. Members on both sides of the House. It has been an evening of serious speeches on serious matters.

It is an unusual debate in a sense. It involves some extremely localised issues, which I am obviously expected to—and will seek to—address, but I do not want that to take away from the fact that it also involves global issues and important questions that affect every country and every citizen of this country. I congratulate the Liberal Democrats on raising the matter as a subject for debate.

I welcome the degree of common ground in the House. There has been recognition of the problems, but, as my hon. Friend the Member for Middlesbrough (Mr. Bell) pointed out, there has also been recognition of the scale and importance of the European Union-United States trade relationship. Although there are a number of problems in that relationship, we bear it firmly in mind that such disagreements are the exceptions to the rule and that the vast majority of trade and investment between the EU and United States takes place without difficulty. It is in no one's interest to upset that arrangement unduly. Let us address the problems, but keep a sense of perspective.

Much remains to be done to develop the bilateral relationship and to identify further common objectives for the multilateral trade system, so we must work urgently to enhance the dialogue for better management of disputes that develop between us. That is necessary not only for the better handling of individual disputes, but to avoid those relatively few disagreements that are colouring the wider relationship at such a crucial time for world trade.

I do not want to discuss the merits of the banana dispute. I will follow my advice to the Americans and to anyone else who will listen—await the outcome of the WTO panel arbitration process, which we expect to come to a head by 12 April—so it is not for me to get into the merits of the case tonight and to beat the drum about who is right and who is wrong in the banana dispute. That will not be productive. As the hon. Member for Hertford and Stortford (Mr. Wells) pointed out in his interesting and well-informed speech, the dispute has been going on for more than 50 years, so it is improbable that we will sort it out tonight with another dose of rhetoric.

Having said that, there can be no avoiding the reality that the action that the United States announced on 3 March was wrong. Irrespective of the merits of the dispute, that can be said because it took the resolution of the dispute outside the procedures of the WTO. As many Members recognise—I have had contact with them over

[Mr. Brian Wilson]

the past few months on the issue—it must be resolved quickly, without causing serious harm to many unrelated industries, particularly cashmere knitwear. That statement lies outside the issue of bananas. First, it is wrong to act before the WTO procedures come to a conclusion. Secondly, it is wrong to take action against unrelated products. I can make both those statements categorically without going into the merits of the dispute itself.

I come to the passage of my speech that will be of particular interest to hon. Members on both sides of the House who represent areas with cashmere interests. On 4 March, the Secretary of State for Trade and Industry announced to the House that he would put in place arrangements to guarantee bonds paid in respect of exports of cashmere knitwear to the United States. I am delighted to be able to announce the details of that scheme.

The scheme will be operated by the Export Credits Guarantee Department. The guarantee will indemnify exporters of United Kingdom-manufactured cashmere knitwear against losses on exports to the United States as a result of conditions arising from the unilateral action of the United States. The scheme will apply to those contracts placed before midnight on the date of the World Trade Organisation panel rulings on the European Union banana regime—expected to be on or before 12 April—under which delivery to the United States is due to be made by 30 November 1999. The Export Credits Guarantee Department will be open for business as soon as a direction can be issued in the light of this announcement.

I make it clear that the decision to set up the scheme was not taken lightly. As I know that hon. Members who have been involved in the matter will realise, it is an exceptional response to a unique set of circumstances. The cashmere knitwear industry is highly specialised and concentrated in areas that face difficult economic challenges. Although the borders area of Scotland is certainly the main centre of the cashmere industry, it is not the only centre of the industry. Cashmere is important in other parts of Britain, and those areas, equally, will benefit from the announcement and welcome it.

The main market for the industry is the United States. Moreover, we are right in the middle of the ordering season. If we had not taken that action, the United Kingdom cashmere knitwear industry, and its upstream suppliers, would have been devastated, and there would have been a very real risk that it would never recover.

Under normal trade conditions, the United Kingdom cashmere knitwear industry can—and does—beat the world. In recent weeks, I have seen that at first hand. It is a superb industry, and we should back it. In the measures that I have just announced, we are doing so. We have had to take that action so that the industry will still be there to compete when trade conditions return to normal.

I look forward with great optimism to the industry's future success. I wish everyone involved in the industry well, and thank them for their forbearance, understanding, and calm and rational negotiation and discussion in the midst of a very difficult time in recent months.

On the wider dispute, the Government will continue to do all that we can to press for alternatives to retaliation and—when we know the result of the rulings from the WTO arbitrator and panel—for immediate and positive action. We must safeguard the WTO's dispute settlement system, as it has served us well in the past, and will continue to do so in the future.

I should like to try to deal with some of the other subjects that have been touched on in the debate. Hormones were the next most topical issue. In that case, as in all cases, we must recognise the importance of sticking to scientific principles. In this case, the WTO found that the risk assessments that the European Union had conducted were deficient. The EU is now conducting new assessments. The view of the United Kingdom Government is that those should have been done well before now, as the WTO itself has said. Meanwhile, however, we must continue to engage in serious dialogue with both the United States and Canada to find a satisfactory way through the dispute.

The United Kingdom is encouraging the United States to discuss compensation—as an alternative to retaliation—and labelling options, taking into account on-going scientific assessments.

Events in the hormone issue have been moving rapidly. Just today, European Union Foreign Ministers agreed in Brussels to negotiate compensation. Meanwhile, the United States has been publishing a list of products for retaliation in the potential dispute. The list—which has just reached me—is rather eclectic, including products such as

"bellies (streaky) and cuts thereof of swine, salted, in brine, dried or smoked".

The list moves on to oats, and

"sugar confectionary cough drops, not containing cocoa".

Then again, it includes "lingonberry and raspberry jam". Prepared mustard also is included. The list on this matter is much longer than it was, the last time around, on the other matter.

The House should understand that the United Kingdom Government's position on the two sets of circumstances is that they are not directly comparable. We believe very strongly that the hormones issue should be settled by compensation, not retaliation. Once again, however, I deplore even the concept of going outside the trade disputes procedures, into the sphere of a retaliatory list. Once the list is published tomorrow, another set of industries throughout the United Kingdom and the European Union will be worrying about their future well-being and the livelihoods of the people who work in them. That is not the way to proceed. There should be negotiation on hormones. We have stressed the importance of scientific principles and we believe that the United States should back off from retaliation to settle the dispute.

Mr. Chope: Does the Minister accept that the situation is the fault of the European Union in failing to meet the WTO deadline?

Mr. Wilson: I have set out the Government's position on hormones clearly. We agree with the World Trade Organisation that the new assessments on scientific grounds should have been carried out sooner. I have made my comments without the prompting of the hon.

Gentleman. The way forward is through compensation, if appropriate—as the EU Foreign Ministers agreed today—not through retaliation, which drags in many industries, of which I have mentioned only a few.

Trade in genetically modified organisms is a matter of much discussion. Strong feelings have been expressed on the subject in the House tonight. We have enough problems in world trade without talking up trade wars that do not exist. Although the United States has expressed some concerns about the European regulatory system and the time that it can take to grant an approval for a new product, there is no trade dispute between us. The United States clearly recognises that the European Union has a right to determine whether genetically modified products are safe. The United States also recognises that consumers need to be able to make an informed choice. That is why we have labelling of products that contain GM ingredients.

The hon. Member for Christchurch (Mr. Chope) referred to hushkits. The way through the problem is discussion. There have been intensive negotiations between the EU and the US in the past few days to reach a compromise that addresses the concerns that the United States believes that it has on technical and trade policy. A solution to the dispute would be welcome and would prove that it is possible to resolve difficulties through serious, bilateral negotiations designed to recognise the concerns of each side.

That may not be a bad point at which to draw my comments to a conclusion.

Mr. Baker: Irrespective of applying the rules as they stand, does the Minister accept that the rules have to be changed in Seattle to take more account of environmental, animal welfare and social issues?

Mr. Wilson: I am glad to have an opportunity to comment on Seattle. Uniquely and unprecedentedly, from the outset of discussions about the agenda, the Government have called in trade unions, non-governmental organisations and representatives of business and industry across the spectrum of opinion and interest. That will enable us to proceed with complete transparency about our position and allow it to be influenced by representations from interested parties and by the maximum discussion. I do not have time to prejudge what the opposition on the issues will be, even if I wanted to. Negotiations on trade cannot carry all the world's concerns on their back. It is not the developed countries but the less developed ones that have to be persuaded on many issues, because they see in them the spectre of protectionism in another guise. Consultation is taking place. That is unprecedented, but it is the way in which the Government do business on such issues.

The issues can be resolved through discussion. It is vital that we do not start grandstanding or—

Mr. Paul Tyler (North Cornwall) *rose in his place and claimed to move,* That the Question be now put.

Question, That the Question be now put, *put and agreed to.*

Question put accordingly, That the original words stand part of the Question:—

The House divided: Ayes 39, Noes 314.

Division No. 124] **[10 pm**

AYES

Allan, Richard
Baker, Norman
Ballard, Jackie
Beith, Rt Hon A J
Brake, Tom
Brand, Dr Peter
Breed, Colin
Burnett, John
Burstow, Paul
Cable, Dr Vincent
Cotter, Brian
Cunningham, Ms Roseanna *(Perth)*
Davey, Edward *(Kingston)*
Fearn, Ronnie
Foster, Don *(Bath)*
George, Andrew *(St Ives)*
Hancock, Mike
Harris, Dr Evan
Harvey, Nick
Hughes, Simon *(Southwark N)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, Charles *(Ross Skye)*
Kirkwood, Archy
Livsey, Richard
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Oaten, Mark
Opik, Lembit
Rendel, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Smith, Sir Robert *(W Ab'd'ns)*
Taylor, Matthew *(Truro)*
Tonge, Dr Jenny
Tyler, Paul
Wallace, James
Webb, Steve
Willis, Phil

Tellers for the Ayes:
Mr. Andrew Stunell and
Mr. David Chidgey.

NOES

Abbott, Ms Diane
Ainger, Nick
Anderson, Donald *(Swansea E)*
Armstrong, Ms Hilary
Atkins, Charlotte
Austin, John
Barnes, Harry
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Stuart *(Middlesbrough)*
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blizzard, Bob
Blateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Cabom, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Caplin, Ivor
Caton, Martin
Chapman, Ben *(Wirral S)*
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, John *(Hornchurch)*
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Efford, Clive
Eliman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foulkes, George
Fyfe, Maria
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil

Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hoey, Kate
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kingham, Ms Tess
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McLeish, Henry
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Mountford, Kali
Mullin, Chris
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Osborne, Ms Sandra
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Giles
Rapson, Syd
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple–Morris, Peter
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woolas, Phil
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Robert Ainsworth and Mr. Jim Dowd.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith, pursuant to Standing Order No. 31 (Questions on amendments), and agreed to.*

MADAM SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House recognises the significance of the EU/US relationship and notes that the majority of that trade relationship runs smoothly; commends the efforts of the Government to secure the Transatlantic Economic Partnership Agreement last year; acknowledges the efforts of the Government to find a way through the bananas dispute so as to minimise the impact on British industry and in particular the cashmere industry; notes the current position on the hormones dispute; welcomes the Government's commitment to sustainable development; and endorses the Government's support for comprehensive multilateral trade negotiations to be launched in Seattle at the end of this year.

Orders of the Day

CONSOLIDATED FUND (No. 2) BILL

Order for Second Reading read.

Question, That the Bill be now read a Second time, *put forthwith, pursuant to Standing Order No. 56 (Consolidated Fund Bills), and agreed to.*

Bill accordingly read a Second time.

Question, That the Bill be now read the Third time, *put forthwith, and agreed to.*

Bill accordingly read the Third time, and passed.

DELEGATED LEGISLATION

Madam Speaker: With permission, I shall put together the Questions on motions Nos. 3 and 4.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

Legal Aid and Advice (Scotland)

That the draft Civil Legal Aid (Financial Conditions) (Scotland) Regulations 1999, which were laid before this House on 22nd February, be approved.

That the draft Advice and Assistance (Financial Conditions) (Scotland) Regulations 1999, which were laid before this House on 22nd February, be approved.—*[Mr. Hill.]*

Question agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

Social Security

That the draft Social Security (New Deal Pilot) Amendment Regulations 1999, which were laid before this House on 22nd February, be approved.—*[Mr. Hill.]*

Question agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

Government Trading Funds

That the draft Ordnance Survey Trading Fund Order 1999, which was laid before this House on 24th February, be approved.—*[Mr. Hill.]*

Question agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

Constitutional Law

That the draft Scotland Act 1998 (Consequential Modifications) (No. 1) Order 1999, which was laid before this House on 25th February, be approved.—*[Mr. Hill.]*

Question agreed to.

EUROPEAN COMMUNITY DOCUMENTS

Motion made, and Question put forthwith, pursuant to Standing Order No. 119(9) (European Standing Committees),

Welfare of Laying Hens

That this House takes note of the European Union Document No. 6985/98 on the protection of laying hens kept in various systems of rearing; and of the progress of negotiations; and supports the Government's intention to continue to work for the adoption of a Directive which sets a clear phase-out date for the battery cage, improved standards in the interim and robust and practical standards for the welfare of birds in non-cage systems.—*[Mr. Hill.]*

Question agreed to.

Fur Farming (Prohibition) Bill *[Money]*

Queen's recommendation having been signified—

Motion made, and Question proposed,

That, for the purposes of any Act resulting from the Fur Farming (Prohibition) Bill, it is expedient to authorise the payment out of money provided by Parliament of any expenditure incurred by a Minister of the Crown in consequence of any compensation scheme made under the Act.—[*Mr. Hill.*]

10.14 pm

Mr. Eric Forth (Bromley and Chislehurst): On these occasions, I always say at the beginning of my remarks how unfortunate it is that the Minister never seeks to catch your eye, Madam Speaker, to set out—however briefly—the reasons behind the money resolution. I say that because it would be helpful to the House. It might even avoid the need for speeches, during the brief 45 minutes that we are allowed, if the Minister were to do the courtesy of setting out for the House the reasoning behind the money resolution.

Even in our rather full Second Reading debate, we were unable properly to explore the financial implications of the Bill. Tonight's debate gives us a chance to do so. In the absence of any explanation from the Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food, I shall simply ask a few questions so that the House may judge whether it wishes to approve the money resolution.

The resolution is intended

"to authorise the payment out of money provided by Parliament of any expenditure incurred by a Minister of the Crown in consequence of any compensation scheme made under the Act."

That is fair enough as far as it goes. The Bill does, indeed, in clause 5, make provision for a compensation scheme, and sets out in helpful detail its likely nature.

I do not want to dwell on that because one or two of my hon. Friends wish to concentrate on the specific nature of the compensation scheme. Given the brief nature of the debate, I certainly do not want to take up too much time.

Mr. Jim Dowd (Lord Commissioner to the Treasury): Why not?

Mr. Forth: So that my all hon. Friends may speak. Whether the House will wish to divide on the matter will of course depend on the Minister's replies.

Mr. David Davis (Haltemprice and Howden): During my time dealing with private Members' Bills, I have always been led to believe that they are not allowed to be primarily for the purpose of spending money. My right hon. Friend has referred to the compensation scheme, on which, it seems to me, the Bill depends. Would my right hon. Friend give us his views on that point?

Mr. Forth: I hate to disagree with my right hon. Friend, but my reading of the Bill is rather different from his. I am reasonably satisfied that the main purpose of the Bill is to ban the practice of fur farming, although, as I said on Second Reading, I do not agree with that. My right hon. Friend has made an important point, however, about whether the ban comes before the compensation or vice versa.

I cannot imagine that the Government wanted to provide compensation and therefore introduced the ban in order to do so, which is almost what my right hon. Friend suggests. However, we need a clear explanation from the Minister of the nature and basis of the compensation regime and the mechanism that he envisages for paying compensation. At least one of my right hon. Friends will pursue just that point in a moment.

I read out the words of the resolution a moment ago to show that it refers only to the compensation mechanism. Yet, when I read clause 5(3) of the Bill, I found that it talked about the mechanism by which to resolve disputes, stating:

"Any dispute as to . . . entitlement to payments under a scheme . . . shall be referred by the Minister to, and determined by"

the Lands Tribunal.

It strikes me that it is entirely possible that the extra burden of work that may be laid on the Lands Tribunal could give rise to additional expenditure by the tribunal, possibly on additional staff or training, or even on a further appeals mechanism. We must know whether the Minister agrees that that is so, and whether the money resolution may therefore be defective.

Can the Minister give an absolute guarantee that the Lands Tribunal will incur no additional expenditure in fulfilling the responsibilities laid on it? My view is that either the resolution may be defective or the Minister must give that guarantee. Then we will be able to watch carefully to see that the use of the Lands Tribunal by those who find themselves in dispute over compensation takes place within a tight financial regime, because the tribunal may not be able to spend any more money. There is a possibility of real difficulty owing to inadequate drafting of the money resolution.

Those are my main points. I am anxious to give my right hon. and hon. Friends time to raise further matters before we decide whether we wish to agree the resolution.

10.20 pm

Dr. Peter Brand (Isle of Wight): I am grateful that this issue is being discussed. I fully support the Bill to ban fur farming, but I am extremely concerned that people who have been carrying out what was a legitimate occupation should be adequately compensated. In the past few years, they have had an extremely difficult time. They have had to spend a great deal of money to maintain the security of their premises, to protect not only their livelihoods but the environment from the irresponsible actions of some animal welfare activists. Fur farmers have been spending money—

Madam Speaker: Order. We are dealing with the money resolution, which is very narrow, not the Bill.

Dr. Brand: I fully appreciate that, Madam Speaker. The importance of the money resolution is that it will allow the Minister to make a statement on compensation before Third Reading. It is important that, before we vote on Third Reading, we hear from the Minister what compensation arrangements are being put in place.

10.22 pm

Mr. Michael Jack (Fylde): Two out of the 11 remaining fur farmers in this country are in my constituency. They will be affected by the Bill if it is enacted. Therefore, they have a keen interest in the terms of the money resolution.

In my initial remarks, I shall deal with one point of concern. The resolution invites Parliament to agree to effect payment

"in consequence of any compensation scheme made under the Act."

That would give the Minister broad scope to invent whatever compensation scheme he felt was appropriate.

Fur farmers are worried because many of them hoped that the compensation scheme covered by the resolution would be sufficiently flexible properly to compensate them for the losses that they will inevitably incur if the Bill is enacted and their present legitimate form of business has to cease.

I want to know from the Minister whether any discussions have been held with the Treasury about the amount of money that could be agreed under the terms of the resolution. The House is invited to agree the payment of money out of funds provided by Parliament, but that is almost an open-ended commitment. We do not know whether the Treasury has agreed a cash-limited sum with the Ministry of Agriculture, Fisheries and Food that it can use in framing the scheme. Estimates of about £400,000 were suggested in the explanatory notes that were issued in connection with the Bill.

The Minister has made it clear in discussions that he is contemplating a minimalist regime to compensate farmers solely and wholly for the loss of assets. That is his opening proposition. I hope that he will explain in his reply whether that is the opening position, the only position, or whether there will be opportunities for further discussion with fur farmers, who face the end of their legitimate trade. They want to know whether the terms of the money resolution can give them comfort to discuss the way in which the Minister might approach the powers that it will give him—namely, being able to use "any compensation scheme". I hope that that would give the Minister the flexibility to design a fair compensation scheme because the measure would end what is currently fur farmers' legitimate activity. When they consider the estimates that have been published so far, many of them may think that £400,000 is a grossly inadequate sum of money for the losses that their businesses will occur.

Mr. Forth: Does my right hon. Friend have any sense at this stage of whether those people who are involved in their currently legitimate trade are worried more about compensation for loss of revenue and profits in their on-going businesses or about the possible loss of asset value? Are they concerned about compensation on the capital side as well as on the revenue side? Does my right hon. Friend have anything to say about that?

Mr. Jack: My right hon. Friend asks the question that fur farmers themselves are asking. They are concerned about the compensation for business assets to which the Minister referred, but they are equally concerned that it seems that no further money will be available for consequential losses when they have to cease trading, or to give funding to enable them to re-establish businesses in other agricultural operations. Many of those farms are located in sparsely populated areas where other activities might be hard to get off the ground.

The farmers would like to hear some certainty on compensation from the Minister when he winds up the debate. I should like to know—and I am sure that the fur farmers would like to know—how the Minister calculates the figure of £400,000 which is put about. Is he willing to consider further representations on that matter? Those issues will determine the fate of the principal Bill in its passage through the House. My duty this evening is to represent the interests and concerns of those fur farmers. They have had some indications of what their future might hold, but it is only right that, if Parliament takes away the legitimate livelihood of that group of people, there should be proper compensation. I hope that the Minister will give them some satisfaction.

Mr. Gordon Prentice (Pendle): Why did those considerations not apply under the previous Government when head de-boners were put out of business and received no compensation whatever?

Mr. Jack: That may be a perfectly legitimate point to raise. However, my task is not to discuss yesterday's business; it is to discuss the terms of compensation under this measure. We are discussing that, not a previous event.

10.27 pm

Mr. Patrick Nicholls (Teignbridge): Unless I am seriously provoked, I do not intend the detain the House for long. However, the fact that my right hon. Friends the Members for Bromley and Chislehurst (Mr. Forth) and for Fylde (Mr. Jack) have come to the House to speak on the measure this evening shows that it is one that needs a few moments' consideration.

If I attempted to revisit the arguments made on Second Reading, you would rightly pull me up, Madam Speaker, but I think that I am entitled to make the point that in the Bill we are dealing not with the suppression of an illegal activity, or even the curtailment of a legal activity, but with an activity that was once legal and that will be removed at a stroke. In that context, the case for proper rates of compensation is overwhelming.

When the Minister addressed the matter briefly on Second Reading, he said in reply to my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) that the Government could not

"provide any open-ended commitment on income that could or could not be forgone in future."

That is a perfectly fair point and I am sure that my right hon. Friends would accept it. However, the Minister continued:

"To a certain extent, we have accepted the principle of income loss."

He went on:

"We are prepared to deal with that. I hope that that goes some way towards meeting the right hon. and learned Gentleman's point. The details will be addressed after the Bill has been passed."—[*Official Report*, 5 March 1999; Vol. 326, c. 1378.]

It is very new Labour to say that things will be addressed after the Bill has been passed, but it is not quite good enough for this House. There is a middle way; no one is asking for compensation on income. *[Interruption.]* Labour Members have pinched so many other ideas over the years that it is not surprising that they should have pinched that language as well. There is a middle way between open-ended and perpetual compensation in respect of income and the profoundly unfair circumstances in which people find their source of income destroyed at a stroke. Even if Labour Members cannot bring their minds, such as they are, to bear on the

[Mr. Patrick Nicholls]

arguments, I want the Minister to tell the House that he is prepared to accede to the perfectly fair points that my right hon. Friends and I have put to him. The House is entitled to nothing less.

10.30 pm

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mr. Elliot Morley): First, let me make it clear to the House that my hon. Friend the Member for Liverpool, Garston (Maria Eagle), who is the Bill's promoter, would like to have been here tonight, but she has had a tooth removed, so it would have been difficult for her to attend.

The money resolution is tabled as a matter of course once a private Member's Bill has received its Second Reading. Details of compensation and how it is to be applied have been addressed in the explanatory notes to the Bill. The right hon. Member for Bromley and Chislehurst (Mr. Forth) spoke about the Lands Tribunal, but it should be recognised that the Lands Tribunal mechanism is an appeal mechanism. Under the formulation for compensation, if an individual farmer feels that the compensation is unfair or has not been properly dealt with, an appeal procedure is available that is independent of Government.

Mr. Forth: I am grateful to the Minister for pointing out the obvious fact that the Lands Tribunal provides an appeal mechanism. However, the question that I wanted answered was whether the Minister would give an undertaking that there would be no additional expenditure by the Lands Tribunal in fulfilling its role as an appeal mechanism. My point is that the money resolution contains no provision for extra money for the Lands Tribunal.

Mr. Morley: The Bill relates to a relatively limited number of people. The Lands Tribunal is already established and is funded to deal with such matters, so I do not believe that additional burdens will be imposed on the tribunal as a result of the Bill.

The hon. Member for Isle of Wight (Dr. Brand) raised the issue of security. We had proposed and had put out for consultation a proposal to increase security measures on all fur farms as a licence condition. However, because the Bill has now been introduced by my hon. Friend the Member for Garston, I have announced that we shall defer a decision on increased security measures. Additional expenditure that could have been incurred by fur farmers has therefore been deferred.

Dr. Brand: Does the Minister agree that responsible fur farmers have already considerably increased their perimeter security in response to the risk of illegal break-ins? Should they not be compensated for such expenditure over the past few years?

Mr. Morley: We are talking about an acceptable standard of compensation for all fur farmers. It may well be that some fur farmers have implemented security measures. However, the fact that mink are now indigenous to the UK wildlife population is a result of escapes from fur farms. There is a fur farm in the hon. Gentleman's constituency; given the vulnerability of fur farms, he will appreciate the importance of proper security measures being instituted to ensure that there are no releases.

I understand the arguments advanced by the right hon. Member for Fylde (Mr. Jack) in respect of compensation; he made a reasonable case. The way in which compensation is to be calculated has been laid out. The estimate of what the overall cost will be comes from MAFF's professional advisers and is based on calculations of fur farmers' current income and their assets.

Mr. Jack: Can the Minister satisfy me on one small point? As far as MAFF is concerned, is the total sum available for that purpose cash-limited, or is it open-ended?

Mr. Morley: Open-ended is ambitious. If the right hon. Gentleman fears that the £400,000 estimate is set in stone and cannot change one pound either way, I can give him an assurance that that is not the case.

The hon. Member for Teignbridge (Mr. Nicholls) talked about compensation for income forgone. On Second Reading, I made it clear that, because the three-year breeding cycle of mink might be interrupted by the cut-off date of 2001, in such cases, we would be prepared to consider income lost or forgone. That has been made quite plain.

Mr. Nicholls: Was the figure of £400,000 based on the assumption that there might be a two-year income loss? I cannot relate the £400,000 to the Minister's present comments; I cannot see the tie-in.

Mr. Morley: The calculation was made on the basis of a one-year income loss. However, the details can be considered properly in Committee.

Question put and agreed to.

Road Traffic (Vehicle Testing) Bill
[Money]

Queen's recommendation having been signified—

Motion made, and Question proposed,

That, for the purposes of any Act resulting from the Road Traffic (Vehicle Testing) Bill, it is expedient to authorise—

(a) the payment out of money provided by Parliament of—

(i) any expenditure incurred by the Secretary of State in consequence of the provisions of the Act, and

(ii) any increase attributable to the Act in the sums which by virtue of any other Act are payable out of money so provided;

(b) the payment into the Consolidated Fund of—

(i) any sums received by the Secretary of State by virtue of the provisions of the Act, and

(ii) any increase attributable to the Act in the sums payable into that Fund under the Road Traffic Act 1988.—[*Mr. Hill.*]

10.35 pm

Mr. Eric Forth (Bromley and Chislehurst): This is an interesting measure, which received a brief consideration at Second Reading. The brevity was such that the House did not have time to assess adequately the implications of the measure's financial aspects. My hon. Friend the Member for Basingstoke (Mr. Hunter), the Bill's promoter, hinted that it had some not insignificant implications that we should explore briefly in the context of this money resolution.

One might have expected a Ways and Means resolution. Will the Minister explain to the House why there is no such resolution, but a two-part provision under the terms of the money resolution? I shall explore that matter in a moment. Are any significant initial set-up costs anticipated as a consequence of the considerable measures in the Bill? My hon. Friend the Member for Basingstoke said—albeit briefly in reply to a question on Second Reading—that he expected some increase in the charge made for MOT testing of vehicles. He said that he thought that the increase would be about £1 per test and that that would go some way towards—or would completely cover—the additional cost of the measures in the Bill.

That may or may not be so. First, I seek the Minister's assurance as to whether she believes the additional revenues raised will cover the total costs. Secondly, does she have anything to say about an undertaking regarding limits on the increase in the charge for MOT testing as a consequence of the Bill's provisions? That information would be useful. I want to know what initial set-up costs will be involved. Will they be covered entirely by the Treasury under this money resolution or will there be an attempt to recover those moneys on behalf of the taxpayer through additional charges for MOT testing? That would involve not just the equipment required, but staff training and perhaps even the recruitment of additional staff. I seek the Minister's assurances.

My main question is what will be the relationship between A and B: the payment out of money provided by Parliament for any expenditure incurred, and the payment into the Consolidated Fund of any sums received by the Secretary of State by virtue of provisions of the legislation. In other words, would moneys coming in be expected fully to cover the costs or would there be a limitation on the charges and the incoming moneys?

I can put that another way. Let us suppose that both the initial set-up costs and the running costs associated with the Bill's provisions were much greater than those envisaged initially. Would the Minister expect the additional charge for MOT tests to go up and up limitlessly in order to cover the costs, no matter what they were? Will the hapless motorist, who is obliged to submit his vehicle for an MOT test every year, be expected to pay any additional costs arising from the requirements of the Bill?

That is a very important question because it goes to the heart of the matter. Will the measure be a burden on the motorist for virtually no return, or do the Government expect to pay for it so long as the initial costs remain as they estimated?

Mr. Andrew Lansley (South Cambridgeshire): Has my right hon. Friend noticed, as I have, that the explanatory notes accompanying the Bill use the word "corresponding" to describe the relationship between the increased expenditure and the charges that are levied for the MOT fee? The Government's view seems to be that there is a direct, "corresponding" relationship between Government expenditure and charges.

Mr. Forth: I am grateful to my hon. Friend for that point. That worries me. We want to hear from the Minister, as do tens of millions of motorists, whether all the costs—initial and running—of the measure will be passed on to the motorist by additional charges for MOT testing or whether she will give protection to motorists by saying that the Government will absorb some of the costs.

That point is particularly apposite now, given the difficulties in which the Government find themselves on additional costs for motorists and users of commercial vehicles. The Government are already embroiled in that argument, and there was a demonstration today by road hauliers. Hidden within this money resolution is the potential for yet further increases in charges on the motorist for compulsory annual MOT testing. We seek reassurance on that.

I take this opportunity to give the Minister a chance to reassure the country's motorists about the likely outcome of this measure. It would not be going too far to say that the answers that we receive to our questions on the money resolution will read across into the Bill's later stages and considerably influence hon. Members' decision whether to give it a fair wind when it returns to the House after its consideration in Committee. There is a degree of importance attached, as ever, to the information that we seek on the money resolution.

10.42 pm

Mr. Andrew Lansley (South Cambridgeshire): I shall follow the remarks of my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) with one or two specific points because I agree with his general proposition about the money resolution.

First, the legislation is designed not to achieve the computerisation of the MOT vehicle testing system, but to allow the Secretary of State to use the material generated through that system to a greater extent. The money resolution and the explanatory notes that accompany the Bill make it clear that £22 million will be transferred into the MOT test certificate charges annually. That is where

[Mr. Andrew Lansley]

the figure of an extra £1 per test comes from, because there are about 22 million tests a year. That expenditure is, of course, directly consequent not on the Bill, but on the computerisation project. Yet the Bill and its money resolution are designed to give the Government a licence to increase the expenditure on the computerisation project and, as a consequence, obtain a "corresponding"—I use that word because it is used in the explanatory notes—increase in the fee that is charged to motorists.

Mr. Forth: My hon. Friend has, typically, closely studied the Bill and its provisions. Is he satisfied that the figures mentioned are a limit on the likely expenditure and would, therefore, give a guarantee to motorists, or does he suspect that they are merely indicative and, if the costs were significantly higher, they would be passed on to the motorist?

Mr. Lansley: The latter rendition is more accurate, and the figures in the explanatory notes are indicative. It would be interesting if the Minister were to say that she is sure that the expenditure on the computerisation project will not exceed £22 million, and motorists might find that reassuring.

I fear, however, that the measure effectively gives the Government carte blanche to spend money and recover it through the fees. Of course, if Ministers wanted to do so, they would have to introduce amending regulations to raise the limit of £30.87 on the cost of an MOT certificate. They might well do so by statutory instrument at a later stage. They would have relied on the fact that the measure had been passed earlier without the proper scrutiny of the House, which clearly would have happened in the absence of this debate.

My second point is that the £22 million that motorists will have to pay is not the sum total. Although it does not constitute public expenditure, the Bill makes it pretty clear that a cost will be imposed on the estimated 19,000 garages that will have to undertake training activity. That will amount to another £5 million in start-up costs.

These matters are set in an unfortunate context, to which my right hon. Friend the Member for Bromley and Chislehurst referred. I shall not elaborate on it because that would be outside the strict confines of the debate. However, the total level of taxes on motorists is an estimated £33,000 million. As the House will know, only a small proportion of that sum is spent directly on roads and the maintenance and administration of the road traffic system.

Mr. Deputy Speaker (Mr. Michael Lord): Order. Having just said that he would not stray beyond the bounds of the debate, the hon. Gentleman is starting to do so. I ask him to come within the bounds of the debate.

Mr. Lansley: Yes, Mr. Deputy Speaker.

I ask whether it is beyond the bounds of the Government to accept that the cost of the computerisation project of £22 million, or whatever it turns out to be, could not be accommodated within the enormous sums that are already raised from the motorist by one route or another.

It is clear that one of the purposes of the proposed legislation is to allow the Secretary of State to provide the data generated for such persons as he sees fit. It is—*[Interruption.]* The Government Whip, who is normally silent on these matters, seems to understand what I am saying. He will know that clause 2(6) makes the necessary provision. Presumably he will be able to enlighten the House on the terms on which the Secretary of State is proposing to make the data available. We know that he will be selling the information. However, it appears from the explanatory notes that the Government do not foresee a reduction in the cost to motorists of the MOT test certificate, although the Secretary of State will be able to generate income through the selling of data that are generated through the MOT testing system.

The money resolution is required not to generate money to support the Bill, but to support the computerisation project, which could proceed by way of secondary rather than primary legislation. Motorists will have to pay the bill for the project although they pay enormous bills in any event. This is just one of so many computerisation projects that are presumably intended initially to reduce costs but result in increasing them.

Finally, the Government are proposing through the proposed legislation to exploit a money-making opportunity. However, nowhere in the explanatory notes or the money resolution is there an indication that the Government could raise money and defray the costs to the motorist of the MOT testing system. I suspect that rather the opposite is the case and that more money will be put into the pocket of Government in addition to whatever is asked of the motorist.

10.48 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Ms Glenda Jackson): I begin by addressing the concerns raised by the right hon. Member for Bromley and Chislehurst (Mr. Forth) and the hon. Member for South Cambridgeshire (Mr. Lansley), which are exclusively about the costs of the computerisation of the MOT test. Both the right hon. Gentleman and the hon. Gentleman entirely ignored the benefits that will accrue to motorists from the modernisation that will come from the scheme. These are benefits that relate to reducing crime and the potential for crime, including fraud. There is the possibility that in future we shall be able over the telephone, for example, to make the relevant arrangements that apply to our vehicles.

It is not unusual for Opposition Members to be concerned exclusively with the cost of everything and the value of nothing, and their overriding consideration is the cost of computerisation. As I am sure the House is aware, computerisation is being procured under a private partnership contract. We hope that the cost will be less than £22 million a year. However, we wish to ensure, as is par for the course with the Government, that the best possible value is gained from the contract. The taxpayer will not foot the bill. The costs will be met in their entirety through a moderate increase in the cost of obtaining an MOT test. It is estimated that the fee will increase by no more than £1 a test, which is one thirtieth of the existing cost.

Mr. Forth: I am grateful to the Minister. She seems to be saying that the fees will be increased to cover whatever the costs may be. That is an important aspect of what my hon. Friend the Member for South Cambridgeshire

(Mr. Lansley) and I were asking. If the Minister is saying that, as I think she has just said, that means that she cannot guarantee that the increase in the MOT will be only £1. It could end up being considerably more than that, if the costs were more than are now estimated.

Ms Jackson: Given the record of the Conservatives, I have no doubt that, if they proposed a computerisation project, the charges would be open-ended and would run for ever. As I have made abundantly clear, the Government are driven by the ethic—I believe it is an ethic—of best value.

It is proposed, rightly, that after computerisation it will be possible for information to be sold. Of course the Government will ensure conformity to data protection legislation. In no case would information about vehicle presenters or vehicle keepers be available for sale, as such information cannot and will not be held on the database. In response to the hon. Member for South Cambridgeshire, the selling of such data to prescribed persons will be under regulations. The income from the sale of information will be used to offset the costs of the computerisation scheme.

Another concern raised by the hon. Member for South Cambridgeshire was what he perceived as increased starting-up costs for MOT testing centres and costs for training inspectors. We estimate that the average start-up costs will be no more than £500.

The first part of the financial resolution dealing with expenditure is a standard provision authorising any expenditure incurred by the Secretary of State in consequence of any provision in the Bill. In response to questions from the right hon. Member for Bromley and Chislehurst and the hon. Member for South Cambridgeshire, I have already touched on why such expenditure will arise. No new net public expenditure burdens are forecast to arise as a result of the establishment and running of the proposed MOT database. The costs will be passed on to the consumer, as I have said. We perceive the costs as being very small.

The increase will apply to vehicles run by local authorities as well as by private motorists, although many local authorities run their own MOT testing stations and therefore test their own vehicle fleets.

The second part of the provision dealing with expenditure reflects the possibility that local authorities may consequently incur additional expenditure. Another head of expenditure likely to arise as a result of the Bill's provisions will in future require organisations and people involved in MOT testing to meet the costs to the Vehicle Inspectorate of providing MOT training and authorisation for them. As I said, we estimate such start-up costs as being no more than £500.

As an increase in local authority spending could mean an increase in revenue support grant, and, as the grant is payable under local authority legislation rather than under the Road Traffic Act 1988, the provision needs to be included in the Bill. However, as I have made clear, any new burdens arising are likely to be extremely small in the context of local authority spending generally.

The first part of the provision dealing with potential sums likely to be received by the Secretary of State mirrors the existing provision in section 84(4) of the Road Traffic Act 1988 as regards the destination of sums received arising in pursuance of sections 45 and 46 of the Act, among others, as currently drafted. The destination of sums received by the Government in such circumstances is generally to the Consolidated Fund, and that is provided for in the Bill.

In practice, the income streams arising from the Bill—the most significant of which will simply be the replacement of income from the sale of blank pads of MOT certificates to testing stations with income from the notification by them of results of tests to the MOT database—will pass into the Vehicle Inspectorate's trading fund. It is standard practice for that to happen in respect of Government agency trading funds, in accordance with the Government Trading Funds Act 1973.

The second part of the provision dealing with sums that are likely to be received by the Secretary of State is directed to potential new sources of income. I have already touched on the most significant of those, and that income will, in turn, be used to offset the costs of introducing computerisation into the MOT scheme.

I regret that the promoter of the Bill is not present in the House.

Question put and agreed to.

FOREIGN AFFAIRS COMMITTEE

Ordered,

That Mr. Ernie Ross be discharged from the Foreign Affairs Committee and Dr. Phyllis Starkey be added to the Committee.—*[Mr. Tyler, on behalf of the Committee of Selection.]*

PETITION

Palace Theatre (Westcliff)

10.56 pm

Mr. David Amess (Southend, West): I beg the leave of the House to present a petition, which has been signed by 6,000 of my constituents in Southend, West and surrounding areas.

Mr. Steve McCabe (Birmingham, Hall Green): Basildon?

Mr. Amess: Yes, perhaps including areas of Basildon.

My constituents wish to express their distress at the closure of the Palace theatre in Westcliff. That beautiful Edwardian theatre was given to the town by Gertrude Emily Mouliott in 1943, and the 6,000 petitioners are very distressed that, having enjoyed productions for many years, the theatre remains in darkness.

The petition states:

To the House of Commons.

The Petition of the association known as the Palace Theatre (Westcliff)

Declares that the Palace Theatre (Westcliff) is closing and may not operate in the future as a predominantly producing theatre.

The Petitioners therefore request that the House of Commons urge the Secretary of State for Culture, Media and Sport to take steps to ensure that theatres such as the Palace Theatre are able to remain open as predominantly producing theatres.

And the Petitioners remain etc.

To lie upon the Table.

Contaminated Land (Barton upon Humber)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Hill.]*

10.57 pm

Shona McIsaac (Cleethorpes): This debate centres on contaminated land in the town of Barton upon Humber on the south bank of the River Humber. That market town has a rich history and boasts 200 listed buildings. On part of the riverbank, the Far Ings nature reserve attracts many visitors from all over the world, but a shadow has been cast over the local council's plans to regenerate the town and promote its wealth of attributes. That shadow is cast by a 35-hectare contaminated site. The soil and ground water are contaminated by heavy metals, following the closure of agrochemical factories on the site. The leaching of those metals into the River Humber is a cause of serious concern.

Although what is known as the BritAg site was owned by ICI, it has absolutely no responsibility for cleaning it up. That responsibility lies with North Lincolnshire council which, through no fault of its own, has fallen foul of the "polluter pays" principle. The crux of my case is, should that principle be extended to the council tax payers of North Lincolnshire because of indemnities signed many years ago by Glanford borough council, which no longer exists?

I hope to show my hon. Friend the Minister that my repeated requests for assistance for North Lincolnshire council to decontaminate the land are warranted. He and other Ministers in the Department have heard about this case many times, through my persistent representations. There have been equally persistent representations from my hon. Friend the Member for Brigg and Goole (Mr. Cawsey) and my hon. Friend the Member for Scunthorpe (Mr. Morley), the Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food, whom I am pleased to see in the Chamber.

Let me explain how North Lincolnshire ended up in such an invidious no-win position. Following the closure of the BritAg factory, Tory-controlled Glanford borough council purchased part of the site from ICI in 1991. The other part was purchased from MTM, which also operated on the site. The council paid £335,000 for the site, and almost £140,000 was paid in consultancy and administration fees. Some superficial works were carried out at the time to make the site secure.

In purchasing the site, Glanford indemnified ICI from any clean-up costs. ICI tells me that it will seek such indemnities wherever it can. I hope that my hon. Friend the Minister will tell me that he will do all that he can to end such practices. They may be legally binding, but, in this day and age, we should not be letting polluters off the hook.

Having purchased the site, Glanford came up with an expensive plan for after-use, which would have cost £34 million. We are talking about hard after-use, involving more expensive reclamation and centred on industrial units. At the time, Glanford's existing industrial units were running at a vacancy rate of about 70 per cent., but it presented its plans with no firm guarantee of where the money would come from to carry out the work. A scheme existed enabling councils to bid for derelict land grants to clean up such sites, but Glanford did not know whether it would qualify in connection with the £34 million scheme.

Worry set in. Glanford began sending letters to the office of the Department of the Environment, Transport and the Regions in Leeds, asking whether the site would qualify for a 100 per cent. reclamation grant. A reply dated 19 August 1993 stated:

"We have been advised by colleagues . . . that the withdrawal of assisted area status can have no effect on a local authority's entitlement to grant at 100 per cent. where schemes have already been approved."

That is crucial to the argument, because the £34 million scheme had never actually been approved. A reply that I received today from my hon. Friend the Minister stated that, when English Partnerships was established in 1994, it took responsibility for the derelict land grant scheme, including projects such as this.

Glanford thought that it would get the money, but, in fact, no one had ever approved the project. Local government reorganisation also came into the equation. Glanford was to be abolished; Humberside, the county council, was to go; and four new unitary authorities were to be created, including North Lincolnshire. Following the May 1995 council elections, Labour won control of the new authority, and, following a "shadow year", the new council was due to "go live" in April 1996.

Back at the ranch, Glanford purchased a further six acres of contaminated land on the site—the former MTM works which I mentioned earlier. It purchased the land for £1 in December 1995. Again, the polluters were indemnified. It astounds me that the council purchased the land knowing that its days were numbered, and that nothing was likely to be done on the site before the new authority took over about 12 weeks later. Such activities merit an inquiry to discover what Glanford was getting up to in the early 1990s. I reiterate that we must put a stop to indemnities that absolve polluters from paying for decontamination.

In April 1996, North Lincolnshire council inherited severely contaminated land and found itself—through no fault of its own—in the shoes of the polluter, and hence subject to the "polluter pays" principle. Wanting to get stuck in and to sort out the mess, North Lincolnshire deemed the former Glanford plans to be expensive and unsustainable, and devised a more practicable scheme for after-use. The current proposals will create a more attractive environment in Barton upon Humber by removing the contaminated land and water to create a country park known as Water's Edge. That is the key to the regeneration of the whole waterside area and crucial to single regeneration budget bids in the area.

Water's Edge park will mirror the attractive and popular Far Ings reserve further along the riverbank. Reedbeds will be restored, and woodlands and hedgerows established. Essentially, it will provide for a continuous Humber wetland environment on the riverbank at Barton upon Humber—a unique visitor attraction. It will provide a focus for nearby sites of historic interest in the town. The scheme is sustainable. For example, a windmill will act as a source of energy and the energy needs of the visitor centre will be met through solar power.

The council has good working relations with the many partners involved. For example, Anglian Water will assist with the after-use by using its new deal environment task force on the site. I praise the current council for its efforts to resolve the mess that it has inherited.

The stumbling block, of course, is decontamination of the land. What assurances can the Minister give me and my residents that assistance is available? Again, I assert that council tax payers in North Lincolnshire are not the polluters and, thus, should not have to foot the bill for decontamination. The residents of the area should not have to pay for the incompetence of a council that no longer exists, or have to pay to let a multinational firm off the hook. I hope that the Minister will be able to offer my constituents, and those of my hon. Friends the Members for Scunthorpe and for Brigg and Goole, some guarantees that he will be able to assist North Lincolnshire council.

11.6 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Alan Meale): I am grateful to my hon. Friend the Member for Cleethorpes (Shona McIsaac) for raising the important issue of contaminated land at Barton upon Humber. She mentioned persistence; persistent she is. She has raised the issue with me and with my predecessor on a number of occasions. It is to her credit that she has done so. Many new Members could learn from the persistent manner in which she has carried out her role as the local Member of Parliament. I also pay tribute to the Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food, my hon. Friend the Member for Scunthorpe (Mr. Morley), who for many years has raised this and other issues of contamination in the region, and to my hon. Friend the Member for Brigg and Goole (Mr. Cawsey).

As we have heard, the Water's Edge site at Barton upon Humber represents bad news. The site is part of the unfortunate side of our industrial past. It was first used as a clay-pit and then as a chemical factory. That has left the land seriously contaminated, as my hon. Friend the Member for Cleethorpes has rightly pointed out. That contamination is leaching off site into the Barton haven and River Humber and threatens the chalk aquifer underneath the site. It "neuters" the site and prevents it from being returned to a worthwhile use.

Further bad news is that the potential cost of reclaiming the site runs into several million pounds. The complexity of the technical and legal issues involved makes reclaiming the site that much harder. However, I hope to give the House some better news in respect of that dilemma.

We have systems in place to stop the creation of such problems. Many of the current problems on the site are the result of unregulated dumping of chemical by-products and wastes. I am pleased that such practices are no longer allowed. Furthermore, the Environment Agency enforces a stricter system of waste management licensing, which ensures that waste materials are properly treated and disposed of.

The chemical factories that were once on the site would have been subject to environmental controls under the system of integrated pollution control. That system will be enhanced later this year under the European directive on integrated pollution prevention and control. The House will be pleased to learn that my Department has recently carried out a third round of consultation on how to implement the directive and a Bill is under discussion in another place.

The key aspect of IPPC is that, when a licensed installation closes, operators will not be able simply to walk away from the site—as they have done in the case that we are debating—but will be under a legal obligation to clean up any decontamination and to restore the site to a satisfactory condition, which definitely did not happen at Water's Edge.

I am sure that the House will join me and my hon. Friend the Member for Cleethorpes in saying that we hope that not many sites are as bad as Water's Edge. The Deputy Prime Minister himself has, in very strong terms, commented to me that even one contaminated site is one too many, and that it is important that we continue identifying such sites and taking the necessary action to deal with contamination at them. The sentiment is particularly apt in the case of Water's Edge, as the Deputy Prime Minister represents a constituency that is not very far from it.

Later this year, we shall bring into force a new statutory regime for contaminated land, implementing provisions in the Environment Act 1995. The provisions will place on local authorities and the Environment Agency a clear duty to find problem sites and will provide real teeth in ensuring that proper remediation is done. We are also working on improving the availability of technical solutions to the problems of land contamination.

My Department—with the Environment Agency, English Partnerships, its Northern Ireland, Wales and Scotland counterparts, industry and the science research councils—is launching a new initiative, entitled CLAIRE, which stands for contaminated land applications in real environments, which will build a network of demonstration sites for innovative remediation technologies.

Although all that may be better news for the future, and we should not be creating any more Water's Edges, we still have to contend with the task of dealing with Water's Edge itself. On that matter, I can give my hon. Friend the Member for Cleethorpes—for her persistent and very hard work on the issue—some good news.

North Lincolnshire council, which owns the site, has been working up proposals on sorting out the problems at the site: to deal with water pollution; to create—as my hon. Friend the Member for Cleethorpes mentioned—new wildlife habitats; and to open the site for public amenity use. Like her, I think that those proposals are very imaginative and worth while, and that they will create a major new environmental asset out of a currently horrible environmental liability.

The proposals have been in gestation for some time. As my hon. Friend said, part of the site was purchased, in 1991, by Glanford borough council. The purchase was funded by the derelict land grant, provided by the former Department of the Environment. More recently, English Partnerships has provided further grant support for site investigation and design work. In the 1997-98 financial year, £150,000 was paid for the work to be done.

We are now able to make real progress. Last week, North Lincolnshire council submitted to my Department a formal bid for funding support, under our contaminated land supplementary credit approval programme. SCAs give local authorities permission to borrow money to fund specified capital works. The cost of servicing the debt is taken into account in local authorities' revenue funding in subsequent years.

[Mr. Alan Meale]

The contaminated land SCA programme exists to support work by local authorities in dealing with the environmental risks caused by sites for which local authorities themselves are responsible. That might apply when they own the site or contaminated it themselves.

Funding support is available also for orphan sites, where a local authority or the Environment Agency has to deal with a site from which the original polluters have long since disappeared and at which the current owners are not able to pay for remediation.

In the case of Water's Edge, as my hon. Friend said, the site is owned by North Lincolnshire council. The council's bid has been for the first stage of works—to stop current pollution of the Barton haven and the River Humber, and to protect the aquifer under the site. It is a three-year programme which is expected to cost £5.7 million, with £1.2 to be spent in the next financial year.

Discussions are continuing with English Partnerships on funding for the next stage of works—which will be to improve the site's natural habitats, and to open the site, as a water park, to public access. I am pleased to be able to tell my hon. Friend that, in consultation with my colleagues in the Department, I have approved the bid for the supplementary credit approval to fund work at Water's Edge in the coming financial year. My officials will write to North Lincolnshire council tomorrow to confirm that.

Shona McIsaac: I thank my hon. Friend for that information. I am delighted that the SCAs have been made available. That is excellent news for my local authority. Will he confirm that the SCA is not borrowing and will not be a debt landed on the council, as some people wrongly assume?

Mr. Meale: My hon. Friend is correct. It is borrowing, but it is set against and taken into consideration with other money from central sources. Anyone who tries to give the impression that yet another debt is being laid on the community has misinterpreted the reason for such funding, which is to clear up contamination in special circumstances or to deal with extra needs that an area may have to sort out for its constituents. I understand that some people have been making false allegations about the credit approvals that the Government have allocated. Those in North Lincolnshire council are the best people to judge such a decision. There are many other sites around the country for which local authorities want SCAs. If they were given approval, there would be a clapping of hands and joyous sounds coming from those directions.

I hope that the work can start without further delay. If we debate contaminated land at Barton upon Humber again, it will be to trumpet the success of the reclamation project.

I congratulate my hon. Friend on her persistence and endeavour. I pay tribute to my hon. Friend the Member for Brigg and Goole and my hon. Friend the Member for Scunthorpe, who is on the Front Bench, for all their hard work to start the process of remediation and clear-up of the contaminated land.

Question put and agreed to.

Adjourned accordingly at seventeen minutes past Eleven o'clock.

House of Commons

Tuesday 23 March 1999

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

CITY OF WESTMINSTER BILL *[Lords]*

Read the Third time, and passed, with amendments.

UNIVERSITY COLLEGE LONDON BILL

Considered; to be read the Third time.

Oral Answers to Questions

SCOTLAND

The Secretary of State was asked—

Food Standards Bill

1. **Mrs. Ray Michie** (Argyll and Bute): What discussions he has had with the Minister of Agriculture, Fisheries and Food regarding the impact on Scottish retailers of the levy proposed under the draft food standards Bill. [76305]

The Parliamentary Under-Secretary of State for Scotland (Mr. Sam Galbraith): My right hon. Friend has had a number of discussions with the Minister of Agriculture, Fisheries and Food regarding the nature and possible impact of the levy-raising powers proposed under the food standards Bill.

From 1 July, that will be a matter for the Scottish Parliament.

Mrs. Michie: Has the Minister's right hon. Friend made it clear that in Scotland we cannot agree to a flat-rate levy? Why should a little shop on the island of Lismore or Gigha in my constituency pay the same as a large, wealthy supermarket? Will the Minister confirm that the Scottish Parliament will be able to reject that "poll tax on the plate" and agree that the Food Standards Agency should be paid for out of general taxation?

Mr. Galbraith: The current levy scheme proposals are part of genuine consultation, and I have been touring the country having open meetings with interested parties. We shall certainly be happy to consider alternatives, provided they are administratively simple, cost-effective and fair, and we are actively encouraging such alternative proposals.

Mr. David Stewart (Inverness, East, Nairn and Lochaber): My hon. Friend will be aware that we inherited a crisis of confidence in food, following the E. coli outbreak in central Scotland in 1996 and 1997, when 21 people tragically died. What reassurance can my hon. Friend give the Scottish people that such tragedies will not occur in future?

Mr. Galbraith: As my hon. Friend will know, we have made considerable progress on food safety over the past two years. We have implemented almost all Professor Pennington's recommendations, with significant objective improvements so far. I have no doubt that, although the agency will not absolutely guarantee that there will be no more problems, it will significantly reduce them and reassure people throughout the United Kingdom of the safety and wholesomeness of our food.

Mr. Alex Salmond (Banff and Buchan): Will the Minister accept that there is a strong, indeed unanswerable, case for locating the Scottish arm of the Food Standards Agency in the north-east of Scotland, given the unique combination of its research base and agricultural production areas? Should that not be part of a widespread plan for civil service dispersal across Scotland?

Did I detect from the Minister's earlier answer that the Government are moving away from the ridiculous argument that a branch of Sainsbury's should pay the same as a corner shop, and that they would consider a banded system that would be fair to all retailers?

Mr. Galbraith: As I toured the country, discussing this matter with interested parties, I noticed that, everywhere I went, everyone asked for the Scottish arm of the agency to be based in their area. I shall take the hon. Gentleman's presentation as a plea for his area, and duly note it.

Dr. Liam Fox (Woodspring): Further to the Minister's answer, will the Scottish Parliament have the power, under the Scotland Act 1998, to overrule, compensate for or alter any levy that is set by the Treasury, or will the Treasury dictate policy in Scotland?

Mr. Galbraith: Detailed effects of devolution on that policy area are still being considered, although we intend the levy to apply consistently in all parts of the United Kingdom.

Dr. Fox: If the levy is to apply consistently in all parts of the United Kingdom, that makes nonsense of the Minister's earlier answer to the hon. Member for Argyll and Bute (Mrs. Michie). Is it not clear that the Treasury will still dictate policy on that matter and that the measure will be another part of the Government's stealth tax programme which will be imposed on Scottish retailers? Are the Government not therefore hypocritical to criticise other parties for wanting to use the tax-raising powers that the Government campaigned for and included in the Scotland Act, when they are raising taxes by stealth from Scottish retailers at every turn?

Mr. Galbraith: I am afraid that the hon. Gentleman clearly does not understand the matter, as he made obvious by trying to draw false conclusions from my response to the hon. Member for Argyll and Bute. As I said, we aim to ensure that the levy is uniform across

the United Kingdom because it is correct and proper for a UK agency to be concerned with food throughout the country.

Literacy and Numeracy

3. **Miss Anne Begg** (Aberdeen, South): If he will make a statement on the Government's strategy to improve literacy and numeracy in Scottish schools. [76307]

The Secretary of State for Scotland (Mr. Donald Dewar): The Government have a comprehensive strategy for improving literacy and numeracy. That includes the early intervention programme for which £60 million is being provided, family literacy schemes supported by £15 million over three years, and £7.8 million of additional resources made available this year alone to allow every school in Scotland to buy books for its library. Those initiatives are being underpinned by action to improve teaching standards and by setting targets for raising attainment in literacy and numeracy.

From 1 July, that will be a matter for the Scottish Parliament.

Miss Begg: I thank my right hon. Friend for that answer. As a former English teacher, I know all too well the importance of early intervention schemes. As a secondary schoolteacher, I certainly found that it was often too late to help youngsters who could not read or write at age 11. Will my right hon. Friend break down those figures and tell the House how much is likely to be spent in Aberdeen—which obviously is my concern—in pursuing that valuable policy over the next few years?

Mr. Dewar: I can tell my hon. Friend that, of the £7.8 million for school books during this financial year, about £272,000 will go to schools in the Aberdeen city council area. To take her point a little more broadly, in the first two years of the early intervention programme, Aberdeen city council received more than £226,000 of Government funding, and in the three years to 2001–02 it will receive more than £455,000 annually; so, over that five-year period of the early intervention scheme, the programme for Aberdeen will amount to £1,820,000. That is part of a pattern, which will mean that, by the end of the comprehensive spending review period, for every family in Scotland about £14,000 will have been spent on health and education.

Sir Robert Smith (West Aberdeenshire and Kincardine): We welcome the focus on the problems of literacy and numeracy. Given that almost £10 million have disappeared from school education in the north-east of Scotland—in Aberdeen city, Aberdeenshire and Moray—the figures cited by the Secretary of State will go some way towards repairing the damage. However, when people think about their children's education, they consider the overall education. Does the Secretary of State accept that considerable damage has been done by the past two years of cuts?

Mr. Dewar: No doubt that is something that the hon. Gentleman will want to discuss with his local authority. I may soon have an opportunity of doing so myself. I expect that the hon. Gentleman will want to welcome—although, strangely, he forgot to do so—the 4.7 per cent. increase in the settlement for local government in the coming year. It is the best for seven years, and it is part of an increasing programme which, step by step, will build up to the better standards to which I referred in my earlier answer.

Mr. Michael Connarty (Falkirk, East): Does the Secretary of State not find it fantastic that Opposition Members do not seem to look seriously at the Government's spending, and do not seem to have spoken to their local authorities? I have a table supplied by my local authority, which shows that Falkirk is getting £187,000 in early intervention funding, and a total of £2,600,000 extra for nine projects that will develop literacy, numeracy and education. Next year, the figure will be £2 million, followed by a further £1.8 million. Does my right hon. Friend find, as I do, that, whenever he speaks to local authority members, they tell him that local authorities are awash with money and the schemes are making a real difference to the literacy, numeracy and educational opportunities of the people of Scotland?

Mr. Dewar: I certainly believe that anyone who listens to the Convention of Scottish Local Authorities and looks at the settlement for the coming year will recognise that the rather mean and penny-pinching approach of Opposition Members, who will always find something about which to carp and criticise, is totally unjustified. If hon. Members examine the education budget—the figures are well known to the House—and the increase in cash terms from 1997–98 to the end of the comprehensive spending review, they will see that, in the last year of that period, we will be spending £1 billion more on education than we were spending in the first year of this Labour Government. That is exactly the upward curve that people expect and want, and for which they voted in the past and, I expect, will vote again.

Mr. Oliver Letwin (West Dorset): In the light of that answer, will the Secretary of State tell us whether the total decrease of £219 million so far in real terms in the education budget is part of his comprehensive strategy to improve literacy, or merely an oversight?

Mr. Dewar: That is a bitter attack on the spending plans of the Conservative Government. We said before the election and during the election campaign that, for the first two years of our period in office, we would hold to the overall spending plans that we inherited from the hon. Gentleman's friends. That is what we did, and we never made any secret of it. Within that total, we reallocated in favour of schools and health—for schools, more than £100 million. We said that, after that two years, we would start building. We are now building, with substantial increases in real terms in health and education, and moving towards totals such as those that I mentioned earlier.

It does not matter to what extent the hon. Gentleman dances on the head of a pin—he will find it a very uncomfortable experience electorally. No matter how determinedly he does it, he is simply trying to misrepresent the situation.

New College, Kilwinning

4. **Mr. Brian H. Donohoe** (Cunninghame, South): When he plans to conclude the contract for the new college in Kilwinning. [76308]

The Secretary of State for Scotland (Mr. Donald Dewar): I am not a party to the contract for the new college in Kilwinning. The board of management of James Watt college of further and higher education will sign the contract, and I understand that it expects to do so soon.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Mr. Donohoe: That is excellent news. Does my right hon. Friend agree that access is one of the biggest problems in higher education, particularly for the handicapped and the disabled? Is my right hon. Friend aware that, by virtue of the Scottish National party's policies, people are likely to be deprived of access to higher education in north Ayrshire, and the building of the new college in Kilwinning would, at the very least, be delayed, if not cancelled, were its policies to come to fruition?

Mr. Dewar: Kilwinning college is an important addition to the educational facilities in north Ayrshire, and I hope that it flourishes and does well. I thank my hon. Friend for what he said about the importance of widening access. We have an agenda in that area, and I can announce today that disabled student allowances will be extended from this autumn to part-time students studying at least 50 per cent. of a full-time course. Furthermore, the fee waiver scheme introduced last May for low-income or unemployed part-time first degree students will be extended to include students at higher education institutions on higher national certificate or higher national diploma courses. Steps will also be taken to introduce consistency for comparable students in further education colleges.

That means that £6 million will be channelled to benefit at least 6,000 part-time higher education students a year who are on low incomes or unemployed, and £1.5 million to benefit 250 disabled students each year during the next three years. That is an important and welcome extension of access for a group of students who have potential and capacity, but are often held back by personal circumstances.

Mr. Desmond Swayne (New Forest, West): Is the new college in Kilwinning also likely to be awash with money, or will it be constrained at least by the fact that in Ayrshire there has been a reduction in the education budget of as much as 15 per cent?

Mr. Dewar: The hon. Gentleman, with whom I have a slight rapport—[Hon. Members: "Why?"] Because he is always extremely entertaining. As the hon. Gentleman has no doubt done his homework, he will know that an additional £41 million has been allocated to the further education sector next year, which has been very widely welcomed—I use these terms properly—right across the further education sector. There will be something like £241 million, in addition to the expected plans, by the end of the comprehensive spending review. The hon. Gentleman has struck a happy note in reminding me just how much is being done in further education at the moment.

Education (Parental Involvement)

5. **Mr. Russell Brown** (Dumfries): What plans he has to increase parental involvement within the Scottish education system. [76309]

The Minister for Education, Scottish Office (Mrs. Helen Liddell): Parental involvement in children's education is crucial if young people are to realise their potential. Our plans for increasing parental involvement in the Scottish education system are set out in our recent White Paper "Targeting Excellence: Modernising Scotland's Schools", which was published on 27 January.

From 1 July, this will be a matter for the Scottish Parliament.

Mr. Brown: I thank my hon. Friend for her answer and for her recent visit to Dumfries, when she met educationists and discussed the White Paper, which I believe was well received.

My hon. Friend is fully aware of the excellent parental involvement in Maxwelltown high school in Dumfries, which is taking forward the whole concept of community schools and, despite not having achieved any additional funding as a pilot community school, the parents are continuing to work hard within the school and the community. Will my hon. Friend offer support for that project and pay the school a visit when the opportunity arises?

Mrs. Liddell: I very much enjoyed my visit to Dumfries some 10 days ago. If I have an opportunity, I should like to visit Maxwelltown because I know of the project undertaken there under the parents' guidance. My hon. Friend is aware that there are to be 60 pilots of new community schools, an exciting new development in Scottish education which puts the child at the heart of the education system. We are the only party that refers to education in relation to its impact on children. Before the end of this month, I plan to announce our decisions on the new community school plans, and I know that Maxwelltown high school has made a bid to be a new community school.

Mr. Nick St. Aubyn (Guildford): On Monday, the Secretary of State for Education and Employment announced plans to assist highly able children in England and Wales, and we all know how the parents of those children want more to be done for them. What are the Government's plans for highly able children in Scotland, and how will Scottish Office Ministers respond to the criticisms of the half-baked scheme that has come from their colleagues in the Department for Education and Employment?

Mrs. Liddell: The hon. Gentleman is obviously not aware that the Scottish education system is significantly different from that in England and Wales. He asks about able children. The new advanced higher—which is part of the reforms, known as higher still, that are being introduced from August—is specifically aimed at encouraging able young people in our schools. It will also assist those of all levels of ability to maximise their ability fully. That, together with the £1.3 billion extra that is being put into our schools through the comprehensive spending review, will help not only the very able, but all young people who benefit from a good Scottish education.

Scottish Beef Exports

6. **Mr. John Home Robertson** (East Lothian): If he will make a statement on progress towards the reopening of the export market for Scottish beef. [76310]

9. **Mr. Tim Boswell** (Daventry): If EU inspectors have been invited to Scottish farms since the lifting of the beef export ban was announced. [76313]

The Secretary of State for Scotland (Mr. Donald Dewar): Substantial progress has been made since the principles of the date-based export scheme were agreed in Brussels last November. The Government's chief veterinary officer has invited European Union inspectors to visit the United Kingdom in the week beginning Monday 12 April to assess our plans for implementing the date-based export scheme. I remain optimistic that Scottish beef can begin to regain its rightful place in the export trade in the course of this summer.

Mr. Home Robertson: We have come a long way since the ridiculous beef war in which the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) tried to play the role of the neighbour from hell in the European Union. Now that the Labour Government have implemented all the requirements of the Florence agreement—step by step and without any need for extra taxation in Scotland to pay for it—will my right hon. Friend make leading Scottish beef back into the export market in June a priority for the Labour Administration in the Scottish Parliament? As First Minister in the Scottish Parliament, would he like to arrange a Scottish beef barbecue in Brussels to celebrate?

Mr. Dewar: I am not a great barbecue man myself, but, on this occasion and following such a beguiling invitation, I might reconsider my position.

I am encouraged by the fact that progress has been made, and that can be traced directly to the feeling across the European Union that, under this Government, the United Kingdom is involved and pulling its weight. We still have many disagreements, but at least we are involved and there is a feeling that we are prepared to talk and do business. That has resulted in the progress that we have achieved.

It is difficult to move from the agreement in principle through to the practical reassertion of Scottish beef's proper place in the European market, but I am glad that my ministerial colleague, my noble Friend Lord Sewel, was encouraged by his reception when he visited northern Italy only a couple of weeks ago and talked to people involved in what had been an important export market. I hope that we can build on his visit and on the other steps that we are taking, in close co-operation with the National Farmers Union of Scotland.

Mr. Boswell: Given the size and importance of the beef industry in Scotland and given that BSE has always run at a lower level in Scotland than in the rest of Great Britain, is the Secretary of State not rather surprised that, several months after the Prime Minister declared the end of the beef war with a flourish, the inspectors are not coming to Scotland for a further three weeks? There are direct flights, I believe. However, not a single tonne of Scottish beef is available for export to Europe.

Mr. Dewar: I am sorry that the hon. Gentleman has taken that ungracious attitude, because he is often rather knowledgeable and reasonable in this area. We have never pretended that the agreement in principle on the date-based export scheme meant that we could immediately restart exporting. Clearly, there had to be tracing and slaughtering of offspring of all BSE cases born after 1 August 1996, and a completely new database had to be erected to establish eligibility checks. There was a great deal of work to be done, and it is being pushed on with considerable energy.

I have kept closely in touch with the National Farmers Union of Scotland. I welcome the fact that the chief veterinary officer has been able to arrange for 12 April a visit by the inspectorate from the European Union, and I hope that that goes well. However, the idea that, if we had just raised an air fare, the whole thing could have been settled four months ago not only defies imagination, but is unworthy of the hon. Gentleman.

Rev. Martin Smyth (Belfast, South): I welcome the progress that has been made and wish the Secretary of State success, but he will recognise that it will take a long time to build that export market again. Might one of the disagreements between the Scottish farmer and Europe be its possible introduction of a permanent ban on beef on the bone?

Mr. Dewar: No, that was not one of the areas to which I referred. The beef-on-the-bone ban is in place because of the very clear medical and scientific advice that has been offered to the Government of the United Kingdom. I need hardly say that, if that advice changed, or if the very clear indications of an element of risk were removed, we would be happy to see the end of the ban.

Dr. Liam Fox (Woodspring): I welcome any progress in the beef industry, but, given the fact that the Secretary of State has basically told us that not a single carcase has yet been exported from Scotland, despite all the rhetoric, how many slaughterhouses does he expect to be approved by the end of April? If the hon. Member for Falkirk, East (Mr. Connarty) is right in saying that the Scottish Office is awash with money, could the Secretary of State perhaps use some more of it to alleviate the suffering of those in the agriculture sector in Scotland?

Mr. Dewar: I never cease to marvel at the hon. Gentleman's courage. Against the background of the record of the last Conservative Government and his record in the business, he criticises us. It is a little too much. I cannot predict what will happen, because it depends on the visit on 12 April. I hope that that goes well and that we can satisfy the European Union inspectorate that such a move is part of the necessary process. As the hon. Member for Belfast, South (Rev. Martin Smyth) has said, it is a slow business. We have always known that, but we are ensuring that every possible step is taken as quickly as possible. We are spending a lot of time and taking a lot of trouble to re-establish the contacts that will be necessary if we are to get our beef back into the European market. The results of those contacts are, on the whole, encouraging. A little support and backing from the Opposition, who constantly declare their interest in helping, would be appreciated.

Trunk Roads Review

7. **Mr. Alasdair Morgan** (Galloway and Upper Nithsdale): What progress has been made on the trunk roads review; and if he will make a statement. [76311]

The Parliamentary Under-Secretary of State for Scotland (Mr. Calum Macdonald): Some useful suggestions were made during the recent public consultation. We are amending the framework for the appraisal of trunk road investment in Scotland to reflect those. The outcome of the review will be announced as soon as practicable.

From 1 July 1999, it will be a matter for the Scottish Parliament.

Mr. Morgan: Is the Minister aware that P and O has recently announced an order for a new conventional ferry for the Cairnryan-Larne route, which will have almost double the capacity of existing conventional ferries? Is he aware that there is the potential for 100-plus lorries to come ashore at Cairnryan and that that will add severely to the problems of the lorry convoy on the A75 and the accident rate? Will he undertake to take that new fact into account in the trunk roads review?

Mr. Macdonald: That is an important announcement by P and O. I am sure that the hon. Gentleman will welcome it. The A75 as such is not part of the trunk roads review, but it is welcome news for the hon. Gentleman, because it means that we are able to go ahead with improvements that are planned, for example, in Glen. I hope to announce shortly that the money will be available to complete those improvements by the summer. The route action plan that we are working on for the whole of the A75 is still being developed, but, when that is completed, it will provide the basis for future investment on the A75.

Mr. Archy Kirkwood (Roxburgh and Berwickshire): What consultations has the Minister had with his English colleagues in the Department of the Environment, Transport and the Regions about the proposals that they are considering to detrunk the English sections of the A7 and A68? Can he give the communities on the Scottish side of the border that are served by both those roads an assurance that any detrunking on the English side will not lead to a diminution in repair and maintenance and, indeed, in road improvement schemes for those two roads? Does he accept that, if he is not careful and gets past 12 July, difficult decisions may be left to someone else?

Mr. Macdonald: I can give the hon. Gentleman that assurance about the detrunking proposals. Having been in direct contact with DETR, he will know that the proposals are part of a wider proposal relating to England as a whole, allowing responsibility for trunk road maintenance to be shared by DETR and groups of local authorities in the regions. I can assure the hon. Gentleman that this will not have the impact that he and his constituents fear.

Local Government Finance

8. **Mrs. Rosemary McKenna** (Cumbernauld and Kilsyth): When he last met representatives of the Convention of Scottish Local Authorities to discuss the local government settlement for 1999–2000. [76312]

The Minister for Home Affairs and Devolution, Scottish Office (Mr. Henry McLeish): My right hon. Friend and I last met the convention on 22 January to discuss the terms of the 1999-2000 local government finance settlement.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Mrs. McKenna: Will my hon. Friend wish COSLA well before it begins its annual conference later this week in Crieff?

As my hon. Friend will know, local government spending on vital services in Scotland has increased dramatically under the new Labour Government. Do the figures not give the lie to the fantasy statistics produced by the Liberal Democrats and the Scottish National party, which suggest that spending is lower under this Government than under the Tory Government? Are we not, step by step, delivering for Scotland?

Mr. McLeish: I am pleased to say that both my right hon. Friend the Secretary of State and I will visit Crieff this week to address the COSLA conference.

My hon. Friend is right to suggest that the local government settlement for 1999–2000, and up to 2001, is substantial. We are securing vastly improved services, and an injection of an extra £840 million, including additional resources for pre-school education. In 1997, the Conservatives increased the band D council tax by 10.7 per cent.; we halved that last year, and this year it will be only 2.6 per cent. We are securing better services, lower council tax increases and improved quality of life in every part of Scotl[illegible]

Mr. James Wallace (Orkney and Shetland): I acknowledge and, indeed, welcome the fact that the local government settlement is going up this year and in the forthcoming year, after seven years in which it has been reduced in terms of 1998–99 prices, and is scheduled to go up again in each of the succeeding two years.

By the same token, will the Minister acknowledge and, indeed, regret the fact that, over the last five years of the Conservative Government and the first five years of the current Labour Government, the average spend for local government is £460 million per annum less in real terms? Like me, the Minister has often criticised the Conservative party for the impact that its spending plans had on local government. What impact does he expect this settlement to have, given that in real terms—in terms of buying power—it is 5 per cent. lower than what the Conservative party was spending each year?

Mr. McLeish: My constituents, and all the other constituents in Scotland, are less interested in arbitrary bartering of statistics than in hard investment in education and every other aspect of local government. It is possible to make any comparison by selecting a figure out of thin air, but the hard reality is that we said, "Education,

education, education," and that in every council there is real investment, especially in services for the under-fives. That is what ordinary constituents want, and that is what a Labour Government are delivering.

Mr. John McAllion (Dundee, East): Given that the local government settlement is part of a four-year budget for the Scottish Parliament, has my hon. Friend discussed with COSLA the SNP's strange proposal to cut £1,000 million from that budget, add £690 million back in, and then claim still to be spending more, rather than less, on services? Has my hon. Friend considered asking COSLA whether it would be possible to send the SNP spokespeople back to school to learn how to do their sums? Does he agree that not since 1707 have we seen such a parcel of dopes in the nation?

Mr. McLeish: My hon. Friend has made a remarkably good contribution—but, if we sent members of the SNP back to school, there would be very few computers in the classroom to deal with their problems.

What the SNP is offering is a national disgrace. The Labour Government are investing in every part of education, but all that the SNP can do is continue to hoodwink the electors. How can those with a policy of breaking up Britain be interested in any other aspect of public services?

Mr. John Swinney (North Tayside): Has the Minister discussed with COSLA the contents of a parliamentary answer that he gave last week to my hon. Friend the Member for Moray (Mrs. Ewing), which stated that, since Labour came to power, £750 million has been cut from local authorities' budgets? Is the Minister aware of the real damage that the cut does to public services, or does he—like the hon. Member for Falkirk, East (Mr. Connarty)—believe that local authorities are awash with resources? If the hon. Member for Dundee, East (Mr. McAllion) believes that anyone requires to go back to school, does he believe that the Chancellor of the Exchequer—who has had to do a superb U-turn on the ridiculous figures that he published seven days ago—should go back to school, to learn how £230 million really does not mean £500 million?

Mr. McLeish: The hon. Gentleman is simply struggling. We are talking about real investment of £840 million over the next three years, and he cannot argue against the facts. In every school in Scotland, and in every service in Scotland, there will be more cash. It is absurd for the SNP to pretend that there is anything that it can do to improve the quality of life in Scotland. However, if the SNP gets anyone to vote for it, it will be about breaking up Britain—and divorce is very expensive.

Mr. George Galloway (Glasgow, Kelvin): Did the local authorities laugh when faced with the economic illiteracy of the SNP and the Liberal Democrats—who are now in alliance, and who voted last week to take £1 billion out of public spending, thereby lining themselves up with every opportunist tax-cutting argument? At the same time, they pretend that with .1p—the longest "p" in history—they will be able to rebuild Scotland's public services, which were run down over 18 years of Thatcherite Government. Will not anyone with eyes to see be able to understand that a country that has been systematically run down can be rebuilt only step by step, as the Labour Government are doing?

Mr. McLeish: My hon. Friend adds to the other excellent contribution from my hon. Friend the Member for Dundee, East (Mr. McAllion). It is a tragedy to see the SNP seeking to cut investment in Scotland, at a time when we are spending. As for education, there will be a 6.4 per cent. increase next year; a 4.4 per cent. increase in 2000–01; and a further 4 per cent. in 2001–02. That is about investing in Scotland's future. The Labour Government will continue to do that, despite the fact that the SNP is walking away from reality and the needs of Scotland.

Inward Investment

10. **Mr. Nicholas Winterton** (Macclesfield): If he will make a statement on the current levels of inward investment to Scotland. [76315]

The Secretary of State for Scotland (Mr. Donald Dewar): In the year to March 1998, Locate in Scotland and the Scottish Office helped to attract to Scotland a total of 87 inward investment projects, involving planned investment of just over £1 billion and the expected creation or safeguarding of nearly 18,000 jobs. The jobs figure is at a higher level than at any time in Locate in Scotland's 18-year history.

Mr. Winterton: Does the Secretary of State agree that, under the previous Conservative Government, inward investment in Scotland was absolutely massive? Does he agree also that, under a Labour Government, unemployment is going up in Scotland; that, this month, it is likely to be up for the third month running; and that, this year alone, more than 4,000 jobs have been lost in Scotland? Does he believe that the Chancellor's Budget—which penalises lower-income and less well-off families in Scotland—will help? Does he believe that the SNP's raising taxes by 1p more than in the rest of United Kingdom would not have an adverse affect on smaller business?

Mr. Dewar: I have just explained that Locate in Scotland has had a record year. I hope that that success will continue. I pay tribute to the contribution that inward investment has made to management skills and to broadening the base of the economy. It accounts for 29 per cent. of employment in manufacturing industry. I hope that there will be further good news on inward investment shortly.

The hon. Gentleman is being selective about unemployment. At 5.5 per cent., the claimant count is at its lowest for about 20 years. Youth unemployment has almost halved. Unemployment in many constituencies in Scotland is very much lower than it was in February 1996, when I think the Conservatives were in office. To take a random example, in Banff and Buchan, unemployment fell by 42 per cent. between February 1996 and February 1999. That trend is true for all the constituencies represented by the Scottish National party. I am very happy to recognise that and say how satisfactory it is. We want to continue that record, not go back to the days of the Conservative Government.

Mr. David Marshall (Glasgow, Shettleston): Does my right hon. Friend agree that Locate in Scotland and

Scottish Enterprise have an excellent record in attracting many thousands of jobs to Scotland and are the envy of the rest of the United Kingdom and most of Europe? Does he further agree that it would be disastrous for jobs in Scotland if there were any chance of the changes to Locate in Scotland suggested by the SNP—which would undermine its effectiveness—being implemented?

Mr. Dewar: I understand that the SNP is advocating that Locate in Scotland should be taken into the civil service and should be answerable directly to Ministers. That is what has been reported to me. If it is not true, no doubt I shall be told. That is a remarkably centralising policy that would result in the input of business and commerce in the form of the Scottish Enterprise board being lost. I understand that the Scottish nationalists are also proposing that a majority of those in the local enterprise companies should be Members of the Scottish Parliament or local authority elected members. There should be a proper partnership, using the experience and entrepreneurial skills of Scottish industry, not the centralised arrangements that the SNP proposes. My hon. Friend is right to point to the success of Locate in Scotland. We are anxious for that success to continue.

Mr. Ian Bruce (South Dorset): I am sure that the whole House will congratulate Locate in Scotland on its excellent figures last year. Has the Secretary of State noticed that unemployment continued to go down rapidly when the Government came to power, before they had changed any of the Conservative Government's policies? Has he also noticed that unemployment has gone up in Scotland in the past three months? If he has not noticed that, he ought to. What does he propose to do about the fact that jobs and investment are moving away from Scotland? He cannot just rely on a good Conservative record.

Mr. Dewar: Another badge for courage, I think. I repeat that there has been a substantial drop in unemployment since the Conservatives were in power three years ago. The record of creating and attracting jobs in Scotland since we came to power greatly outweighs the job losses. Of course there is some uncertainty about whether all the jobs that have been promised will appear, but even taking into account the National Audit Office's recommendation of discounting by a third, the balance is still on the right side. Jeremiahs are always to be found on the Opposition Benches, but I am afraid that the hon. Gentleman is making a profession of it.

Educational Opportunities

11. **Mr. Dennis Canavan** (Falkirk, West): What initiatives he is proposing to improve educational opportunities. [76316]

The Minister for Education, Scottish Office (Mrs. Helen Liddell): The Government's plans for improving pre-school and school education were set out in our White Paper, "Targeting Excellence: Modernising Scotland's Schools", which was published on 27 January. Our plans for post-16 education and training were set out in our Green Paper, "Opportunity Scotland", published in September 1998.

After 1 July, this will be a matter for the Scottish Parliament.

Mr. Canavan: Is my hon. Friend aware that many parents, teachers and students are looking forward to the new Scottish Parliament with a new Scottish Education Minister, whose priorities will, they hope, be determined by the people of Scotland rather than by the political establishment in this place, which imposed tuition fees and scrapped grants even for students from low-income families? If my right hon. Friend survives the plot to stop her becoming Secretary of State for Scotland, will she remember that it is not the job of politicians to tell teachers how to teach? Will she please not give in to the temptation to go strutting round Scotland hectoring and handbagging Scottish teachers like some new Labour version of Margaret Thatcher?

Mrs. Liddell: Perhaps the hon. Gentleman is referring to the fact that I visited the town of Falkirk, which he represents, to break the ground in the first of five new schools that have opened in Falkirk as a result of Government investment. I look forward to the future Education Minister in the Scottish Parliament continuing the work that the Government have begun—work that has resulted in £40 million going to the Falkirk further education college. I am totally confident that a new Labour Education Minister in the Scottish Parliament will continue the Government's work in raising standards and quality in Scottish schools to make Scottish education once again among the best in the world and provide an education system based on the needs of our pupils.

LORD CHANCELLOR'S DEPARTMENT

The Minister of State was asked—

Community Legal Service

30. **Mr. David Kidney** (Stafford): How the community legal service will be accountable to *(a)* Parliament and *(b)* the public. [76335]

The Minister of State, Lord Chancellor's Department (Mr. Geoffrey Hoon): The community legal service will be administered by the Legal Services Commission. As a non-departmental public body, the commission will be accountable to Parliament through Ministers. The commission's annual plan, setting out how it intends to carry out its functions, and its annual report, setting out how it has delivered against the plan, will be laid before Parliament and published. The commission's accounts will be subject to parliamentary scrutiny and its accounting officer will be answerable to the Public Accounts Committee. The commission will, therefore, be accountable to Parliament and, through Parliament, to the public.

Mr. Kidney: Does my hon. Friend agree that the community legal service offers the exciting prospect of a modern legal service that is available to all for the next century? That ambition is as fitting for the new world of the 21st century as the ambition doubtless felt by the Labour Members who established the legal aid service for the post-war world. Does my hon. Friend further agree

that if the community legal service is to be a success, it is essential that Parliament and the public are guaranteed reliable standards of quality, funding and accessibility?

Mr. Hoon: My hon. Friend is quite right. The Government set out in their election manifesto, on which we were both elected, their determination to create a community legal service. A great deal of work has already been done, establishing partnerships with local authorities and other funders to ensure that we have a comprehensive system of legal advice, helping those most in need and spending taxpayers' money as effectively as we possibly can.

Mr. John Burnett (Torridge and West Devon): I did not know that the community legal service was to be available for all and I welcome any comments that the Minister of State may have on that point. The Government have stated that they intend to withdraw legal aid from all personal injury actions. Does that mean that in future legal aid will not be available for important personal injury cases with a public interest element, such as the successful claims for asbestosis and white finger? Furthermore, will the Minister of State confirm whether his Department will be issuing a paper on the cost and availability of insurance for defendants' costs in conditional fee agreements and, if so, when that paper will be issued?

Mr. Hoon: As regards the hon. Gentleman's point about public interest, the Department recently published a document on the funding code, which is the technical measure that solicitors will use to determine whether legal aid should be granted in particular cases. It sets out clearly our intention that public interest cases should continue to be supported, and cases such as those mentioned by the hon. Gentleman should continue to receive funding provided that they satisfy the criteria of public interest merit. As for the insurance industry, I am confident that it will continue to provide a dynamic and successful system for funding conditional fee cases. I am not aware of any particular necessity that such cases should be subject to any form of Government oversight or regulation.

Mrs. Linda Gilroy (Plymouth, Sutton): Will my hon. Friend comment further on the role of local authorities in achieving partnership? I was pleased that the Lord Chancellor announced last week that Plymouth city council was to be among the 40 local authorities with associate pioneer status. I believe that local authorities have a role to play in achieving accountability, and I would welcome my hon. Friend's comments on that.

Mr. Hoon: It is important that the community legal service is comprehensive, involving all those who are at present financing the unco-ordinated advice services that are available. That is why we announced six full pioneer areas and, as my hon. Friend says, a further 40 associate pioneer areas, where we will be able specifically to develop the comprehensive service that we believe is essential to a community legal service.

Mr. Edward Garnier (Harborough): How can the community legal service be accountable to anybody when the Government's plans may not leave it with any money? Why will not the Minister give the service a separate ring-fenced budget, instead of forcing it to beg for what is left after the public funding of criminal cases?

Mr. Hoon: The whole point of the Government's reforms to legal aid is to replace the present unplanned system of spending—which is entirely demand led and cannot be controlled year in, year out—with a system of planning, so we allocate resources to need. That system of planning will mean that there should not be an overspend year on year, and that there always should be sufficient funds available to the community legal service.

Pro Bono Work

31. **Mr. Andrew Dismore** (Hendon): If he will set minimum requirements for pro bono work as a qualification for appointment to Queen's Counsel status. [76336]

The Minister of State, Lord Chancellor's Department (Mr. Geoffrey Hoon): My right honourable and noble Friend the Lord Chancellor has no plans to set minimum requirements for pro bono work as a qualification for appointment to the rank of Queen's Counsel. A commitment to pro bono work is, however, taken into account when considering Queen's Counsel applications.

Mr. Dismore: Does my hon. Friend agree that, at the very least, it would be appropriate for QCs to spend some time on pro bono work, bearing in mind the fact that they earn up to £500,000 even before they are appointed as QCs? Does not the fact that the QC system has, so far, signally failed to provide pro bono work indicate a wider, symptomatic problem? Is not the QC system an anachronistic restrictive practice which does not work in the public interest and should be scrapped?

Mr. Hoon: As I said, a commitment to do pro bono work is taken into account when considering applications for QC status. The Government recognise the contribution that the process of appointing QCs has played in selecting senior lawyers. There are no present plans to review that.

Mr. John Bercow (Buckingham): Will the Minister concede that if pro bono work is to be taken into account as a consideration in deciding whether a barrister should become a QC, such a stipulation should apply also to Members of Parliament who are barristers, and who hitherto have become QCs, as I understand it, as of right?

Mr. Hoon: I am not aware that that is the case.

Dr. Lynda Clark (Edinburgh, Pentlands): Has the Minister any idea, by way of a survey or otherwise, of the amount of pro bono work done by QCs—both as QCs and prior to becoming QCs? I can speak only for Scotland, where my contemporaries and I have done vast amounts of pro bono work in our time.

Mr. Hoon: I am grateful to my hon. and learned Friend for that information. The matter is taken into account in considering applications for QC status.

County Courts

32. **Mr. Graham Brady** (Altrincham and Sale, West): If he will make a statement on the role of county courts in serving their local communities. [76337]

The Minister of State, Lord Chancellor's Department (Mr. Geoffrey Hoon): The location of county courts has historically reflected the business needs of the people in the immediate areas that they serve. As technology and communications advance, however, we will consider how services can be more economically and efficiently provided without affecting the level of service offered.

Mr. Brady: I am grateful for that response, but the Minister could have gone further and recognised the enormous quantity of family and other work done by the county courts, which is of great importance in the local community. He is aware of concern in the courts surrounding Greater Manchester about proposed closure and relocation, and of my concern that the local function of courts should be taken into account. In that connection, will he give a commitment that where there are other court facilities that are under-utilised—I am thinking here of the Sale magistrates courts—those facilities will be looked at prior to any new-build options in the centre of Manchester?

Mr. Hoon: It is important to draw a distinction between the times when people need to go to court for a case, when we must clearly take into account the distance that they have to travel—although that is quite rare because, fortunately, most people do not need to go to court repeatedly—and the function of the court service in providing information, which can be much more effectively delivered locally by telephone, fax or modern technology. To make that appropriate distinction will be to the benefit of the hon. Gentleman's constituents, allowing us to use the court estate as efficiently and effectively as possible.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): My hon. Friend is a sensible fellow, and I know that he will bear it in mind that there is absolutely no point in the Department of the Environment, Transport and the Regions asking people not to move important state facilities away from where people live and work if, at the same time, individual Whitehall Departments take decisions on a narrow economic basis. If he will undertake to bear that in mind before any more county courts are closed, we will all be a little happier.

Mr. Hoon: I assure my hon. Friend that we will take that into account. Let me repeat that it is important to distinguish between the relatively rare occasions when people go to court for cases, and the provision of information. We need to ensure that much more information is provided locally and that we use modern technology to deliver it much more efficiently than at present.

Magistrates Courts

33. **Mr. Norman Baker** (Lewes): What assessment he makes of the *(a)* environmental implications and *(b)* inconvenience to individuals, in reaching decisions on appeals against closure of magistrates courts. [76338]

The Minister of State, Lord Chancellor's Department (Mr. Geoffrey Hoon): Environmental issues and accessibility are certainly taken into account, but they cannot be overriding considerations. Other themes that are common to the majority of appeals against courthouse closures include accessibility to all court users; the facilities available; the cost of necessary renovations to bring the court up to standard; and courtroom use. Each appeal is considered on the merits of the arguments presented by the parties. There are no statutory criteria.

Mr. Baker: Is the Minister aware that the court service proposes to close the magistrates court at Haywards Heath, in the constituency of the hon. Member for Mid-Sussex (Mr. Soames), which serves my constituents? That will require my constituents from Wivelsfield to go to the court in Lewes, where there is no proper public transport connection, and those from Ditchling to go to Brighton. Should not justice be accessible to all? The closure, if it goes ahead, will lead to considerable inconvenience to my constituents.

Mr. Hoon: The court service is not responsible for the provision of magistrates courts, which are the responsibility of the magistrates courts committee. An appeal against that proposed closure might, eventually, be dealt with by the Lord Chancellor. I have had substantial—even weighty—representations from the hon. Member for Mid-Sussex (Mr. Soames), and I assure both hon. Gentlemen that their views will be taken into account.

Mr. John Gummer (Suffolk, Coastal): Will the Minister admit that absolutely no notice is taken of the issues when appeals are made to the Lord Chancellor? Courts in my constituency that did not infringe any of the criteria were closed after appeal. Are not the Government supposed to have the environment at the heart of all their policies? How, then, can the environment not be a consideration that overrules all others? Frankly, the Lord Chancellor allows any court to be closed that any magistrates courts committee thinks it would like to close.

Mr. Hoon: The right hon. Gentleman is simply wrong. He came to see me, with a delegation of hon. Members, and his representations were carefully considered, as are those of all right hon. and hon. Members. It is not the case that every single appeal is dismissed. Indeed, I would be perfectly happy to give him statistics demonstrating that some appeals are allowed.

Legal Aid

34. **Sir Sydney Chapman** (Chipping Barnet): What estimate he has made of legal aid expenditure in 1998–99; and what the figures were for *(a)* 10 and *(b)* 20 years earlier. [76339]

The Minister of State, Lord Chancellor's Department (Mr. Geoffrey Hoon): Legal aid expenditure in 1998–99 is expected to be about £1.6 billion; in 1988–89, it was £474 million; and in 1978–79, £83 million. Those figures show that the cost of legal aid over the past 20 years has increased by more than 490 per cent. above the rate of inflation.

Sir Sydney Chapman: Does the Minister agree that this is a classic case of introducing a benefit or grant for which demand will escalate? During his review of legal aid, will he appreciate that everything that he has said today and previously points to the single, simple objective of controlling the amount of legal aid? Will he address the fact that he is cutting whole sections of qualification for legal aid that arise from genuine need?. Finally, in case there is any misunderstanding, let me declare that I am not a lawyer.

Mr. Hoon: I am sorry to hear the hon. Gentleman talk in that way when it was the Government whom he supported for many years who slashed eligibility. The present Government are delivering reform of the legal aid system by ensuring that those who need assistance will get it—and will get the best quality assistance at an appropriate time and in an appropriate manner.

Kosovo

3.30 pm

The Prime Minister (Mr. Tony Blair): Madam Speaker, with your permission I will make a statement on Kosovo.

As I speak, it is still unclear what the outcome of Mr. Holbrooke's talks in Belgrade will be, but there is little cause to be optimistic. On the assumptions that they produce no change in President Milosevic's position and that the repression in Kosovo by Serb forces continues, Britain stands ready with its NATO allies to take military action.

We do so for very clear reasons. We do so primarily to avert what would otherwise be a humanitarian disaster in Kosovo. Let me give the House an indication of the scale of what is happening. A quarter of a million Kosovars—more than 10 per cent of the population—are now homeless as a result of repression by Serb forces; 65,000 people have been forced from their homes in the past month, and no fewer than 25,000 in the four days since the peace talks broke down; and only yesterday, 5,000 people in the Srbica area were forcibly evicted from their villages.

Much of the Drenica region of northern Kosovo is being cleared of ethnic Albanians. Every single village that the observers of the United Nations High Commissioner for Refugees could see yesterday in the Glogovac and Srbica region was on fire. Families are being uprooted and driven from their homes. There are reports of masked irregulars separating out the men: we do not know what their fate will be, but the House will recall that at Srebrenica, men were killed. Since last summer, 2000 people have died. Without the international verification force, there is no doubt that the numbers would have been vastly higher.

We act also because we know from bitter experience throughout this century, most recently in Bosnia, that instability and civil war in one part of the Balkans inevitably spills over into the whole of it, and affects the rest of Europe, too. I remind the House that there are now more than 1 million refugees from the former Yugoslavia in the European Union.

If Kosovo was left to the mercy of Serbian repression, there is not merely a risk, but the probability of re-igniting unrest in Albania, of a destabilised Macedonia, of almost certain knock-on effects in Bosnia, and of further tension between Greece and Turkey. Strategic interests for the whole of Europe are at stake. We cannot contemplate, on the doorstep of the EU, a disintegration into chaos and disorder.

We have made a very plain promise to the Kosovar people. Thousands of them returned to their homes as a result of the ceasefire negotiated last October. We said to them and to Milosevic that we would not tolerate the brutal suppression of the civilian population. After the massacre at Racak, those threats and warnings to Milosevic were repeated. To walk away now would not merely destroy NATO's credibility; more importantly, it would be a breach of faith with thousands of innocent civilians whose only desire is to live in peace, and who took us at our word.

I say this to the British people: there is a heavy responsibility on a Government, when putting their armed forces into battle, to justify such action. I warn that the potential consequences of military action are serious, both for NATO forces and for the people in the region. Their suffering cannot be ended overnight. But in my judgment, the consequences of not acting are more serious still for human life and for peace in the long term. We must act to save thousands of innocent men, women and children from humanitarian catastrophe—from death, barbarism and ethnic cleansing by a brutal dictatorship—and to save the stability of the Balkan region, where we know chaos can engulf the whole of the European Union. We have no alternative, therefore, but to act, and act we will, unless Milosevic even now chooses the path of peace.

Let me recap briefly on the last few months. Last October, NATO threatened to use force to secure Milosevic's agreement to a ceasefire and an end to the repression that was at that time in hand. That was successful—at least, for a while. Diplomatic efforts, backed by NATO's threat, led to the creation of the 1,500-strong Kosovo verification mission. A NATO extraction force was established in neighbouring Macedonia in case the monitors got into difficulty.

At the same time, Milosevic gave an undertaking to the US envoy, Mr. Holbrooke, that he would withdraw Serb forces so that their numbers returned to the level before February 1998—that is, roughly 10,000 internal security troops and 12,000 Yugoslav army troops. Milosevic never fulfilled that commitment; indeed, the numbers have gone up. We believe that there are now some 16,000 internal security and 20,000 Yugoslav army troops in Kosovo, with a further 8,000 army reinforcements poised just over the border.

In January, NATO warned Milosevic that it would respond if he failed to come into compliance with the agreements he had entered into in October, if the repression continued, and if he frustrated the peace process. Milosevic has failed to meet any of those requirements. Even then, intense diplomatic efforts have been under way. My right hon. Friend the Foreign Secretary, and his French colleague Mr. Védrine, have co-chaired the peace talks in France. There is an agreement on the table. Autonomy for Kosovo would be guaranteed, with a democratically elected assembly, accountable institutions and locally controlled police forces. After three years, Kosovo's status would be reviewed. The rights of all its inhabitants—including Serbs—would be protected, regardless of their ethnic background. And the awful conflict that has been a blight on the lives of its people could come to an end. The Kosovo Albanians have signed the peace agreement. The Serbs have not. They have reneged on the commitments they made on the political texts at the talks at Rambouillet, and they refuse to allow a peacekeeping force in Kosovo under NATO command to underpin implementation of the agreement.

It takes two sides to make peace. So far, only one side has shown itself willing to make that commitment. It was Milosevic who stripped Kosovo of its autonomy in 1989. It is Milosevic who is now refusing to tackle a political problem by political means.

NATO action would be in the form of air strikes. It will involve many NATO countries. It has the full support of NATO. It will have as its minimum objective to curb continued Serbian repression in Kosovo in order to avert a humanitarian disaster. It would therefore target the military capability of the Serb dictatorship. To avoid such action, Milosevic must do what he promised to do last

[The Prime Minister]

October—end the repression, withdraw his troops to barracks, get them down to the levels he agreed, and withdraw from Kosovo the tanks, heavy artillery and other weapons he brought into Kosovo early last year. He must agree to the proposals set out in the Rambouillet accords, including a NATO-led ground force.

Any attack by Serbian forces against NATO personnel engaged in peacekeeping missions elsewhere in the region would be completely unjustified and would be met with a swift and severe response in self-defence. President Milosevic should be in no doubt about our determination to protect our forces and to deal appropriately with any threats to them.

Mr. Holbrooke has made the position of the international community crystal clear to Milosevic. There can be no doubt about what is at stake. The choice is now his. Milosevic can choose peace for the peoples of Kosovo and an end to the Federal Republic of Yugoslavia's isolation in Europe, or he can choose continued conflict and the serious consequences that would follow.

I hope that the House will join me in urging President Milosevic to choose the path of peace, and that it will support NATO and the international community in action should he fail to do so.

Mr. William Hague (Richmond, Yorks): I thank the Prime Minister for that statement. First and foremost, I express the Opposition's wholehearted support for the British forces who might have to take part in the NATO action, for the service men and women who will be backing up those front-line forces, and for the families of those who might have to risk their lives as they do their jobs.

Given the repeated threats and ultimatums issued over many months, the Opposition's position is that we support the Government taking the action described. Indeed, my right hon. and learned Friend the shadow Foreign Secretary has often asked for similar action to be taken. Although we support the use of ground troops to implement a diplomatic settlement, we shall not support their use to fight for a settlement. During the past year, events in Kosovo have already led to a humanitarian catastrophe in our continent: more than 2,000 people have been killed, and hundreds of thousands have fled from their homes since the fighting began. As we speak, villages are being burned and people are being killed, as the Prime Minister has made clear.

It is clear that we now need to demonstrate to Milosevic the credibility of NATO threats and ultimatums. Does the Prime Minister agree that although, from the start of the crisis last year, there may have been a case—although we would not have agreed with it—for the west saying and doing nothing about events in Kosovo, and there was certainly a case for the west issuing threats and following them through, there was no case at all for a string of last warnings and ultimatums that were not followed through? The international monitors carried out their tasks with the utmost professionalism, in what had become an impossible situation. Does the Prime Minister understand the Opposition's regret that peace monitors were not deployed in May last year when we made our original request that they should be deployed? By the time that deployment took place in October, the situation had worsened and extremists on both sides had had time to win over more people from their communities.

Last year, the Government were right when they said that the response to the tragedy had been dithering and disunited on the part of the international community. Unfortunately, that continued for a long time and the credibility of NATO has been called into question. Does the Prime Minister understand that although we would welcome an explicit demonstration of NATO credibility of the kind that he has described, given the repeated threats of action we regret that some decisive action did not take place earlier?

We must all realise that military action against Serbia will put further strain on our armed forces. Does the Prime Minister recall the Chief of the Defence Staff telling the Select Committee on Defence that we could maintain two operations such as Bosnia and Kosovo for only six months? He said:

"I do not think we could sustain two for longer than that."

Will the Prime Minister tell the House what steps he will take to ensure that the deployments that he has announced can be sustained? Will he give the House an assurance that precautions have been taken to prevent retaliation against British interests and British forces elsewhere in the world?

Any military action needs clear objectives. Although we support the Government's decision to use air strikes, will the Prime Minister confirm that those strikes are not a prelude to a ground war and that ground troops would be used only to implement a diplomatic settlement?

Can the Prime Minister also tell the House what measures are being taken to prevent the spread of the conflict to Albania, Bosnia and Macedonia? He has referred to his discussions with colleagues and he will recognise the need to do all in our power to encourage the international community to speak as one on this issue. Can he assure the House that Europe as a whole is now united on the need for action and can he inform us of what efforts have been made to meet the concerns of Russia?

Finally, does the Prime Minister agree that there is one person above all who must take the blame for the enormous suffering in Kosovo, one person who must take the blame for the enormous suffering in other parts of the Balkans during this decade, and one person who is solely to blame for the need to take the military action that the Prime Minister has been right to announce—and that that person is Milosevic, who must now be regarded as an evil man with much blood on his hands?

The Prime Minister: I thank the right hon. Gentleman for what I take to be his support for our position. It is important that we in this House take a united view and I am grateful for that.

I shall deal with the right hon. Gentleman's points. It is certain that all our thoughts will be with armed forces and their families. Our armed forces are among the finest anywhere in the world and we can rightly be proud that, in a situation such as this, they are not only willing to take action, but capable of acting in such an effective manner. We have often had cause to be grateful to them.

Secondly, it is fair to say that we have always been in favour of taking action sooner rather than later, but we could not take action on a unilateral basis. We have to take action with other countries—in this instance, within NATO—and we have done that. The degree of unity not only within Europe, but within the whole of NATO, is extremely important to the success of the mission.

Thirdly, I have no doubt that the deployment can be sustained; nor do I doubt our ability to make good any threat of counter-attack should there be any question of retaliation against the peacekeeping forces elsewhere in the region. Milosevic should clearly understand that. The best insurance against the spread of the conflict is to take precisely the action that we are taking. We know from bitter experience that we cannot afford such instability on the borders of Europe.

I agree entirely with what the right hon. Gentleman said about Milosevic, but let me make one final point. It is important to realise that we have been able to build extremely strong support for this action within NATO. Thirteen nations, including the United Kingdom, have some 200 combat aircraft deployed to the region: the United States, the UK, France, Netherlands, Italy, Spain, Turkey, Germany, Canada, Belgium, Portugal, Denmark and Norway have all committed aircraft, so this is a very united NATO action. If that unity is reflected across the Dispatch Box and within the House, that augurs well.

Mr. Menzies Campbell (North-East Fife): This a bad business which could turn out to be a bloody one as well. None of us should underestimate the risk of casualties on either side. If air strikes prove to be necessary, those who advocate them and those who support them—as I do—might have to live with some extremely painful consequences.

Is it not true that it has become necessary to contemplate air strikes only because of the deliberate and brutal targeting of civilians by Serbian forces as they shell, loot and burn villages and make refugees of their inhabitants? Does the Prime Minister agree that if the immediate military aim is to inhibit and degrade the ability of Serbian forces to sustain and persist in their campaign of sickening and uninhibited violence, there must also be a political aim in addition to the strategic aims he outlined? May I suggest that that political aim should be to require the Milosevic Government to pay such a high price in military assets that they are persuaded—even compelled—to return to the conference table? Given that we should look ahead to the consequences of actions of this sort, does the Prime Minister accept that, if we have to embark on air strikes, that would be a step towards the creation of at least a de facto protectorate for Kosovo?

The Prime Minister: I agree entirely with what the right hon. and learned Gentleman said about the painful consequences of this action. As the leader of his party, the right hon. Member for Yeovil (Mr. Ashdown), said yesterday, there are painful consequences involved in taking this action, but the consequences of not taking it are even more painful. That is the right and honest way to put it to people.

As I have said, the objective is to inhibit repression by Serbian forces. It remains our political aim to return to the negotiating table because there is no doubt that the Rambouillet accords offer the only proper and realistic possibility of a lasting political settlement. I pay tribute to the work of the British and French Foreign Secretaries in putting that agreement together.

Finally, as to air strikes, there is no plan to have a United Nations protectorate in the strict sense. However, we wanted to get ground forces into Kosovo in pursuit of an agreement precisely to ensure that we could police that agreement properly and allow the constitutional settlement to take root. It is a tragedy that Milosevic has chosen not to take that chance. It is a double tragedy for him because the offer on the table was not a bad one from Serbia's point of view: it conceded many of the points that Serbia had made. By turning his back on that one opportunity to conclude an agreement, Milosevic has only himself to thank for the consequences.

Mr. Donald Anderson (Swansea, East): My right hon. Friend is right to make this grave eleventh-hour statement as a final warning to President Milosevic and to point out the high risks involved. Most hon. Members accept the need for air strikes, but with extreme reluctance because we surely cannot be confident that bombs will bring peace. This is a high-risk action.

Are there any circumstances in which Britain would be prepared to commit ground troops in answer to the "What then?" question? In what way can we seek, even now, to assist the refugees—either by reaching into Kosovo or by helping the neighbours of Kosovo, such as Macedonia, which has been, and will continue to be, harmed by the conflict on its borders?

The Prime Minister: I think that everyone shares a sense of reluctance to commit our forces. However, as my hon. Friend acknowledged, that reluctance is overcome if circumstances dictate that it must be.

We proposed committing ground troops to pursue a peace agreement. However, there is a difficulty with committing ground troops in order to fight our way in: no one should underestimate the sheer scale of what is involved in that action. We would be talking about 100,000 ground troops, and possibly even more.

As to refugees, we are working carefully with humanitarian organisations and we will continue to support UNHCR and other bodies. There is no point is concealing the fact that, if we are forced to take this action, it will be difficult for people on the ground over the next few days. However, the alternative is to allow the Serbian forces to continue their brutal repression of the Kosovo people.

Sir Archie Hamilton (Epsom and Ewell): Will the Prime Minister tell the House what his contingency plan is if the air strikes take place, yet Milosevic continues to defy NATO, does not withdraw his troops and the repression continues? What will the Prime Minister do then?

The Prime Minister: It is for precisely that reason that we set our clear objective to curb Milosevic's ability, through his military capability, to engage in that repression. That is our objective, and we shall carry on until it is fulfilled.

Mr. Bruce George (Walsall, South): First, I believe that my right hon. Friend the Prime Minister can count on the overwhelming support not only of the House but of the British public, particularly as he has put forward a convincing argument that the concept of a just war is not redundant. Secondly, I hope that he appreciates that now is not the time to rake over the coals and consider the mistakes of failed Government policies on Bosnia and Kosovo in the immediate past—or, indeed, the past decade.

[Mr. Bruce George]

Finally, will my right hon. Friend give reassurance to members of a Macedonian delegation who are here—as I was unable to do in a meeting between them and the Select Committee on Defence—that any attack on Macedonia in the present circumstances would be deemed to be an attack on NATO because Macedonia is housing NATO forces? They will clearly be concerned about the possible development of events in the next few days.

The Prime Minister: On the latter point, I assure my hon. Friend that any attack on NATO forces in Macedonia would be regarded as an attack on NATO itself and would bring about swift and severe retaliation.

My hon. Friend's first point is absolutely right: we are acting to avert a humanitarian disaster. If we do not act and the repression continues, its consequences will also continue. It is a sobering thought that we now have in the European Union more than 1 million refugees from the former Yugoslavia, and if anything demonstrates how much our fate, even here, is tied in with the fate of the Balkans, it is that statistic.

Sir Peter Tapsell (Louth and Horncastle): Is it not almost certain that air strikes alone will not achieve NATO's objectives, as General Sir Michael Rose repeated yet again on the "Today" programme this morning? May I remind the Prime Minister that when air strikes failed in Bosnia and the previous Conservative Government announced that they were sending one British infantry battalion there, I warned them that it was useless to send one battalion when four divisions would be needed on the ground to do the job, and that proved to be right?

Does the right hon. Gentleman realise that saying weasel words to the British people at this point is wrong because the Government are proposing to make war on Serbia, and it is a profound political mistake to suppose that Milosevic is not supported by the mass of the patriotic Serbian people, who form one of the great fighting nations of Europe? If we are to pursue that policy, the British people should be told now that we are embarking inevitably on ground operations that will involve heavy casualties.

The Prime Minister: That is the isolationist wing of the Conservative party—[HON. MEMBERS: "No."] Yes, it is. The hon. Gentleman must face up to the consequences that would arise from his views. I assume that he is attacking the whole policy on Bosnia, and that he would therefore have allowed the civil war and the repression in Kosovo to continue while he did nothing. The consequences would have been the brutal murder of tens of thousands—possibly hundreds of thousands—of people and chaos and instability on Europe's doorstep.

No one disputes the fact that taking our course is difficult, and I said that in my statement, but the consequences of not acting would be to plunge the whole region into chaos and consign thousands of innocent people to death and brutality. Britain should not regard that as an acceptable outcome.

Mr. Clive Soley (Ealing, Acton and Shepherd's Bush): Does my right hon. Friend accept that the British people have learned more than anyone else that appeasement does not work and that ours is not only a just cause but, more importantly, one that affects the stability of Europe? Does he further accept that the British people recognise what is involved in such situations? Finally, will he remind the political and military leaders in the former Yugoslavia that some of their people have already been put on trial for war crimes, that British people and the emerging law around the world no longer allow people to forgive and forget those barbaric crimes, and that there is time yet for those people to be put on trial too?

The Prime Minister: That is an entirely appropriate warning that the war crimes legislation exists, and that people who engage in the crimes of ethnic cleansing and brutal suppression and murder, whether in the Balkans or elsewhere in the world, stand at risk. We should be prepared to use the war crimes legislation to bring them to account.

Mr. Tom King (Bridgwater): Does the Prime Minister accept that he has done a service to the House through the clarity of his statement, which leaves no doubt in anyone's mind about the gravity of the choice that faced him and the Government, and which faces our country, or about the size of the challenge that will face our armed forces? There is, in my judgment, no alternative but to demonstrate firmly the credibility of NATO and to deal with a very serious situation.

If air strikes are successful, it will be essential for the land eventually to be retained by ground forces, as is part of the Prime Minister's plan. That will involve substantial deployments. Under the present provisions, I understand, they cannot be sustained for a long period. Will the Prime Minister give urgent consideration to that? We ask a lot of our armed forces. They unfailingly respond, as they have done on many occasions, but they are entitled to our fullest support and the knowledge that they will be properly supported on this occasion.

The Prime Minister: I thank the right hon. Gentleman for those comments and his support, which is all the more welcome from someone with his experience in such matters. I can assure him that we have carefully looked to see that the deployment can be sustained. We believe that it can be sustained.

I agree that if the air strikes are successful, we need to get the political process back on track. That is our aim, politically. I also agree with the right hon. Gentleman that we have no alternative if NATO is to remain credible. That is not our principal reason for acting, however. We are not acting in pursuit of a theory of credibility, but we have given certain undertakings, and if we do not abide by them, we will not have credibility in the future.

Mr. Tony Benn (Chesterfield): Is the Prime Minister aware that there is absolute unanimity in the House and the country about the scale of the humanitarian crisis in Kosovo? May I tell him that the statement that he made is one of the gravest that I have heard in the House, certainly since Suez? An ultimatum has been announced, amounting to an all-out air war and possibly a ground war against a member state of the United Nations which, under article 51, has the right of self-defence. By doing so, the British Government and other NATO Governments are defying the charter, to which we are committed, and breaking international law. If the bombing begins—apart

from the fact that it is no more likely to be successful than it is in Iraq—it is bound to cause casualties and worsen the humanitarian crisis, and it could well broaden the Balkan conflict.

May I point out to the Prime Minister that there are two bodies that he never mentioned in his statement? One is the United Nations, which exists to deal with crises of this kind, and the other is the House of Commons. We represent the forces who may well be sent into conflict—they are our constituents, our families. Not a moment of thought was given to a debate in the House, which would allow more than question and answer, and through which we could explore the Government's policy, consider whether it will lead to a ground war, as many believe it might, and come to a conclusion about it. To treat the House as though it were just an audience for "Newsnight" on so grave a matter is simply below the standard that we are entitled to expect.

The Prime Minister: There have been no fewer than three statements on the matter in the House of Commons during the past few weeks. There is a defence debate on Thursday. I am making the statement today in the House, where I can be questioned, not least by my right hon. Friend. That is hardly a "Newsnight" interview—I will not go into whether it is more pleasant or not.

I shall answer my right hon. Friend's two specific points. First, as a result of our action in Iraq, I remember how many people told me that Saddam Hussein would be stronger as a result, that he would be more powerful, and that he would be better able to suppress his people and wage war on the outside world. None of those things has happened. He is weaker, his military capability is weaker, and his ability to suppress his own people is hugely diminished.

Secondly, the UN has been important in relation to Kosovo. It has passed important Security Council resolutions. Let me read them to my right hon. Friend. The last one, Security Council resolution 1199, demanded that Serbs cease all actions by their security forces against the civilian population, and demanded that the Federal Republic of Yugoslavia Government order the withdrawal of security units used for civilian repression. A further resolution in October last year, UNSCR 1203, reiterated the previous one and endorsed the agreements between Holbrooke and Milosevic, including the verification missions. Milosevic has been in breach of every single part of those UN resolutions.

The plain fact of the matter is that we have to act now to avert the humanitarian disaster that I have set out. Of course, we will have an opportunity to debate this, and of course we should debate it, but the reasons that we have given have been very clear and I hope that they will be supported by the House and the country.

Mr. Alex Salmond (Banff and Buchan): The vast majority of the House is in no doubt as to who the aggressor is in these circumstances. But I have been listening carefully to the Prime Minister during the past 15 minutes, and it is not yet clear to me whether he has ruled out the use of ground forces if air power fails. I can understand his being cautious, but is that something that he can do, or does he feel that he cannot do it under the circumstances?

The Prime Minister: No. I have made it clear that we support the use of ground troops in supporting the agreement. We do not plan to use ground troops in order to fight our way into Kosovo, for the very reason that I gave earlier. I do not know whether that is what the hon. Gentleman is suggesting, but it would take a huge commitment—possibly more than 100,000 ground troops—and that is why we have said that that is not our plan.

Mr. Frank Cook (Stockton, North): Will the Prime Minister accept that commentators observing the state of play in Serbia record the fact that the majority of the Serbian population are blissfully unaware of the atrocities that are being committed against their Albanian Kosovar neighbours? As a child, I witnessed how the bombing of Britain strengthened the resolve in the population here against the axis. What measures are being taken to inform the Serbian people of what their leaders are doing on their behalf, but not at their behest?

The Prime Minister: That is an extremely good point, but we have one great inhibition in getting through to the Serbian people directly, and that is that there is state control of their broadcasting and media. My hon. Friend is absolutely right: they are blissfully unaware of many of the things that their regime is doing. We take every measure available to us to get through to them, but it is difficult, precisely for that reason. It is worth pointing out that some of Milosevic's victims are his own people.

Mr. Nicholas Soames (Mid-Sussex): I welcome the clarity with which the Prime Minister set out his solemn statement today. Does he agree that the House should be fortified and sustained by NATO's unity at this difficult time, and will he confirm that the United Nations resolutions do give the necessary legal authority for air strikes to proceed? For my part, I think it unlikely that they will be successful, and likely that ground troops will have to be deployed. To that end, does he agree that, throughout the period of hostility, the political track must be kept going?

The Prime Minister: I agree entirely that the political track must be kept going the whole time. One reason why people say that we have over-delayed in this is that, from last October onwards, we had a political track that we were trying to make work, precisely because we understood the consequences of taking military action. I agree with what the hon. Gentleman says about the UN and legal authority, and I also agree that we should be fortified by NATO's unity. The fact that 13 countries now have combat aircraft in the region, able to be used in the operation, is an example of NATO's strength and purpose.

Mr. Tam Dalyell (Linlithgow): Thursday's debate is scheduled to be answered by the Minister of State and the Under-Secretary. In the circumstances, would the Prime Minister consider that either the Foreign Secretary or the Secretary of State for Defence, and perhaps he himself, should take part in what is a crucial debate?

In answer to my hon. Friend the Member for Walsall, South (Mr. George), the Chairman of the Select Committee on Defence, the Prime Minister said that there would be "swift retaliation" if Yugoslav troops attacked troops in Macedonia. What, exactly, is meant by

[Mr. Tam Dalyell]

"swift retaliation" in those circumstances? Finally, a factual question: what have Mr. Primakov and the Russians had to say about the proposed military strike?

The Prime Minister: The position of the Russian Government and Prime Minister Primakov is well known and I doubt that it has changed, although they, too, feel a huge degree of frustration about the way their attempts to try to get a peace process on track have been thwarted by Milosevic. As for swift retaliation, we will judge that according to the needs that may arise at the time. It would not be wise speculate on that further, but people should know that, if our forces are attacked, there will be retaliation and it will be severe. Finally, my understanding is that my right hon. Friend the Secretary of State for Defence is indeed opening the debate on Thursday.

Mr. Michael Colvin (Romsey): The Prime Minister has said that action is now required to avert a humanitarian disaster, but the situation that he has graphically described shows that a humanitarian disaster already exists in Kosovo. I accept the exchanges that have taken place about the use of ground forces, but the Prime Minister said in reply to one question that as many as 100,000 troops might be required if ground forces had to be committed to follow up air strikes. The Serb army numbers more than 200,000, so many more than 100,000 troops would be required.

Following on from the Prime Minister's answer that troops would be deployed to Macedonia if there was a direct threat to the extraction force of 10,000 troops there, I remind him that the Macedonian army numbers only 20,000; it is a tenth the size of the Serbian army. What contingency plans have the Government, with our NATO allies, to deploy troops to Macedonia quickly—we lack heavy lift—so that they are ready to take action against Serbia, if that is required?

The Prime Minister: There are already many troops and heavy weapons in Macedonia—and, indeed, elsewhere—so NATO certainly has the means to visit severe retaliation on Milosevic should he attack any NATO forces. In respect of the ground troops, I agree that more than 100,000 would be needed; that is the very reason why I am suggesting the difficulties of taking such a course.

The hon. Gentleman says that a humanitarian disaster already exists in Kosovo. That is why we need to act, but if we were to fail to act—if we were simply to allow Serb forces to carry on their repression, without even the inhibition that the threat of action might have—there is absolutely no doubt at all what would happen. They would repeat what happened at Racak many times over.

Mr. David Winnick (Walsall, North): Is not the choice for the international community simple? Either we allow the atrocities—crimes against humanity—to continue or we decide to act, and act decisively. We listen to the voices of non-intervention in this House, but almost without exception, those who argue for non-intervention and issue constant warnings of what disasters will follow if we intervene were wrong about the Falklands in 1982, wrong about Kuwait in 1991, and certainly wrong in respect of how the international community helped to achieve a settlement in Bosnia in 1995. Why on earth should we believe that they are right now?

The Prime Minister: My hon. Friend is quite right to point out that there are those who can always find a reason never to act. I emphasise that the consequences of this action will be serious—we know that—but as we have said before, the consequences of not acting are more serious still.

Mr. Paul Keetch (Hereford): While I agree with the Prime Minister about the professionalism of our armed forces in the region—I have constituents out there, as have other hon. Members—what British civilians are there on the ground? Is he aware that British subjects have been targeted for kidnapping and killing by terrorist organisations in recent months? How will he ensure that British civilians are kept out of events as much as possible?

The Prime Minister: We have given clear advice to any civilian organisations operating in the area and we give what protection we possibly can. I can assure the hon. Gentleman that we are well aware of the danger and threat to our civilians.

Mrs. Alice Mahon (Halifax): Does the Prime Minister accept that many of us genuinely believe that bombing a sovereign state could cause more, not fewer, civilian casualties, and could destabilise the whole of south-eastern Europe because the Serbs will almost certainly fight to defend their homeland? Is he aware that I visited Macedonia a few weeks ago? Not a single Macedonian Member of Parliament or citizen to whom I spoke believed that Macedonia should be used by NATO to take aggressive action against the Serbs—although the Macedonians rightly expect protection, given that they have allowed NATO extraction forces to be based there. They believed that dialogue was the best way forward. Perhaps a different way—perhaps putting sanctions against the Serbs on the table—might have helped, although sanctions harm the economies of emerging democracies in the area.

What will the strategy be if the bombing fails? What will we do if what is rightly described as the disgraceful action against the Kosovars continues?

The Prime Minister: We have set our objective; we intend to succeed in it. I agree with my hon. Friend that dialogue is the best way forward. That is why we went the extra mile to put together the talks process at Rambouillet. We put together the agreements last October between Milosevic and Richard Holbrooke. We have done everything that we possibly could to make dialogue work, but we are left with the realisation that dialogue has not worked. Then what do we do? Do we simply allow the repression to continue, or do we act?

In the past couple of years, there have been several occasions when the Government have faced that dilemma. No one wants to commit our forces unless we really have to do so, and everyone understands that the consequences of doing so will always include an element of uncertainty, but if we do not do that and we allow this to continue, then what? That is also a fair question to ask.

My hon. Friend talks about the Serbs and their homeland. The concept of Kosovo as an autonomous area within the Federal Republic of Yugoslavia strikes the right balance, recognising that the vast majority of people in Kosovo are ethnic Albanians and that it is their homeland too. All they desire to do is to be allowed to live in peace there, free from repression. We surely have to be the people who give them that chance.

Mr. David Curry (Skipton and Ripon): What happens if bombing does not bring President Milosevic to the negotiating table?

The Prime Minister: I set our objective clearly. It is to curb Milosevic's ability to repress the Kosovo population. We want him to come back to the negotiating table, but the precise minimum objective of any military action has to be to curb his ability—to reduce his ability—to suppress the Kosovar Albanian people. That has to be the task that we set ourselves. We can fulfil that objective. It is the right objective and it ties in, rightly, with our justification, which is primarily—as I set out in my statement—humanitarian.

Mr. Kevin McNamara (Hull, North): Although I support my right hon. Friend's statement, we have still not had the answer to the question, "What if?" If it is our aim to curb the Yugoslav ability to persecute the Albanian people, the logic of that must be that we put in land troops. If we do not put in troops on the ground and merely use air strikes, we are left in a worse position than when we began.

Is not the logic of the position that, eventually, we will end up with at least a United Nations protectorate or a NATO protectorate, if not an independent Kosovo, with the problems that that will have? How will we be certain that the Dayton accords will be upheld by all the signatories to them?

The Prime Minister: I do not accept that land troops are necessary to curb repression in Kosovo. Air strikes properly targeted—directed against the military capability of the oppressor—can achieve the objective that we set ourselves.

Secondly, my hon. Friend mentioned the concept of a United Nations protectorate. There is no notion of establishing a UN protectorate in the strict legal sense, but obviously the purpose of putting in ground troops was to back up an agreement—a constitutional settlement—in Kosovo, and that, of course, is what we still want to do if it is possible. A precondition, however, is that an agreement is in place to which not merely the Kosovar Albanians but the Serbs themselves will agree.

I believe that the action that we have proposed will be successful.

Mr. Julian Brazier (Canterbury): No one envies the Prime Minister the decision he must make. Does he accept, however, that evidence from Hanoi to Grozny suggests that bombing alone strengthens the resolve of a people, rather than weakening it—especially when those people, like the Serbs, have hundreds of years of memories of what they perceive as resisting the bullying of larger powers?

Does the Prime Minister really believe that bombing alone will reduce the atrocities being perpetrated against the Kosovar Albanians? If he is not willing to follow up bombing with the use of ground forces—and he has explained very clearly why we should not do that—I put it to him that it would be better not to bomb at all.

The Prime Minister: That, of course, is the conclusion of the hon. Gentleman and some of his hon. Friends—that we should not do this at all. I disagree entirely. If the hon. Gentleman wants an example of bombing achieving our objective, he should consider Iraq, where it certainly achieved the objective that we set ourselves. Let me give him another example. I do not believe that under the last Government, before the Dayton accords, we would ever have got the process under way had not military action been taken by allied forces. It is possible to give examples even from the region itself that show this to be a realistic objective.

I have explained the difficulty with ground forces. The hon. Gentleman had the courtesy to say at the outset that this is a difficult decision to make. I can only say that if we do not make that decision, and take no military action—let us be clear: we are not going to send in 100,000 or 200,000 ground forces with the consent of other countries, for no such consent exists—the repression in Kosovo will continue, and Serbia will know that there is absolutely no restraint or inhibition on its action. The consequences of that would be devastating.

My hon. Friend the Member for Halifax (Mrs. Mahon) said that the Macedonian people were not in favour of the action, but the Macedonian Government have supported our position. People in that area know the consequences of letting the whole region slip back into total chaos.

Mr. John Austin (Erith and Thamesmead): The Prime Minister has set out very clearly the consequences of non-action, and the possibility of a wider Balkan conflict. He also referred to dialogue. Is he aware that, while Holbrooke was in dialogue with Milosevic yesterday and today, the bombing and burning of villages continued? Does he agree that the time for appeasement has plainly ended?

Will the Prime Minister consider again whether Serbia has forfeited any right that it may have claimed to govern the people of Kosovo? Will he also give further consideration to the declaration of a United Nations protectorate of Kosovo, to shield it from further Serbian aggression?

The Prime Minister: I entirely share my hon. Friend's sentiments about the bombing and burning that continue. As for the declaration of a UN protectorate, I have said what I have said.

The Kosovar Albanians have indicated that they can accept the accords negotiated at Rambouillet. If the Serbs would only accept them too, we could put the process of agreement back on track. As my hon. Friend rightly said, however, our immediate aim must be to stop the unacceptable repression of the people.

Age (Prevention of Discrimination)

4.24 pm

Mr. Robert Maclennan (Caithness, Sutherland and Easter Ross): I beg to move,

That leave be given to bring in a Bill to prevent discrimination in employment and in other matters on grounds of age.

We serve as Members of the House of Commons without limit of age; our capacity to do so is measured by other yardsticks. That is an unusual position in Britain today. Increasingly, older workers are being forced out of their jobs well before they reach the official retirement ages of 60 and 65, and they are unlikely to find new employment once they are into their 50s. All parties in the House recognise the need to prevent discrimination in employment against older people.

Today, people in the United Kingdom understand that to refuse someone a job because they are black or a woman is wrong. Tomorrow, they must see that it is wrong to refuse an applicant a job merely because of his or her age. Such discrimination can be devastating and humiliating to those who suffer from it. After half a lifetime of work and achievement, they are told that they are good for nothing.

What are the facts? The Employers Forum on Age estimates that, today, of 9.3 million people aged between 50 and 65 in the United Kingdom, some 3.7 million are not in work. Most of them—3.4 million people—are classified as economically inactive, which is to say that they are neither available for nor seeking work.

Men aged between 50 and 65 are disappearing from businesses in Britain. In 1976, only 11 per cent. of men of that age were inactive; today, the figure is 27 per cent. That is causing huge damage to our country's economy in lost output of goods and services. Costly training, acquired skills and valuable experience are all being wasted. Taxpayers are becoming tax takers. It is a shocking waste of energy and talent, and it is getting worse. In the past 20 years, the figures for unemployed older people have doubled. In a society in which the proportion of older people is steadily rising, that must cause great concern.

Some economic simpletons fantasise that if we give work to the old, we take it away from the young. The idea is false. It is nonsense to say that there is a finite apple pie of work, and that if we give a larger slice of it to older people, there will be a smaller slice for the young. As economies grow, so do the number of jobs. From 1975 to 1995, employment in the United States, Canada and Australia has risen by more than 40 per cent., and the jobs in those places have not all gone to younger people.

The House must take up both the carrot and the cudgel of persuasion. We have, so far, preferred the carrot. The Conservative Administration relied on road shows and pamphlets to chivvy employers into taking on older workers. The current Government are publishing a non-statutory code of practice. Equal Rights on Age—the umbrella campaigning group, which includes Members of Parliament and charities—points out that the code will be without teeth. John Monks, the general secretary of the Trades Union Congress, has also predicted that a voluntary code will be largely ineffective.

Exhortation has certainly not proved itself. The Government's pilot scheme is called new deal for older workers, and it may be shown to be helpful. The approach, however, will not eliminate the problem of discrimination.

I listened with mixed feelings to the passage in the Chancellor's Budget speech on helping older citizens back to work. I am pleased that the Government are aware of the problem, and "£9,000 guaranteed" has a nice ring to it. However, what if one cannot get a job? What if, even after the £750 towards retraining, no employer is willing to let one prove one's worth? The £9,000 will remain beyond reach.

The Government's incorporation of the European convention on human rights will help to cut out the cancer of discrimination from public bodies, but age is not specifically mentioned in the relevant article—article 14. It is true that article 6a of the treaty of Amsterdam condemns discrimination on grounds of age. Nevertheless, the convention and the treaty make no demands on the private sector—which is why we need legislation.

Although we have legislation outlawing discrimination, it may be pointed out that women and ethnic minorities are still fighting to secure the same chances of employment as white men. However, such laws do provide remedies for the victims. They edge forward compliance with society's accepted standards and contribute to changing perceptions of what is appropriate practice by employers. The United States has had an Act preventing discrimination against older workers since 1967, and amendments have widened it to cover both private and public sector workers over the age of 40.

The House will understand that we cannot directly and easily use the experience of other countries to illuminate conditions here, but research shows that job losses in the United States from the delayering of businesses—as it was called in the 1980s—were more evenly spread across age groups than in this country. Research cited in the *Employment Gazette* shows that legislation can get

"employers to reconsider job evaluations and descriptions and to use objective rather than arbitrary age criteria."

The Bill would introduce a framework law to prevent discrimination in employment, redundancy and promotion on the ground of age. The civil law would enable instances of discrimination to be brought to court and made subject to civil penalties, or taken to an industrial tribunal if preferred. A commission would be appointed to help older citizens to know and secure their rights. When the time was right, it would merge into a single equality commission, similar to the body being created in Northern Ireland.

If we are to create a society in which the potential and energy of all our citizens can bear fruit, we must outlaw discrimination against older citizens now.

4.31 pm

Mr. Eric Forth (Bromley and Chislehurst): We have just heard a seductive argument—such arguments usually are—but before accepting it, we should pause for a moment to explore the possible implications. I thought that we were going to hear that because something happened in the United States, it must be rather good and we should copy it. I often find that argument seductive and persuasive, but the right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan) held back from that, although the fact that he cited the United States as a precedent gives me pause for thought.

While the right hon. Gentleman was speaking, I was wondering how such a measure would work in practice. Open and honest as ever, he gave the answer, which gave

me pause for thought. Leaving aside whether legislation against discrimination succeeds in changing attitudes, it inevitably involves all the factors that the right hon. Gentleman mentioned: a commission, a framework law, civil law, the courts and civil penalties. Now we know what we are talking about—the familiar phenomenon of a bureaucracy. The discrimination industry was set up with the best of intentions, but it has burgeoned into large bureaucratic bodies that are a burden on the taxpayer and eventually a burden on business.

Let us make no mistake about the fact that we are talking about a burden on business. As business knows to its cost—though not necessarily to the cost of us in this House—whenever such proposals are brought forward by well-intentioned politicians, they immediately involve others in the bureaucracy, paid for by taxpayers' money, then the framework law, the civil law, the courts and civil penalties. Then there is mention of resort to tribunals. That is a controversial subject. How far are we prepared to introduce the possibility of resort to tribunals in addition to the courts and legal action, with the taxpayer-funded bureaucracy behind it?

The Bill would add yet another layer to the bureaucracy that exists in an attempt to overcome racial or gender prejudice. Another prejudice has been identified that must be tackled by the bureaucracy, paid for by the taxpayer, and pursued through tribunals or courts of law. That ends up as a penalty on business.

Mr. David Winnick (Walsall, North): Why not?

Mr. Forth: I am about to say why not. We must face the fact that the proposals are not a cost-free option. First, there is a cost to the taxpayer at large. I do not suppose that the hon. Member for Walsall, North (Mr. Winnick) will be too worried about that as he supports a taxing Government. I suspect that he and many of his hon. Friends feel comfortable with the concept of additional tax burdens. They may not be ready to admit it yet, but it is increasingly understood.

Secondly, it is a burden on business—usually on small businesses, as they tend to be taken to tribunals where they have to spend time defending themselves and then pay for redress. Therefore, such a measure will certainly not be cost free. Whatever its positive benefits—and I very much doubt them—I doubt whether many mature people would get jobs as a result of the bureaucracy, the framework of law, the civil actions, and the additional taxes and imposts on business that would result.

The risk of such an approach is that, by adding costs and burdens to business, we might jeopardize other people's jobs—indeed, they might be older people. The right hon. Member for Caithness, Sutherland and Easter Ross said that very often these days, the older age group is first at risk if there is a squeeze on employment. Therefore, there is the possibility—I put it no higher than that—of a paradox arising of the very people whom the measure is intended to help being the first to suffer from its effects.

I hope that we will think long and hard before we go down this route too quickly because we really must examine all the implications, downsides, penalties and risks for what are not certain, but arguable benefits. I have tried briefly to identify the costs, penalties and difficulties. Even the right hon. Gentleman, in his more optimistic moments, might admit that the benefits of such a measure are at the very least doubtful. They are definitely not certain. I have the very gravest doubts about the measure and I hope that it will be considered in great detail before it proceeds further. I also hope that the House will be alerted to the likely possibility of its negative effects as well as its possible benefits.

Question put and agreed to.

Bill ordered to be brought in by Mr. Robert Maclennan, Mr. David Atkinson, Dr. Roger Berry, Dr. Vincent Cable, Mr. Don Foster, Mrs. Linda Gilroy, Dr. Evan Harris, Ms Linda Perham, Mr. Andrew Rowe and Angela Smith.

AGE (PREVENTION OF DISCRIMINATION)

Mr. Robert Maclennan accordingly presented a Bill to prevent discrimination in employment and in other matters on grounds of age: And the same was read the First time; and ordered to be read a Second time on Friday 23 April, and to be printed [Bill 69].

Point of Order

4.38 pm

Mr. Harry Barnes (North-East Derbyshire): On a point of order, Mr. Deputy Speaker. Today in the *Daily Mirror* there is a report about Anita Froggatt, who is a constituent of mine. She had a breast removed at the Chesterfield and North Derbyshire royal hospital. The operation turned out to have been an error. It has emerged that the consultant pathologist, who has now been suspended, was also involved in a previous case. As this has implications generally for breast screening and treatment throughout the national health service, have you had any indication from the Secretary of State for Health that he will be making a statement on the matter?

Mr. Deputy Speaker (Sir Alan Haselhurst): As the hon. Gentleman has a great deal of experience of the House, he will know that that is not strictly a point of order for the Chair, although these issues raise wider concerns. The answer to his question is no. There has been no such request.

Local Government Bill *[Money]* (No. 2)

Queen's recommendation having been signified—

Motion made, and Question proposed,

That, for the purposes of any Act resulting from the Local Government Bill, it is expedient to authorise the payment out of money provided by Parliament of any expenditure incurred by the Secretary of State in making grants to the Audit Commission for Local Authorities and the National Health Service in England and Wales.—*[Jane Kennedy.]*

4.40 pm

Mr. Andrew Lansley (South Cambridgeshire): As ever with a money resolution, I am sorry that the Minister did not rise to move it. Therefore, it falls to me to explain why we have the money resolution at all. We have it because the Government have tabled amendment No. 12, the purpose of which is to give the Secretary of State powers to make grants to the Audit Commission in respect of local authorities and the national health service in England and Wales.

Mr. Eric Forth (Bromley and Chislehurst): Has my hon. Friend, uncharacteristically, made a mistake? He suggests that we are debating a money resolution before an amendment has been considered, or even passed, by the House. Has he got this the wrong way round? Is he saying that we are being asked to consider, debate and—presumably—approve a money resolution before the amendment that gives rise to it has even been considered?

Mr. Lansley: My right hon. Friend's knowledge of these matters—from his years of service in the House—will doubtless be greater than mine. The Bill has had the benefit of a money resolution earlier, but a second money resolution is now required because the Government have tabled an amendment that, if it is agreed to on Report, will give an additional power to the Secretary of State to make grants to the Audit Commission—a power that was not in the Bill beforehand. Therefore, the preceding money resolution did not encompass such a power.

My right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) chides me for being wrong, but I think that I am right. The Government are proposing that the House should vote on a money resolution and then debate for the first time, by way of amendment No. 12, whether it is expedient for the Secretary of State to have such a power to make grants to the Audit Commission. While my right hon. Friend thinks about that, I will state what I see as some of the difficulties that might ensue from such a money resolution.

First, it is not a small change in the character of the money resolution—and it may well not be small change in monetary terms, either. Sometimes a change of this kind might be a small matter, in that the Bill is an expenditure Bill and the money resolution is simply to make sure that grants can be paid to a particular authority, rather than another. However, the change in the character of this money resolution is substantial.

As I understand it, the previous expectation of the effect of the Bill was that it would reduce public expenditure, rather than increase it. Essentially, the previous money resolution would have been based on explanatory notes published alongside the Bill, which foresaw three effects on the public finances. The first was that the Government

proposed that continuous improvement in the efficiency, effectiveness and economy of local authorities through best value would lead to a significant cost saving. That is a debatable point—and I am sure, Mr. Deputy Speaker, that you would stop me if I were to debate that at length.

It is clear from the way in which some local authorities have responded to best value that they are more concerned with finding ways, through consultation, to justify increases in expenditure on services, rather than finding ways through best value of reducing such expenditure.

The second aspect relates to the compliance costs of local authorities. It is anticipated in the explanatory notes that such compliance costs will be encompassed within existing budgets, and will not therefore lead to an increase in total expenditure. The Minister may be aware, because of the Labour control of Brighton and Hove council, that the costs involved for that council are £180,000. If one extrapolates that to other local authorities, one is looking at potentially millions of pounds within local authorities.

The third example relates to costs for central Government, but there is no mention in the explanatory notes of any costs arising for central Government. Only the capping powers, which will control the total expenditure of local government to some extent, are mentioned.

The money resolution proposes for the first time an increase in central Government costs arising directly from the Bill. I was not a member of the Standing Committee, so I come to these matters relatively new—although I believe I spoke on Second Reading—but I get the impression that the Government are acknowledging at a very late stage that costs will arise and that they will need to make additional grants to compensate the Audit Commission for its extra activities as the inspection authority. As I understand it, Ministers resisted that notion in Committee.

The Minister for Local Government and Housing (Ms Hilary Armstrong): We recognised it in new clause 5.

Sir Paul Beresford (Mole Valley): New clause 5, which is now clause 12, adds to the complications. A scale of fees will be set, but there is no upper limit and the Bill merely requires discussion. The answers that we got in Committee were inadequate, to put it mildly. I strongly support my hon. Friend in seeking an explanation before we even consider the resolution.

Mr. Lansley: In his usual perceptive way, my hon. Friend has come precisely to my next point. It is perfectly clear that clause 12 provides a requirement on local authorities to pay the Audit Commission fees for inspections. What are the additional costs to the Audit Commission that will not be recovered by way of fees and need to be the subject of a central Government grant?

Normally, we debate a money resolution in the light of explanatory notes that offer some guidance about the expenditure to be incurred, but there is no such guidance in this case. In particular, we do not know how much of the cost will arise from inspections not covered by fees and how much will relate to other activities undertaken by the Audit Commission on behalf of the Government.

The money resolution may be inadequate, because inspection of best value will not be a function that is confined to the Audit Commission. New clause 4 refers to a whole range of inspection authorities—including the inspectorates of fire services, schools, police and social services—that will need to co-ordinate their activities with the Audit Commission.

My understanding—I hope that the Minister will not disabuse me of it, as that would negate many of the purposes of the best value process—is that many of those inspection authorities will also incur costs in implementing best value, which they will not necessarily be able to recover through fees under clause 12, because the power does not extend to them. Should not the costs that they are likely to incur be the subject of grant-making powers on the part of the Secretary of State?

A large part of the Bill is devoted to the circumstances under which the Secretary of State can intervene in respect of a failing authority. The Secretary of State can exercise those functions, or can do so through a nominated person. The Bill does not make clear, however, the extent to which the Secretary of State is able wholly to meet his costs or those of any nominated person through charges levied on the local authority that is subject to an intervention. That is not explained in the Bill or in the explanatory notes.

If costs will not be wholly met, they will arise for central Government, and may arise for persons nominated by the Secretary of State to intervene in a local authority that is failing in the exercise of a specific function. There may, therefore, be public expenditure that is not allowed for—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. The hon. Gentleman is enlarging his argument beyond the narrow terms of the money resolution. He must relate his remarks to likely expenditure incurred by the Audit Commission.

Mr. Lansley: I am grateful, Mr. Deputy Speaker, you are quite right. I was talking about what I see as a deficiency in the two money resolutions on the Bill. They may not correctly anticipate where expenditure will arise, or provide adequately for the Secretary of State to incur expenditure as a consequence of the Bill. I seek guidance, Mr. Deputy Speaker, on whether it is in order to speak further on that matter.

Mr. Deputy Speaker: Order. I hope that the hon. Gentleman will not repeat the part of his speech that I have ruled out of order.

Mr. Lansley: Thank you, Mr. Deputy Speaker. As you have correctly brought me to order, I shall not elaborate on the point.

It seems remiss of the Government to introduce money resolutions without telling us how much money is involved and without offering guidance in the explanatory notes. In my limited experience of these matters, money resolutions are not necessarily debated, but that is often because expected costs are set out in detail in the explanatory notes.

The Bill, however, gives grant-making powers in respect of the Audit Commission without any indication of what costs will arise or what they are intended to defray. Is the Audit Commission to receive the costs of undertaking best value inspection in local authorities, or will it be compensated by the Secretary of State for

[Mr. Lansley]

intervening in local authorities—or for any other matter—on his behalf? Neither the money resolution nor the explanatory notes sets out the maximum level of costs likely to be incurred.

Money resolutions are not normally contentious, but the Government have begun today's proceedings badly by tabling a late amendment that has given rise to a new money resolution. They have not provided the House with the information necessary to reach a decision on the resolution.

4.53 pm

Mr. Eric Forth (Bromley and Chislehurst): I echo and reinforce the sentiments expressed by my hon. Friend the Member for South Cambridgeshire (Mr. Lansley). Ministers seem, individually and collectively, to be slow learners. They must know by now that it would help the House—and even, occasionally, foreshorten debate; I do not think that is desirable, but some people wish it—if they did the House the courtesy of speaking to their money resolutions.

It matters not whether the resolution has to do with a private Member's Bill—I take an occasional interest in such matters—or a Bill of the Government's own. Money resolutions are an important part of our proceedings. Bizarrely, however, and time and time again, money resolutions appear on the Order Paper but there is silence from the Government. The House is presumably expected either to pass the resolutions on the nod without scrutinising them, or to wander around in something of a speculative fog, awaiting some explanation from a Minister.

I do not for one moment suggest that my hon. Friend the Member for South Cambridgeshire was in a speculative fog. I thought his analysis as sharp and clear as ever it is, given the lack of information offered to him and to the House. I must, perforce—though not at length, as more of my hon. Friends may have questions of their own—speculate a little myself.

Like my hon. Friend the Member for South Cambridgeshire, I did not have the privilege and pleasure of serving in Committee, so I come to the issues with a fresh mind—even, one might say, a delightfully innocent mind—and not one with well formed views. My mind is open to being moulded and persuaded by the Minister about the virtues of the money resolution.

I have picked up enough information from my hon. Friends to realise that the basis for the money resolution is clauses 10 to 13 of the Bill, which set out the responsibilities laid on the Audit Commission in the policing of the best value concept. That much I understand, but then I get confused. As my hon. Friend the Member for South Cambridgeshire pointed out, amendment No. 12—to which we shall come later—repeats the provisions in relation to the Audit Commission and the National Assembly for Wales. However, my hon. Friend did not mention amendment No. 19 which provides that

"The Audit Commission may delegate . . . its functions . . . to . . . a committee or sub-committee established by the Commission (including a committee or sub committee including persons who are not members of the Commission), or . . . an officer or servant of the Commission".

I assume that that means that it is possible that activities of the Audit Commission that go beyond those originally envisaged by the Bill could—and almost certainly will—involve additional expenditure. That may be one of the reasons why the Government have had to table another money resolution. Colleagues more expert than myself may elucidate the possibility that, for the first time, persons who are not members of the Audit Commission would be part of committees or sub-committees to fulfil the responsibilities laid on it by the Bill. That is new territory for the Audit Commission, its structure and activities and I can see why the Government have had to table another money resolution to support the amendments, although—paradoxically—they are not yet part of the Bill.

What would happen if we were to approve the money resolution now but did not approve one or more of the amendments later? We would be in a peculiar position. Having said, perhaps reluctantly, to the Government, "All right, we accept that more money is needed, but we do not agree with the reason why more money is needed", would the Government return with what might be called a negative money resolution—

Mr. Deputy Speaker: Order. That is a procedural difficulty that we will address if we have to. We can discuss at present, in anticipation of the new clause that the House is greatly looking forward to discussing, only the narrow scope of the extent to which expenditure may occur as a result of the Audit Commission having those powers.

Mr. Forth: I am grateful, Mr. Deputy Speaker, but it puts us in an odd position, as you may agree. We would have been saved all this trouble if the Minister had elegantly and succinctly told us, at the beginning, what the money resolution was all about. I have no doubt that she would have been able to persuade us quickly, but as it is we must ask the questions and wait for the answers.

5 pm

Sir Paul Beresford (Mole Valley): I was a member of the Standing Committee and I also spoke on Second Reading, when considerable concern was expressed, especially by those of us who realise the difficulties that local government may face in respect of the expenditure that will result from the Bill. The greatest concern was about the expenditure that would be landed on local authorities by the Audit Commission and the auditors. It is worth touching on the peculiar relationship between the Audit Commission and the auditors in that it involves pay and rations but limited control. There were distinct concerns about the load that the Bill would put on local government and about the fact that there seemed to be no form of restriction or hold.

It must be a relief to local authorities that the money resolution has been introduced, because it seems that some of the expenditure will be drawn away from them. However, we have had no explanation of that, and there has been no anticipation of the size of that expenditure. If one wants to get a sense of the size of expenditure involved, one needs only to look at the recent activity of the auditor for Westminster council. After his investigation, local council tax payers were charged between £3 million and £4 million. If that amount were extrapolated—I realise that it would be an exaggeration

or even if half the amount were extrapolated across all the sizeable local authorities in the country, the expenditure would be enormous.

The debate on the money resolution came as a surprise to many of us, because we did not know about it until we saw today's Order Paper. We have no idea what the resolution applies to; we have been given no idea of what the total expenditure might be, nor of how great a load it will remove from local government. We do not know whether there will be any hold or restrictions on the amount of the expenditure and, if there are to be such restrictions, who will hold the reins. Is this to be one of those measures where the Secretary of State offers a broad-brush approach, saying, "Yes, I will pay", but that when we consider the secondary legislation that may or may not apply? We have yet to consider some of that legislation. Is the answer to be "yes, if and but", but, at the end of the day, local government will still pick up the tab? As my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) said, we have been landed with this resolution; there is to be a formal nod instead of an explanation. The least that we can expect is a full and clear explanation from the Minister.

5.2 pm

Mr. Bernard Jenkin (North Essex): The money resolution arises from an intention expressed by the Minister in Standing Committee. When we discussed fees, she said:

Ms Armstrong: It has all been explained before.

Mr. Jenkin: The right hon. Lady is now saying from a sedentary position that it has all been explained before, but, as she well knows, a large number of hon. Members—

Mr. Deputy Speaker: Order. I apologise for interrupting the hon. Gentleman. If the Minister wants to contribute to the debate, she should do so from the Dispatch Box and not from a sedentary position.

Mr. Jenkin: I should be delighted if the right hon. Lady would explain the matter, because many hon. Members were not members of the Standing Committee. In Standing Committee, she said:

"We expect best value to lead to efficiency savings of 2 per cent. per year in each authority, which more than outweighs any additional costs arising from audit inspection arrangements."

She was obviously talking about global figures and the assumption on which the Bill was drafted was obviously that no additional expenditure from central Government would be necessary in terms of grants to the Audit Commission to cover its expenses.

The right hon. Lady continued:

"Additional funding to meet the cost of inspections will come from the revenue support grant or from a direct grant to the commission, and we intend to table a Government amendment to make provision for it." [*Official Report, Standing Committee B*, 9 February 1999, c. 238.]

However, the very fact that the matter is being introduced as an amendment at this late stage in the Bill's proceedings is a confirmation that the Government had not considered that the construction of the Bill would have implications for how it is likely to operate vis-a-vis local authorities. The right hon. Lady gave the Standing Committee various figures for the cost implications. It would at the least be a courtesy to the House if she explained the cost implications of the money resolution. Obviously, the Audit Commission has a budget of its own, but will the Minister explain the financial implications, in millions of pounds, of approving the money resolution, so that we have some idea of the cost consequences of the Bill? There is plenty of time remaining for the Minister's reply.

5.5 pm

Mr. Oliver Letwin (West Dorset): I had not intended to speak in this debate, but came to participate in the later debate on the various new clauses and amendments to the Bill, for which the House anxiously awaits. However, my hon. Friends, especially my hon. Friend the Member for South Cambridgeshire (Mr. Lansley), have pointed out a major constitutional issue that arises from this money resolution. The reason why we have money resolutions is an interesting question. After all, it would have been perfectly possible, over time, for our predecessors to have so arranged matters—

Mr. Deputy Speaker: Order. It may indeed be fascinating to discuss why we have money resolutions, but if he is to keep in order the hon. Gentleman must address the particular money resolution before the House and the question of expenditure that may be incurred by the Audit Commission.

Mr. Letwin: Indeed, Mr. Deputy Speaker. I was coming to that precise point. The purpose of money resolutions is to draw to the attention of the House the purposes for which money is to be spent and the fact that money is to be spent; otherwise, it would be possible to avoid having money resolutions.

As my hon. Friends have made clear, it is not possible for the House sensibly to discuss whether the money to be spent—in this case, on the Audit Commission—is the right amount of money, or whether money should be spent at all, without having some prior explanation. My hon. Friend the Member for South Cambridgeshire made it admirably clear that the Minister and her colleagues were intending that the money resolution should go through on the nod. That would be perfectly appropriate, had the House understood what was going through on the nod from the explanatory notes that would normally have been provided. Mr. Deputy Speaker, I hope you will not rule me out of order if I make a slight aside.

Mr. Forth: Will my hon. Friend give way?

Mr. Letwin: Of course.

Mr. Forth: Is my hon. Friend endorsing the concept of something being considered and approved by the House, to use his words, on the nod, if a written explanation has previously been given? Is he seriously suggesting that Members of Parliament should play no part by reading and absorbing the written material and asking questions about it?

Mr. Letwin: I was about to say, in an aside that I hoped you, Mr. Deputy Speaker, would think was in order,

[Mr. Letwin]

that I have some reservations about that general practice. However, it would have been within the normal conventions of the House if the money resolution went through on the nod, had it been understood what the money resolution was about; but for Ministers to move a money resolution and expect it to go through on the nod without that sort of explanation is to subvert the nature of money resolutions as a whole.

I hope that this debate will have not only brought to the attention of the Minister for Local Government and Housing the immediate importance of explaining this particular money resolution, but reminded the Government as a whole of the future importance of ensuring that, when a money resolution is moved and the House has not had previous notice of its contents or of the sum involved—if I understood my hon. Friend the Member for Mole Valley (Sir P. Beresford) correctly, that sum could run into hundreds of millions of pounds—it is incumbent on the Minister to begin the debate by making a full statement and explaining to the House what is involved. Otherwise, there is no purpose in having money resolutions.

Our predecessors did not invent money resolutions purely for the purpose of amusing themselves, their successors, or any members of the media who may be observing the proceedings. They are here for a serious purpose, which is to bring to the attention of the House the sums involved so that they can be discussed and their appropriateness properly weighed. That was not done in this case, so I hope that the Minister will now give a full explanation.

I also hope that the right hon. Lady will take back to her Department and to the Treasury the message that we shall pursue the strategy of exposing to maximum debate any money resolution that has not been previously explained and for which the Minister does not come forward with a clear statement at the start of the debate. If Ministers do that, we shall all be spared the tedium of making speeches repeating that point, and the constitutional arrangements that our predecessors so splendidly gave us will be justified and followed in the spirit in which they were intended to be followed.

5.10 pm

The Minister for Local Government and Housing (Ms Hilary Armstrong): This has been an interesting debate. We might take the implications raised by the hon. Member for West Dorset (Mr. Letwin) more seriously if he and his hon. Friends had not briefed the media this afternoon about their disruptive tactics—but there we go.

Opposition Members have a view about how the House should address local government issues, and I am interested in that view. I am pleased to explain to the House precisely why this money resolution is required. I was taught that we should pay attention to all parliamentary proceedings—both on the Floor of the House and in Committee. If some of the hon. Members who have spoken had read the Committee's deliberations—not just that part referred to by the hon. Member for North Essex (Mr. Jenkin)—they would have found a full explanation of the way in which we approach such matters. The question asked by the hon. Member for South Cambridgeshire (Mr. Lansley) was answered in Committee, but I know that he intended to speak today, come what may. However, that takes a little of the gloss off his contribution—and we must ensure that everyone knows it.

The Secretary of State for the Environment, Transport and the Regions, who is responsible for this legislation, is not responsible for Ofsted, the social services inspectorate or for Her Majesty's inspectorate of constabulary. As the hon. Gentleman knows, the money resolutions relating to those inspectorates are matters for the Departments concerned. A money resolution is required so that funds can be made available from Parliament in respect of the provisions set out in clause 31. Clause 31 provides that where the Bill, by virtue of any provisions within it that have financial implications, leads to the Secretary of State's paying increased sums under other enactments—

Mr. Lansley: Perhaps the Minister will accuse me of misunderstanding again, but how can she say that this money resolution relates only to the Audit Commission because the Secretary of State for the Environment, Transport and the Regions has responsibility only for that body when it is a Government money resolution? If the Government intend, through this Bill, to allow expenditure to be incurred by Ofsted or by Her Majesty's inspectorate of constabulary, that can be included in the money resolution. If such expenditure is planned, why does it not say so in the money resolution?

Ms Armstrong: The money that Ofsted, the SSI and Her Majesty's Chief Inspector of Schools, Wales need is catered for in the legislation that established and govern those institutions. The clause relates to the ability of the Audit Commission to work effectively with those organisations. *[Interruption.]* I wish to goodness that the hon. Member for South Cambridgeshire would stop winking; this is a serious business. *[Interruption.]* Opposition Members seek a serious response but they treat this issue as if it were a joke. It is public schoolboy humour yet again. I wish that they would grow up.

Clause 31 provides that where the Bill, by virtue of any provisions within it that have financial implications, leads to the Secretary of State's paying increased sums under other enactments, moneys shall be made available from Parliament to meet such increases. It also provides that any costs that the Secretary of State incurs in discharging his functions under the Bill should be met by Parliament.

I hope that the right hon. Member for Bromley and Chislehurst (Mr. Forth)—I was about to call him the hon. Member for Mid-Worcestershire, but the right hon. Gentleman has changed his constituency—now understands the measure. He asked me to attempt to mould his mind, but that would defy anyone. I have heard of his exploits at Glasgow university, where Elvis Presley was his hero and he was the magnificent leader of a tribe of rockers or teddy boys. We look forward to him displaying his teddy boy behaviour today.

Clause 31, however, happens to be important in a number of practical ways. It will allow, for instance, for the provision of funds to best value authorities to meet any new costs in fees for best value inspections which they incur under the Bill. It will also be used to ensure that where best value inspections are funded by central Government grant, moneys can be paid to the Audit Commission for that purpose. It will also allow for the

Secretary of State to be reimbursed for costs that he incurs, for example, by using his intervention powers. Those are three practical, important examples of why the money resolution is important.

Sir Paul Beresford: I thank the right hon. Lady for giving way now that she is getting to the facts instead of throwing brickbats that have nothing to do with the resolution. I welcome the fact that she is moving more funds to local government to help councils with proposals that they anticipate will require heavy expenditure, but has she any idea of the costs involved? Will she give us ballpark figures? Is there any way in which the Secretary of State will be able to impose limitations on that expenditure, such as an annual ceiling imposed by order or a percentage-based ceiling?

Ms Armstrong: I cannot, in all honesty, give the hon. Gentleman the figures that he seeks. If I attempted to do so, he would say that they were not believable because we are not in a position to give them. In the same way that we and the previous Government negotiated with local government and the Audit Commission, we shall make the figures clear, and we are discussing with the Audit Commission its expectations of those figures. As the hon. Gentleman has implied, we would need regularly to revise those figures. I assure him that we intend to make public those agreements and to apply the principles of best value to any money involved.

Mr. Jenkin: I am now extremely confused because in Committee, on 9 February, in answer to my question, the Minister said:

"We anticipate that the annual costs of a strengthened audit and inspection framework will be in the order of an additional £50 million a year, once the best value framework is fully operational."

When asked by my right hon. Friend the Member for Skipton and Ripon (Mr. Curry) what that £50 million refers to, she replied:

"We took account of that in the comprehensive spending review."—[*Official Report, Standing Committee B*, 9 February 1999; c. 243.]

However, we still do not know what that £50 million refers to, and I am sure that if the Minister takes this opportunity to clarify that point, the House will be grateful.

Ms Armstrong: We made clear in Committee precisely what we believe the increased costs will be, but we have not yet agreed the exact balance between the Audit Commission and local government, and we know that it may have to vary in particular circumstances. We want to introduce clear guidelines so that the House and people outside will know what is happening year by year. I honestly cannot give anyone those figures today, and I hope that the hon. Gentleman will acknowledge that I have always tried to be absolutely straight with hon. Members.

It is important that there is a balance between the amount of central Government grant and the amount to be contributed by local government. We discussed that fully in Committee. We discussed the importance of a balance that enabled both elements to be part of the settlement. That is how we intend to proceed.

Clause 31 will enable the introduction of the duty of best value in such a way as to avoid penalising best value authorities in terms of the financial resources available to them. It will also ensure that the Secretary of State has the resources that he needs properly to discharge his functions in accordance with best value. All parties will therefore be able to meet their legal obligations without fear of suffering financial disadvantage.

Question put:—

The House divided: Ayes 345, Noes 39.

Division No. 125] **[5.21 pm**

AYES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allan, Richard
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Atkins, Charlotte
Austin, John
Ballard, Jackie
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Beith, Rt Hon A J
Bell, Stuart *(Middlesbrough)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom
Brand, Dr Peter
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Burstow, Paul
Butler, Mrs Christine
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corston, Ms Jean
Cotter, Brian
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Edward *(Kingston)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fearn, Ronnie
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Andrew *(St Ives)*
Gerrard, Neil
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin

Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harvey, Nick
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Hesford, Stephen
Hewitt, Ms Patricia
Hodge, Ms Margaret
Hoey, Kate
Hoon, Geoffrey
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Keetch, Paul
Kemp, Fraser
Kennedy, Charles *(Ross Skye)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kirkwood, Archy
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Livingstone, Ken
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Maclennan, Rt Hon Robert
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheffld Heeley)*
Miller, Andrew
Mitchell, Austin
Moonie, Dr Lewis
Moore, Michael
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
Oaten, Mark
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Opik, Lembit
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Rendel, David
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheldon, Rt Hon Robert
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stott, Roger
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dan *(Stockton S)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Twigg, Derek *(Halton)*
Vaz, Keith
Ward, Ms Claire
Wareing, Robert N
Watts, David
Webb, Steve
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Willis, Phil
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woolas, Phil
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Keith Hill and
Mr. David Jamieson.

NOES

Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baldry, Tony
Bercow, John
Blunt, Crispin
Body, Sir Richard
Bottomley, Peter *(Worthing W)*
Brady, Graham
Bruce, Ian *(S Dorset)*
Chapman, Sir Sydney *(Chipping Barnet)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Colvin, Michael
Fabricant, Michael
Flight, Howard
Gorman, Mrs Teresa
Gray, James
Greenway, John
Greve, Dominic
Hawkins, Nick
Hayes, John
Horam, John
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Johnson Smith, Rt Hon Sir Geoffrey
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Lewis, Dr Julian *(New Forest E)*
Lloyd, Rt Hon Sir Peter *(Fareham)*
Mates, Michael
Page, Richard
Randall, John
Robertson, Laurence *(Tewk'bry)*
Soames, Nicholas
Taylor, Ian *(Esher & Walton)*
Viggers, Peter
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim

Tellers for the Noes:
Mr. Eric Forth and
Mr. David Wilshire.

Question accordingly agreed to.

Resolved,

That, for the purposes of any Act resulting from the Local Government Bill, it is expedient to authorise the payment out of money provided by Parliament of any expenditure incurred by the Secretary of State in making grants to the Audit Commission for Local Authorities and the National Health Service in England and Wales.

Orders of the Day

Local Government Bill

As amended in the Standing Committee, considered.

New Clause 4

COORDINATION OF INSPECTIONS, &C.

'(1) In arranging for or carrying out—

(a) inspections of best value authorities, or

(b) inquiries or investigations in relation to best value authorities,

a person or body to whom this section applies shall have regard to any guidance issued by the Secretary of State for the purposes of securing the coordination of different kinds of inspection, inquiry and investigation.

(2) This section applies to

(a) the Audit Commission,

(b) an inspector, assistant inspector or other officer appointed under section 24(1) of the Fire Services Act 1947 (inspectors of fire brigades),

(c) Her Majesty's Chief Inspector of Schools in England,

(d) Her Majesty's Chief Inspector of Schools in Wales,

(e) a person carrying out an inquiry under section 7C of the Local Authority Social Services Act 1970 (inquiries),

(f) a person carrying out an inspection under section 48 of the National Health Service and Community Care Act 1990 (inspection of premises used for provision of community care services),

(g) a person conducting an inspection under section 80 of the Children Act 1989 (inspection of children's homes, &c.) or an inquiry under section 81 of that Act (inquiries in relation to children),

(h) a person authorised under section 139A(1) of the Social Security Administration Act 1992 (reports on administration of housing benefit and council tax benefit),

(i) an inspector appointed under section 54 of the Police Act 1996 (inspectors of constabulary).

(3) The Secretary of State may by order provide for this section to apply to a person or body specified in the order.' *[Mr. Jon Owen Jones.]*

Brought up, and read the First time.

5.33 pm

The Parliamentary Under-Secretary of State for Wales (Mr. Jon Owen Jones): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Sir Alan Haselhurst): With this, it will be convenient to discuss the following amendments: No. 95, in clause 12, page 9, line 11, after '(2)', insert

'except that if larger, any excess shall be limited to 10 per cent. of the appropriate scale fee.'

Government amendments Nos. 7, 19 to 24, 10, 11, 25 and 12.

Mr. Jones: This group contains Government amendments, with the exception of amendment No. 95. New clause 4 and amendments Nos. 95 and 7 relate to the inspection side of best value. Inspection will be an important tool in ensuring that authorities meet their duty of best value.

The Bill gives the Audit Commission new powers to cover areas for which there is no inspection function at present. The commission will work alongside the existing specialist inspectorates—the office of Her Majesty's Chief Inspector of Schools, Wales and the Office for Standards in Education, its English counterpart; Her Majesty's inspectorate of fire services; Her Majesty's inspectorate of constabulary, the social services inspectorate and the benefit fraud inspectorate. All those bodies will need to work with one another, and with the commission, to ensure that the overall inspection system operates smoothly and efficiently. The new clause will ensure that that happens.

Our preferred approach is to build on the voluntary and professional co-operation that already exists between inspectorates. A new inspectorate forum in England and a separate one in Wales will be established, with all the relevant inspectorates as members. The forums will discuss matters of common interest such as methodologies for joint working and, where relevant, programming of inspections. They will facilitate the inspection of cross-cutting themes to respond to the way in which an authority carries out its fundamental performance reviews to meet local priorities. They will also provide a channel of communication between both inspectorates and other interested parties, including the inspected bodies and central Government. A central objective will be to seek to avoid unnecessary duplication of effort and additional burdens on authorities.

In cases where the two forums are unable to provide a clear solution, new clause 4 will enable Ministers in England or the Assembly in Wales to issue guidance to ensure the smooth and efficient operation of the inspection function. Any guidance issued under the new clause will be restricted to ensuring co-ordination such as the programming of inspections of authorities, or how to approach cross-cutting performance reviews.

Mr. David Curry (Skipton and Ripon): Under best value, it is up to local authorities to decide what services they inspect and in what order, so there is no prescription about that. The Minister is now saying that there will be a co-ordinating body to bring together the various inspectorates. What does he intend to do to ensure that there is effective co-ordination between what the authorities are doing and the work of the forums? Otherwise, all local authorities could decide to do education to begin with, for example, and there would be a tremendous irregularity, which would mean that many people with little to do for a large part of the time were inundated for the rest of the time. The initiative lies with the local authorities. How does that work?

Mr. Jones: The purpose of the new clause is in part to ensure that we do not get some of the difficulties to which the right hon. Gentleman refers. It would not make sense to end up with a local authority having many inspections at the same time, and another local authority not having any inspections. It would be rather like all the buses turning up at once, rather than being spread over a sensible time. The new clause will help to ensure that we get reasonable co-ordination, so that that unco-ordinated approach does not occur.

Mr. Curry: I shall persist. I agree with what the Minister is trying to do. It makes sense, but the initiative

[Mr. Curry]

on what to inspect lies with the local authorities. At county level, for example, they may decide to inspect the education services first. Ofsted inspects the schools, but it does not inspect the way in which the service is delivered at county level. If all the local authorities decide that they want to do education on day one, as it were—I am reminded of my famous question: what do they do at 9 o'clock on Monday morning?—will they not place demands on those services that cannot be met? Will there be some discussion with the local authorities to get some timetabling of the order in which they inspect, so that everyone is busy all the time?

Mr. Jones: We will ask local authorities to deal first with the issues where they believe the greatest difficulty lies. We are trying to ensure that we have a reasonably co-ordinated policy that looks at local authorities sensibly. Because the right hon. Gentleman has taken a constructive part in the Committee, I cannot believe that his question is malevolent. Nevertheless, he is postulating a fairly ridiculous example, which is not likely to occur.

Sir Paul Beresford (Mole Valley): Will the Minister give way?

Mr. Jones: No, because I want to make some progress. I am sure that the hon. Gentleman will have ample opportunities to interrupt later.

New clause 4 also provides an order-making power to ensure that any new inspectorate bodies that may be created can be included in the co-ordination arrangements. The new clause will ensure that inspection of best-value authorities is carried out effectively, so that inspectors' comments can lead to good local services for stakeholders.

Amendment No. 7 is concerned with an important objective of inspection: ensuring that stakeholders are fully informed of the progress of their authorities and that best value authorities can learn from each other's experiences. We think that it will be useful to give the Audit Commission the power to publish not only its own inspection reports, but relevant additional information. The amendment gives the commission flexibility in deciding what to publish, whether that is a full report, part of a report or some of the supporting documentation. That flexibility should ensure that relevant information can be published and aimed at specific audiences. We believe that there is a wider public interest in allowing the commission to publish such best value information, and the amendment would achieve that.

I shall now deal with some of the practical implications of best value. Amendment No. 19 is designed to give the Audit Commission the operational flexibilities that it will need to discharge its best value functions as effectively as possible. The Bill gives the commission important new powers and responsibilities. It is in everyone's interest for the commission to be able to discharge those functions flexibly, making proper use of management structures and the skills of staff. Amendment No. 19, which creates freedom to delegate best value functions, is designed to promote such flexibility. It provides certainty and clarity, so that the commission can ensure that work is done by the right people at the appropriate level.

Sir Paul Beresford: The Minister has partly dealt with the point that my right hon. Friend the Member for Skipton and Ripon (Mr. Curry) was trying to make about flexibility; but, having asked for a committee, we should perhaps also ask for a specific example. In fact, I can give an example. Let us assume that an incompetent authority such as Islington is being inspected for best value, and that—as has happened in the past, before the invention of best value—there is a sudden outcry about a paedophile ring in homes run by social services. Where will flexibility come in? Who will lead? How will the process be integrated? Who will respond? Will the Secretary of State make the ultimate decision about whether to reshuffle the order?

Mr. Jones: The hon. Gentleman has given an excellent example of why the Bill is necessary.

Sir Paul Beresford: I was trying to be helpful.

Mr. Jones: I know. The hon. Gentleman was helpful in Committee from time to time—and I must take the word of the hon. Member for North Essex (Mr. Jenkin), who said in Committee that he wished to be constructive, and to see best value working for the maximum benefit of local authority services. No doubt we shall see more of that constructive approach this evening.

During the earlier stages of the Bill's progress, we consistently said that we would table amendments giving key players such as the Audit Commission the tools that they need to do their job. Amendment No. 20 is an example. It gives the Audit Commission power to inspect best value authorities, and housing is one of the areas that it will scrutinise. We expect the staff employed by the commission to include specialists, but the commission ought to be able to draw on expertise in other organisations so that it can take a rounded view of authorities' performance.

5.45 pm

Mr. Clive Efford (Eltham): I tabled an amendment on the subject dealt with in Amendment No. 20, but it was not selected for today's debate. However, I should like to draw a comparison between my amendment and Government amendment No. 20—which recognises that local authorities do not operate in a vacuum, but that they have to work with other agencies. I have been attempting to improve the performance of best value authorities, in energy efficiency, by improving their relationships with the Housing Corporation and—

Mr. Deputy Speaker: Order. It is not in order to refer to an amendment that has not been selected.

Mr. Jones: Nevertheless, my hon. Friend the Member for Eltham (Mr. Efford) can be assured that the Government support his Energy Conservation (Housing) Bill and his Energy Efficiency Bill. However, we cannot debate that in our consideration of the Local Government Bill.

The Government have provided the Audit Commission with the power to inspect best value authorities. It is important that, when appropriate, those authorities are able to utilise the best expert advice. Amendment No. 20 will facilitate such an approach. It will allow, for example, the Housing Corporation in England, at the request of the Audit Commission, to provide advice and assistance to

the commission in relation to the commission's best value functions. In Wales, the Secretary of State performs the functions of the Housing Corporation, and he will be able to provide similar advice and assistance to the commission. That will, when appropriate, enable the commission to supplement its own expertise and knowledge of the housing functions with advice and support from the corporation.

Mr. Curry: Will the Minister give way?

Mr. Jones: No.

There is, however, no question of Housing Corporation staff being involved in the conduct of inspections, which will remain the function of the Audit Commission. The amendment also makes proper provision for the Housing Corporation to be remunerated for any advice and assistance that it provides.

Mr. Curry: Will the Minister give way?

Mr. Jones: I am sure that the right hon. Gentleman wishes to take an active part in the debate, and, later in the debate, he will have an opportunity to speak to the amendments.

Mr. Curry *rose—*

Mr. Jones: No, I shall not give way now. In my brief speech on this group of amendments, I have already given way twice to the right hon. Gentleman.

Amendment No. 20 will provide the Audit Commission with added flexibility in the manner in which it exercises its best value functions, with particular regard to the housing function.

Amendments Nos. 21 to 23 are designed primarily to improve the Bill's drafting, and to ensure that the general provisions in clause 24 properly reflect the powers of guidance afforded to the Secretary of State elsewhere in part I of the Bill. That guidance will not always be aimed directly at best value authorities. In certain cases, although dealing with the application of best value to those authorities, the guidance will be aimed at others. An example of that is the Secretary of State's guidance power provided in clause 10, which is a power to issue guidance to the Audit Commission on the way in which it inspects best value authorities. It is an example of guidance that will be issued in respect of best value authorities, rather than to them. The guidance powers provided in new clause 4, on collaboration between inspectorates, is a further example of how the power may be used.

Amendments Nos. 21 to 23 will improve the Bill's drafting and ensure that the scope for guidance, as stated in clause 24, properly reflects the powers of guidance provided elsewhere in the Bill.

I therefore beg to move the amendments.

Mr. Michael Fallon (Sevenoaks): On a point of order, Mr. Deputy Speaker. The Minister said that he begged to move the amendments. I do not think that he can move them now.

Mr. Deputy Speaker: Order. Technically speaking, that is correct; the Minister had only to move new clause 4. However, he is still speaking to the amendments, so I am sure that it was only a slip of the tongue.

Mr. Jones: My apologies, Mr. Deputy Speaker.

We believe that there is a wider public interest in allowing the commission to publish best value information. The amendment would achieve that.

Government amendment No. 24 is designed to ensure that the approach to consultation on guidance is consistent throughout the Bill, regardless of the subject matter that it deals with or the status of the bodies to which it is addressed. Clause 24(2)(c) already provides that before issuing guidance to best value authorities, the Secretary of State or the Assembly must consult them or persons appearing to represent them. Subsection (3) makes similar provisions for consultation with the Audit Commission before guidance is issued in respect of its inspection functions.

Amendment No. 24 is consistent with such an approach. It provides that when the Secretary of State or the Assembly uses the guidance powers under new clause 4 in respect of securing co-ordination of different kinds of inspection, they are to be under a duty to consult first with the persons or bodies that carry out those functions. The amendment gives inspectorate bodies an opportunity to make representations about statutory guidance and its contents before it is issued, similar to that enjoyed by best value authorities.

In Committee, the Government explained in detail their approach to the commencement of the various provisions that introduce elements of the best value framework. Amendments Nos. 10, 11 and 25 are technical amendments to ensure that the clauses that were added in Committee are taken into account.

The inspection of services provided by best value authorities is one of the key ways in which the authorities will receive feedback on their performance and in which central Government will be able to monitor the application of the policy. The Bill gives the Audit Commission the power to set a scale of fees for inspection, but to provide flexibility we shall need to pay the commission grants from central funds. The split between grants and fees, like the overall cost, is still under discussion with the commission. Amendment No. 12 makes such payments possible, ensuring that inspection can go ahead.

Sir Paul Beresford: I want to focus briefly on amendment No. 95. As ever, we have tabled it in a helpful frame of mind. I did not realise how helpful we were going to have to be when we recognised the extrapolations governing expenditure under the Bill.

The first half of the Bill is the sweetness and sugar for local authorities. However, the more I looked at the Bill, the more concerned I became—and so did many local authorities—about the expenditure that they were going to pick up. We referred to the problem at length in Committee and deep concerns were expressed. Some of those concerns were supposed to be alleviated by what was new clause 5 and is now clause 12, to which the amendment applies.

When my right hon. Friend the Member for Skipton and Ripon (Mr. Curry) questioned the Minister, the answers were muddled and disconcerting. This evening's debate has enlarged the possibilities. When we were

[Sir Paul Beresford]

debating the money resolution, the Minister said that she had no idea of the expenditure or the balance between money given by central Government to the Audit Commission and fees charged to local authorities. Local authorities are not sure how much of the Bill they are going to have to pay for.

Having listened to the Minister's comments on the new clauses and amendments, I am even more concerned, because it looks as though there will be an army of individuals so large that it will cause a bump on the unemployment statistics. I have visions of local authority inspectors, co-ordinators and specialists in the housing commission dotted throughout the country, all of whom will have to be paid. If I were a finance director or the chairman of a local authority finance committee, I would be very concerned about that.

Clause 12 says that there will be a scale of fees for inspection. That seems well and good as far as it goes, but the commission may decide to set that scale of fees to one side, or to increase the fees or decrease them. All local authorities would be delighted if the fees were reduced, but they could go up. In Westminster and many other local authorities, the auditor, on behalf of the Audit Commission, has imposed substantial fees without any check – up to £3 million or £4 million.

Clause 12(4) says:

"Before prescribing a scale of fees under this section the Commission shall consult –

(a) the Secretary of State, and

(b) persons appearing to the Commission to represent best value authorities."

That is a figleaf gesture towards local authorities. The commission will think about the issue, but there is no hold over it. When we were debating the money resolution I asked the Minister whether there was a ceiling. We heard some nice phrases, but she said that she could not give us any idea of the total costs. The same applies in this case. We have no idea whether there is a ceiling on the scale of fees for inspections under clause 10.

I raised the issue in Committee, but we have heard nothing about how the expenditure will be held down. We were not told in Committee whether subsection (4) applied to subsection (3). My right hon. Friend the Member for Skipton and Ripon went to great lengths to ascertain whether the Government had any idea about that and whether there would be an opportunity to restrict the open cheque book approach given to the commission. The answer was so inadequate that I was reminded of an Australian phrase – the Minister did not know whether he was Arthur or Martha on the issue.

We have got no further forward. The Government new clauses and amendments have not helped. I hope that the Government are going to rely on amendment No. 95, which would restrict the ability of the commission to top-load the costs to local authorities. As a ballpark figure, I have suggested an upper ceiling of 10 per cent. Without such a hold on expenditure, it will be open to the commission to go way beyond that. The fees will be unpredictable and could be applied retrospectively. The size of the fees could be exceptionally damaging to small local authorities.

The latter half of the Bill also includes two forms of capping: broad capping and specific capping, which can be subjective.

6 pm

Yesterday, we debated a Liberal Democrat motion on council tax increases. The Minister of State spent a considerable time talking about percentage increases, but she presented her case in a fallacious way. If subjective capping can be applied to a small local authority on the basis of large percentage increases, the scale of fees could get out of hand. I know that it is hypothetical and perhaps greatly exaggerated, but the potential exists. Under the Bill – and particularly clause 12 – there is no ceiling.

I hope that the Government accept that amendment No. 95 was tabled in a helpful manner. If the Minister is not prepared to accept it, will he explain in his reply to the debate how he intends to alter the Bill – perhaps in another place – so that there will be a ceiling?

I suspect that one approach to the matter may be through secondary legislation. That would be a mistake, as secondary legislation can easily be altered. The Government have made a habit of using secondary legislation behind closed doors to deal with difficult pieces of legislation. If such secondary legislation is brought to the notice of the House, it is prayed against, if that is appropriate.

We need something in the Bill to reassure local authorities that they are not facing an open cheque book arrangement with the Audit Commission which, for the best possible reasons and possibly in the best possible taste, would be able write a cheque on the banks of local authorities.

Mr. Bernard Jenkin (North Essex): Part of the temptation on Report is to agree to every Government new clause and amendment as an admission of guilt that they have strayed and have grievously omitted vital provisions. We do not intend to treat today's debate in that way. We recognise that it is a complex Bill and that some of the issues on which we did not receive satisfactory answers in Committee are addressed in the Government amendments. By the same token, it is also legitimate for the Opposition to raise new issues.

My hon. Friend the Member for Mole Valley (Sir P. Beresford) spoke to amendment No. 95, which is a case in point. In Committee, we discussed at some length how fees to the Audit Commission should be determined and controlled. As with much of the Bill, the fate of local councils is in the hands of the Secretary of State as guidance issued by the Secretary of State will determine the fee scales.

My hon. Friend expressed a simple concern – that the Audit Commission does not provide a service that local authorities can choose to buy, but one similar to that of the liquidator of a business. On the dissolution of a business, the liquidator charges his fees, come what may. It is a monopolistic situation, as most local councils will not have the option of looking for a cheaper quote elsewhere. In most circumstances, my hon. Friend is quite right to insist that the Bill should not write blank cheques to bureaucrats – and that is what they are – allowing them to go about their business at somebody else's expense without any heed to the consequences. That is a great danger.

My hon. Friend's amendment is entirely justified: as soon as the fees hit a certain level, the Audit Commission would effectively be making a loss on the services

provided to a local council and would not recoup their full cost. That dovetails with the Minister's proposal that the Audit Commission should receive a grant from central Government to cover some of the costs. Central Government would then have a role in limiting the activities of the Audit Commission so that it could not do what it wanted willy-nilly, but would be under an obligation to carry out its function efficiently and effectively and to do no more than was required by the Bill.

Sir Paul Beresford: I accept what my hon. Friend is saying, which is interesting. The difficulty is that the taxpayer would fund a central Government grant. During our debate on the money resolution, the Minister of State gave us no indication as to whether there was a ceiling. She said that there would be discussions, but at the end of the day there may need to be a ceiling. We are considering only the local government aspect of the issue, but there is more to come.

Mr. Jenkin: I am sure that the Minister who will be replying to the debate heard my hon. Friend's point; I hope that he will address it.

New clause 4 gives the Secretary of State another new power. The Bill already provides a huge number of new powers – on Second Reading we counted 27. The 28th is to issue guidance to co-ordinate

"different kinds of inspection, inquiry and investigation".

We welcome the new clause. The Minister said that it would cover matters that are not currently inspected. I would be grateful for examples. In my opinion, the new clause has more to do with the collision between various inspecting bodies that would occur under best value. Until now, the different inspection bodies have had fairly segmented tasks. However the all-embracing scope of best value gives the Audit Commission itself all-embracing scope.

In Committee, we explored the danger that the Audit Commission would be inspecting the same matters as the benefit fraud inspectorate, Ofsted or other bodies involved in inspecting various aspects of local government. Although there are already memorandums of understanding – between, for example, the Audit Commission and the benefit fraud inspectorate on how local authorities deal with council tax benefit and housing benefit, we always thought it a little optimistic to expect that system to suffice across the board for eight or nine bodies dealing with complex issues. We drew attention to the risk that authorities could indulge in what might be described as inspectorate arbitrage – similar to regulatory arbitrage – whereby different authorities would play off various inspectorates against each other rather than ensure that there was a seamless web.

Mr. John Hayes (South Holland and The Deepings): My hon. Friend the Member for Mole Valley (Sir P. Beresford) drew attention to the costs involved. Will my hon. Friend comment on the effect on the confidence and morale of those in local government who will find a new inspector in every corridor? That is hardly in the spirit of local democracy.

Mr. Jenkin: I entirely agree with my hon. Friend about the all-embracing nature of the intervention powers in the Bill. New clause 4 underlines how penetrating the inspection regime in local authorities will now be. The new clause is designed to ensure that every single nook and cranny of local government is covered by one inspectorate or another. No stone will be left unturned by the men from Whitehall. The Bill is taking us in that direction.

Mr. Andrew Hunter (Basingstoke): My hon. Friend has been a little over-generous, even in his qualified welcome for the new clause. Surely it undermines, and is incompatible with, the Government's objective of breathing new life into local government.

Mr. Jenkin: That remains one of our fundamental objections to the Bill. However, the Bill is likely to become law, and we are in favour of the objectives of best value; it is the methods about which we have expressed distaste. If the Bill becomes law and the all-embracing methodology of inspection, audit and control is to be imposed on local authorities, there must be a framework.

In Committee, we were assured that there would not be a risk of different inspectorates playing off each other. The inspectorate forum, which the Minister mentioned, is meant to ensure reasonable co-operation. The Government have admitted despair about the capabilities of such a forum on its own, and they recognise that some guidance will be necessary.

Mr. Jon Owen Jones: I am grateful to the hon. Gentleman for trying to address the Bill constructively. However, when he and some of his colleagues criticise the amount of inspection under the Bill, their criticism must be of other parts of the Bill. New clause 4 does not increase inspection; it simply attempts to co-ordinate that inspection so that it proceeds sensibly. I cannot see why Opposition Members would wish to have an unco-ordinated series of inspections rather than a co-ordinated one.

Mr. Jenkin: The Minister's sensitivity speaks volumes about what he might feel in his heart about the intrusive nature of the Bill. However, I accept what he says. If we are not to have different inspectorates overlapping or missing things out – which is not the intention of the Bill – some co-ordination will be necessary. What was envisaged in Committee was clearly inadequate, so we give the new clause a qualified welcome.

What does the Minister expect the guidance to say? Will it be voluminous, or general? Will it be particular to particular authorities? Another Government amendment widens the scope of the guidance that the Secretary of State can issue in other circumstances. Is that guidance intended to be for different authorities in different circumstances, or is it purely general guidance to deal with all kinds of local authority in all circumstances?

Does the new clause treat the Secretary of State as meaning also the National Assembly for Wales?

Mr. Jones *indicated assent.*

Mr. Jenkin: That point has been dealt with, then, but I hope that the Minister will address the previous point.

[Mr. Jenkin]

Government amendment No. 7 does not require the Audit Commission to publish a report—and that is the burden of my complaint. Clause 13(3) says that the Commission

"shall send a copy of the report to the authority concerned."

The amendment proposes to add that it

"may publish a report and any information in respect of a report."

The Minister was expansive about the flexibility that the measure would give to the Audit Commission. However, I have a rather different point from that raised by my hon. Friend the Member for Mole Valley. Obviously, there must be some way of protecting confidential information, particularly that which relates to personal or distressing circumstances.

6.15 pm

One can imagine circumstances in which there might be pressure on the Audit Commission—possibly from the Secretary of State in a political capacity, or possibly from an affected council. We know plenty of councils that might want to hide things that the Audit Commission might want to put in a report. I am worried that the Audit Commission might come under pressure and that, in cases of real corruption, individuals within it might be caught up in underworld pressure involving threats to life and limb.

Would it not be safer to specify an obligation to publish, but to provide for the specific circumstances and material that should not be published? A general enabling provision, so that the Audit Commission may publish what it considers to be appropriate, could leave the Audit Commission holding a rather hot coal. It would also put it in a political situation—something we should not ask of public servants. The amendment, as tabled, is not satisfactory.

Government amendment No. 19 caused me surprise. It concerns the ability of the Audit Commission to do its job. If it is to carry out its functions, I am staggered that the draftsman took until this point to discover that the Audit Commission itself would not be able to carry out all the functions and might need to delegate to a committee or sub-committee, or to an officer or servant.

If such an amendment has been tabled on Report, it underlines our concern that there are likely to be many other issues in the Bill that are not dealt with. The Government would not claim perfection for the Bill, just as we would not claim perfection for the Opposition. However, for the Minister to take until now to decide that the Audit Commission might require a little outside help is distressing.

Sir Paul Beresford: My hon. Friend talks about "a little help". However, I am concerned that the more we look at the Bill, the bigger the "little help" becomes. There is the prospect of an army of helpers, as more than 600 local authorities will all have inspections. An army is waiting to be born.

Mr. Jenkin: My hon. Friend leads me to my next point; who might the helpers be? If the Audit Commission were to delegate to a committee or sub-committee, would it be comprised of employees and/or officers of the Audit Commission, or would it be an outside body? What about a "servant" of the Audit Commission? Could a servant be a sub-contractor?

It seems to me that the Audit Commission has come to the Secretary of State with a plea for help. He has been given considerable obligations, powers and responsibilities, and he will have to expand his already considerable empire to enable himself to be more efficient. It adds to the impression that the Government are feeling their way down the path of inspection, rather than having a clear view of the way ahead.

Mr. Andrew Lansley (South Cambridgeshire): Amendment No. 19 would allow the Audit Commission to delegate any of its functions under this part of the Bill, including making recommendations to the Secretary of State that he make a direction, under clause 14, removing a specific function from a local authority. Does my hon. Friend consider it appropriate for the Audit Commission to delegate that specific function?

Mr. Jenkin: It may be worth exploring that excellent point. I do not doubt the bona fide of the Audit Commission, in that it will supervise its functions effectively, but circumstances have arisen in which independent people who have been appointed have taken their own line on individual issues and, as my hon. Friend the Member for Mole Valley suggested, have run up huge costs. Perhaps in another place it could be considered whether it is appropriate to have that power in the Bill.

Amendment No. 20 probably arose out of the drafting of new clause 4. It is about filling in the gaps and providing for the cost of additional advice for the Audit Commission. The odd thing about it is that, if I have understood it correctly, it also provides for additional fee generation for the Audit Commission. It is a complex amendment, and one on which my more experienced colleagues may want to question the Minister.

We accept that amendments Nos. 21 to 23 are broadly technical, but they widen the Secretary of State's power to issue guidance under clause 24. It is one thing for the Secretary of State to have the power to issue guidance

"to best value authorities . . . or to one or more particular authorities",

but quite another to issue it to other bodies "in respect of" those authorities.

I am not sure that the Minister gave us a full explanation why that additional power is strictly necessary. Any guidance issued to the Audit Commission or any other inspectorate is provided for under another part of the Bill. We thought that this part was purely about local authorities.

What are the "bodies concerned" in amendment No. 24? Are they the bodies to which guidance is being issued? If so, why does not the amendment say so? The Minister referred to the bodies that carry out the functions, but "bodies concerned" is a vague and unsatisfactory formulation. Are we talking about bodies to which the guidance might refer or bodies to which the guidance is directed?

The Minister for Local Government and Housing accused us of disruptive tactics when we discussed the

money resolution, but I regarded her answers as unhelpful. We are still all at sea about the Bill's exact money implications. In Committee, she said:

"We anticipate that the annual costs . . . will be in the order of an additional £50 million a year".

We do not understand whether that is to come from fee generation or from Government grant. The Minister also took it upon herself to say:

"We negotiated this through the comprehensive spending review."

She cannot have it both ways. Either the Government are all at sea as to the money consequences, or they are not. Amendment No. 12 does not clarify any of the issues, but it provides the power for the Secretary of State to provide the grant in aid to the Audit Commission to cover unspecified costs. That is entirely unsatisfactory.

Mr. Lansley: The Minister chided me for not looking for answers that were supposedly in the *Official Report* of the Standing Committee, but the answers to my points were not there. The most charitable account of what happened is that, in Committee, the Minister was saying that the increased cost of the best value audit and inspection framework would be about £50 million a year, which would be money well spent if it generated savings through greater efficiency; but she was talking about costs that would be met through the revenue support grant or local authority expenditure, within the comprehensive spending review, whereas now Ministers are seeking to take powers, under amendment No. 12, to make grants to the Audit Commission, which was not contemplated in Committee.

The Minister for Local Government and Housing (Ms Hilary Armstrong): Yes, it was.

Mr. Jenkin: With the greatest respect, I must correct my hon. Friend. I do not know why the Minister finds it so amusing, but she drew attention to the deficiency when she said:

"Additional funding to meet the cost of inspections will come from the revenue support grant or from a direct grant to the commission, and we intend to table a Government amendment to make provision for it."—[*Official Report, Standing Committee B*, 9 February 1999; c. 238–43.]

I do not regard it as satisfactory that we were left in that position in Committee and that we are only now discussing that amendment.

We were told that the overall cost of inspection would be about £50 million a year—a suspiciously round figure—but the Government are absolutely no nearer to working out the public expenditure consequences for the Exchequer. Will 10 per cent. or 90 per cent. have to be provided centrally? They will not or cannot say. I do not think that they have the foggiest idea, which suggests that the whole process of best value is still very much an unknown quantity.

Sir Paul Beresford: When we discussed the money resolution, we had a vague response from the Minister about the fact that money would be paid to the Audit Commission and some would go through local authorities. There was no clear explanation of how the grant would be worked out, whether the standard spending assessment applied or whether the process would be as subjective as many of the Government's other actions in relation to local authorities. Favoured local authorities do well, but others get artificially lambasted, as some were last night.

Mr. Jenkin: I entirely agree. That underlines how the Bill is very much an enabling Bill. The Government want to take powers without being specific about how they intend they should be exercised, or what the cost will be. We find that entirely unsatisfactory.

The Minister confirmed that, for the purposes of new clause 4, the Secretary of State is equivalent to the National Assembly for Wales. Why, therefore, does amendment No. 12 make specific and separate provision for the Secretary of State and for the National Assembly for Wales?

6.30 pm

Jackie Ballard (Taunton): I shall be somewhat briefer than the hon. Member for North Essex (Mr. Jenkin). We Liberal Democrats are surprised at the level of Conservative concern for local democracy this evening. I am sure that we shall have plenty of time tonight in which to write a dissertation on whether that concern would remain if ever the Conservatives returned to central Government.

We welcome new clause 4 and its recognition of the need to avoid unnecessary duplication of effort. It is, if I may use the term, a more joined-up approach to inspection. I hope that the Minister may elaborate a little more on progress towards establishing the inspectorate forum.

Government amendment No. 24 is especially welcome as it extends consultation on guidance.

We accept much of the Conservative argument about the extra cost of audit inspections for local authorities and about how the authorities feel powerless to control or influence charges. That is also a problem for small parish councils for which the audit process charges can be quite out of proportion to budgets. If there is a Division, we shall support amendment No. 95.

Government amendment No. 20 requires the Housing Corporation to assist the Audit Commission, establishing the precedent of placing duties on the Housing Corporation in the Bill's long title. I welcome that, but I feel that the amendment would have been more useful if it had also required the Housing Corporation to issue energy efficiency guidance to its members. To place such a duty would clearly be in order, and I hope that the Minister will confirm that such an amendment would be looked on sympathetically in another place.

Mr. Curry: The trouble with the Liberal Democrats is that they have never taken part in central Government. Coming exclusively from local government, they do not appreciate the need for a sensible balance between the two. They tend to say that whatever local government wants is right, and whatever central Government want is wrong. The world does not work that way. We must seek a sensible relationship between the two that recognises the overriding obligations of central Government while still allowing meaningful freedom for local government. The Bill does not take us towards that objective.

Mr. Jenkin: Does my right hon. Friend agree that if the hon. Member for Taunton (Jackie Ballard) wanted the

[Mr. Jenkin]

Bill to deal with energy efficiency, she was capable of tabling an amendment? To plead with the Government for such an amendment when she has not tabled one seems an extraordinary way in which to scrutinise the Bill.

Mr. Curry: I hope that if she had tabled such an amendment, it would not have been selected.

Jackie Ballard: For information, let me tell the right hon. Gentleman and the hon. Member for North Essex that if they examine the amendments tabled, they will find that such an amendment was tabled, although it was not, for technical reasons, in my name. It was tabled, but it was not accepted for debate.

Mr. Curry: The amendment was not selected. No doubt it was outside the Bill's scope, or had been thoroughly debated in Committee.

New clause 4 is welcome because we sought effective co-ordination between inspections. The trouble is that it illustrates two things: first how extensive the inspections are, and, secondly, the practical difficulty of co-ordination and the burden that it will place on the co-ordinator. New clause 4 lists the inspections to take place, including the classics such as Ofsted, the police service, the fire service and the social services. It also includes the inspectorates dealing with community care, the Children Act 1989 and benefit fraud. It further includes the Audit Commission itself.

May I suggest a future candidate for the list? Under the Government's food standards legislation, the Food Standards Agency will have powers to inspect local authority health monitoring, and will be able to take over its running, put it out to tender or ask another local authority to do it. That is highly analogous to what happens in the Bill.

Ms Sally Keeble (Northampton, North): Does the right hon. Gentleman concede that many inspection functions were created by the Government in whom he was a Minister? Presumably, he could have sought greater co-ordination. Why did he not do so then, instead of complaining about the Government now?

Mr. Curry: Some inspections are being set up by the Government. It is not my purpose to say that inspection functions are not necessary. However, there comes a time to take stock of how functions can be discharged and the costs of providing a local authority interface with the functions.

My concern is the practical working of inspections. The Secretary of State will issue guidance, and the Minister has hinted that it will put responsibility on the Audit Commission as the co-ordinating body. I understood the Minister to say that it would be light in its operation. It is not intended to be institutional, to set up committees, or to need a headquarters or a chief executive. It will all be done by some gentlemen's agreement, on the basis of common sense.

However, the sheer number of inspectorates involved raises the fear that the Audit Commission, which has a specific role involving the health service and local authorities, will find the task of controlling, monitoring and co-ordinating inspectors to be increasingly time consuming. Its own important functions have contributed enormously to local government's measurement of services. The Government rely on the commission as the linchpin of those services.

Sir Paul Beresford: The other aspect raised by the Minister was flexibility. My right hon. Friend is questioning how the organisation will operate. Flexibility must be taken into account. Inspections may be co-ordinated and organised before it is revealed—as in the example of Islington—that there is a paedophile ring in children's homes. Will all the inspections be dropped in such a case? Where does flexibility come in? Who pays?

Mr. Curry: That is precisely the problem I want to explore. Local authorities are responsible for initiating the best value sequence of inspectorates. The Government do not intend to prescribe the order in which it will happen.

Ms Armstrong: For the record, let me say that the local authority will be responsible for promulgating the review programme, not the inspection programme, which is external. The internal responsibility of the authority will be to review both through and across service functions within a five-year period.

Mr. Curry: The Minister is right, but she demonstrates the problem rather than resolving it. If the local authority's job is to identify which areas it wishes to be inspected, the danger is that many local authorities will seek to make inspections of the same services at the same time. A county council's main functions are education, social services and roads. If all county councils decide—as I suspect many will—that they want to start with the education services, especially after the settlement this year which has left them severely underfunded—*[Interruption.]* That is no longer in dispute, despite the fact that Ministers giggle whenever the council tax is mentioned in the House.

Mr. Lansley: Given that authorities themselves will undertake performance review activities and inspectorates of various kinds will make inspections, does my right hon. Friend agree that the interrelationship between them is important for those who are trying to manage the services? It is, therefore, curious that the local authorities will not be included in the co-ordination function in new clause 4, in the same way that the inspectorates have to agree between themselves.

Mr. Curry: I agree with my hon. Friend that there is a real danger that the two ships will pass in the night—the inspectors on their way to the local authorities and the local authorities on their way to the inspectors. I do not minimise the problems of the co-ordination that the Audit Commission will be asked to perform. I am a great fan of the commission. The Conservative Government set it up, and the Labour Opposition of the time voted against it, but it has now become one of the central figures in the Labour Government's firmament. However, I do not wish the commission's central functions to be disfigured, clouded or overwhelmed by a co-ordinating function. It is dangerous for any organisation to ask people to co-ordinate things rather than to do things. Many people find that the job of co-ordinator turns out to be the biggest

non-job in any organisation, because the people one wishes to co-ordinate are busy doing what they have to do and often resent co-ordination that is thrust upon them.

Mr. Hunter: Would it not be better if the energy of Government was directed at improving the effectiveness and efficiency of the autonomous inspection bodies rather than the creation of an overseeing, co-ordinating apparatus, which may not improve the performance of those autonomous bodies?

Mr. Curry: I have to tell my hon. Friend that, in Committee, it was the Opposition who spotted the dangers of the absence of co-ordination and the difficulties that local authorities would have in coping with it. We need to be assured that local authorities will be involved in the process of co-ordination, so that they are not being co-ordinated at, but co-ordinated with; otherwise, the system will not work.

Ms Keeble: The right hon. Gentleman is ridiculing a process that is very important to local government. For example, proper co-ordination between those inspecting children's services—the social services inspectorate, the police and the Audit Commission—might have detected the problem of paedophile rings in children's homes, which the hon. Member for Mole Valley (Sir P. Beresford) mentioned.

6.45 pm

Mr. Curry: I was not aware that I was ridiculing the process at any stage, especially as it was the Opposition who raised the problem in Committee. My concern is that if the Audit Commission is given those powers, its functions will be at risk because it will have to devote so much time to the co-ordinating function. I wish to ensure that the local authorities are involved in the co-ordination so that they are able to timetable what they want to do, and the Secretary of State is aware of that. In that way, the system could work effectively. I shall be interested to see the guidance that the Secretary of State issues on that point and, in a few years' time, what resources the Audit Commission has received to devote to the task.

The Minister referred to Government amendment No. 20. He said that the Government intended to permit the Audit Commission to draw on the expertise of the Housing Corporation, but not to have people seconded to help with inspections. I agree that local authority housing services should be inspected as they have been some of the most chronically inefficient services, partly because many councillors have always liked the patronage that running a large housing estate has brought with it. When we were in government, we experienced resistance to the transfer proposals, and I am delighted that this Government are pressing ahead with those proposals. Indeed, the present transfer proposals are the most extensive we have seen. The age of social housing is passing, not least because fewer and fewer people want to live in social housing—a fact that the Government have registered.

Mr. Jon Owen Jones: Simply because housing stock is transferred and is no longer under the direct control of local authorities, it does not cease to be social housing.

Mr. Curry: That is true; it depends to whom the transfer is made. An increasing number of transfers are made to local housing companies, in which the local authority retains a stake. However, the classic transfer is to housing associations. Why cannot the Audit Commission draw on the expertise of the housing association movement? It may be able to, but that is not clear. The Housing Corporation, however good it is—and it is very good—does not actually run any stock, although its equivalent in Scotland does. The Government should draw on the expertise of the housing associations, especially as the largest of them have volumes of stock exceeded only by some four local authorities in England. Some of the big northern housing associations have far more stock than the majority of local authorities and, given that the inspections are about the management on the ground, including their expertise would be a useful innovation. I hope that the Minister, when he winds up, will say that the Audit Commission, as well as drawing on Housing Corporation expertise, will be able to reach out to the housing association sector—which is part of the private sector in its legal and financial status, but in practice is part of the social housing movement—to draw on its expertise.

I welcome new clause 4. Co-ordination is important, but it should be understood that saying, "We are going to co-ordinate", does not necessarily achieve what we want. The actual burden may be considerable and it is important that it does not blur the key functions and blunt the point of the Audit Commission's activities. I hope that the Minister will review the situation from time to time to see how co-ordination works in practice, so that co-ordination does not get in the way of the inspection process.

Mr. Fallon: This group of amendments typifies the cack-handed approach of the Government to local government. First, they overlay the councils with the best value framework in the most bureaucratic way possible, and then they have to come back to the House after realising all the implications for staffing, resources and co-ordination. I agree with my right hon. Friend the Member for Skipton and Ripon (Mr. Curry) that co-ordination is important, but it is the Government who created the mess and who now want to claim the credit for amendments that will help to co-ordinate the process.

I wish to speak specifically to Government amendment No.19, which caught my eye when it was first tabled, and I wondered whether there was a precedent for it. Can the Minister tell us whether the Audit Commission is empowered in exercising any of its other functions to recruit people who are not members of it? With respect to my hon. Friend the Member for North Essex (Mr. Jenkin), that is the key point. The amendment will allow people to participate in the work of the Audit Commission who are not commissioners, officers or servants of the commission. Before we agree to the amendment, we must be clear about who those people would be, how they would be selected, what role they would perform and how they would be trained.

I am grateful to the Minister for lifting the veil a little. He spoke about management and flexibility of staff, and referred to the staff of the commission. However, we are discussing people who will not be on the staff of the commission: amendment No. 19 provides for people to work for the commission who will not be on its staff. What role will they have? Will it be an executive role? Will they be part of the administrative audit arrangements? Will they have a supervisory role?

[Mr. Fallon]

Will they be delegates of the commission, or will they be merely advisers, as the Minister seemed to imply when he referred to the need for specialist advice, using the Housing Corporation as an example? Obviously, specialist audit advice can be brought in by the commission for any of its functions, but, in respect of the amendment, we need to clarify the function of those who are not members of the Audit Commission. Will they have full administrative functions and work alongside the usual staff, or will they simply be advisers?

Will the Minister tell us how those people will be employed? Will they be paid? Will they be temporarily recruited from other audit bodies, or will they be people with local government experience, such as former local government officers? Will they be trained? As I understand it, when they begin their work, they will have all the authority of the Audit Commission, so we need to know a little more about the terms, conditions and status of their employment.

The Bill seems to be an inspectors' charter. I am worried about its effect not only on local councils—explained so eloquently by my hon. Friend the Member for Mole Valley (Sir P. Beresford)—but on the inspectors themselves. As my right hon. Friend the Member for Skipton and Ripon reminded us, the Audit Commission was set up by the Conservative Government. He pointed out that the commission's work should not be sidetracked into work of co-ordination, but under the amendment, its work would be dissipated and subcontracted to other people. It is important for the morale and direction of the commission that its functions should not be scattered among a host of advisory committees or supervisory boards that include some people from the commission and others recruited only for specific tasks. When the Minister winds up, I hope that he will go a little further on amendment No. 19 than he did in his opening remarks.

Mr. Hunter: I regret that I was not a member of the Standing Committee, but I have carefully studied the reports of its 15 sittings and believe that I understand the main arguments that were deployed.

I want to restrict my comments to new clause 4. I hope that my hon. Friend the Member for North Essex (Mr. Jenkin) will not consider me to be too off-message if my view is slightly less generous than his. The Minister urged us to welcome the new clause, but we should do no such thing. Its inclusion in the Bill at this late stage may be regarded as an acknowledgement that the Government were wrong in the first place, although I acknowledge that my hon. Friend the Member for North Essex would not want us to emphasise that point too strongly.

Mr. Jon Owen Jones: Will the hon. Member explain to the House what he believes to be the purpose of the Committee stage of a Bill? Does he think it deplorable for a Government to introduce amendments as a result of discussions in Committee?

Mr. Hunter: That intervention does not amount to much. All hon. Members are aware of the integral importance of the Committee and Report stages of a Bill. My argument is that a provision so essential to the co-ordination of the Government's strategy was omitted and that we have had to wait until this late stage for it to be introduced. That is the only point I wanted to make. As for the wider argument, I shall not detain the House for long and shall summarise my position on the matter.

In so far as new clause 4 gives the Secretary of State the power to give guidance on the manner in which the Audit Commission and others carry out their inspection of local authority services, including the schools inspectorate, the social services inspectorate, inspectors of constabulary appointed under section 54 of the Police Act 1996 and others, it confirms some of my worst fears about the Bill. I believe that those fears are shared by some of my hon. Friends. The Bill's origin forms the criterion by which I judge it. The Labour party's pre-election commitment was that it would breathe new life into local government and that is the sole criterion by which the new clause and the Bill as a whole should be judged. That is a laudable objective and one to which Conservative Members would subscribe, but the tragedy is that the Bill in general and new clause 4 in particular will have precisely the opposite effect.

I acknowledge that new clause 4 defines that which previously lacked definition and clarifies that which was previously unclear in the Bill, but that does not make it any more acceptable. The need for greater definition and clarification was convincingly illustrated in Committee by my right hon. and hon. Friends, and although I admit that the new clause removes some of the Bill's original ambiguity, in reality it focuses attention on the fact that a tranche of new powers will be handed to the Secretary of State, and that an onerous and bureaucratic inspection regime will be created by the Bill. To quote from the new clause, that is what

"securing the coordination of different kinds of inspection, inquiry and investigation".

will mean in practice.

New clause 4 extends the Secretary of State's powers to intervene and underlines the powers already given to the Secretary of State by the Bill. The Government have moved a long way from the 1997 general election manifesto commitment that

"Local decision-making should be less constrained by central government, and also more accountable to local people."

The reverse will be true under the Bill in general and the new clause in particular. Local decision making will become more, not less, constrained by central Government and local government will become more, not less, accountable to central Government and less accountable to local people. Not one iota of the Bill—and certainly nothing in new clause 4—honours the Labour party's pre-election commitment to the decentralisation of power.

7 pm

The horrific reality—I believe that it is horrific—is that new clause 4 extends the power and influence of the Secretary of State into the inspection of areas of local administration that are best left clear of his ad hoc guidance. The Audit Commission, the fire services inspectorate, Ofsted, the social services inspectorate, persons carrying out inspections under the National Health Service and Community Care Act 1990, housing benefit and council tax benefit administrators, and inspectors of constabulary will all be required to respond to the interventionist diktat of the Secretary of State. The Secretary of State's scope for intervention will not be

limited to only those bodies listed in new clause 4; he will have the power to extend his influence to other named bodies. My hon. Friend the Member for North Essex opened his speech on Second Reading with the words:

"If the Bill promotes light, truth and harmony in local government, consensus, partnership and a better community spirit, we will be right behind it."—[*Official Report*, 12 January 1999; Vol. 323, c. 133.]

I would argue that new clause 4 will help to achieve none of those desirable objectives.

The Bill was bad enough prior to the appearance of new clause 4. The draconian powers the Bill already gives the Secretary of State will mean that the best run councils will live in fear of a Secretary of State exercising those new, wide-ranging, discretionary powers sanctioned elsewhere in the Bill. However, the addition of new clause 4, which obliges the various inspecting bodies and persons to have regard to the Secretary of State's guidance, means that the Secretary of State will, of his own volition, make up the rules by which the authorities shall be judged; and he will have the power selectively and subjectively to judge those authorities, to intervene and, in the last resort, to take over. So much for the principled manifesto declaration that is the starting point of the Bill:

"Local decision-making should be less constrained by central government, and also more accountable to local people."

Mr. Eric Forth (Bromley and Chislehurst): I confess that, at this stage in the debate, my sympathies lie more with my hon. Friend the Member for Basingstoke (Mr. Hunter) than with my hon. Friend the Member for North Essex (Mr. Jenkin). Even at this early stage in what promises to be lengthy deliberation, I have heard more than once and understand full well that it was my right hon. and hon. Friends who raised these issues in Standing Committee and persuaded the Government to table their own new clause on Report—so far, so good, one might think. However, I share the reservations expressed by my hon. Friend the Member for Basingstoke, although for different and what some might call more mechanistic reasons.

Sir Paul Beresford: As one of the few hon. Members present who was a member of the Standing Committee, I should emphasise that our having made a request for co-ordination on which the Government have acted was a last-gasp stand. We pointed out to the Government that, if they were going to implement their proposals, there was a plethora—an army—of organisations that needed either to be dealt with or co-ordinated with. It was not a case of having a choice, because the original choice was a bad one.

Mr. Forth: I accept that argument; however, my concern is that my hon. Friend is adding to the army by laying an entire new officer corps on top of the army in an effort better to co-ordinate its actions. As my remarks unfold, he will learn that I doubt whether that will be effective.

Sir Paul Beresford: I note my right hon. Friend's point. If I had a choice, I would choose to hope that the Government would take the hint, reduce the numbers and try to pull everything together. That is the point that we tried to get across to the Minister when we asked him how he, the Secretary of State and the plethora would be likely to react. If my right hon. Friend were to suggest that we reduce the number of inspectorates and co-ordinate their armies by pulling them together, I would certainly support him.

Mr. Forth: That may be an argument worth pursuing, although it is difficult to see how we could do so at this stage in our proceedings without going out of order. Perhaps it is a matter for another place to consider.

My first concern arises from that part of new clause 4 which states:

"a person or body to whom this section applies shall have regard to any guidance issued by the Secretary of State for the purposes of securing the coordination of different kinds of inspection, inquiry and investigation."

Here is our old friend, guidance; immediately in my mind arises uncertainty about whether that will genuinely be guidance, or whether it will in some way be mandatory or binding on the bodies concerned. Real guidance may be given and even received in good faith, but then not followed to any great extent. The core dilemma at the heart of this group of amendments is that if the legislation is to be effective, the "guidance" will have to be mandatory, but if it is merely guidance in its true sense, the legislation might not be effective at all. That is an unresolved difficulty that lies at the heart of the proposals.

Mr. Fallon: If the guidance is mandatory, that cuts clean across the independence of some of the bodies listed in new clause 4 which were set up to be independent not only of local government, but of the Secretary of State.

Mr. Forth: My hon. Friend has anticipated my next point, so I am grateful to him for leading me naturally to it. Looking at the list of the bodies covered by new clause 4, which were helpfully listed by the Minister in his opening speech and are even more helpfully listed in the new clause, I wonder how far bodies so different in their nature and mission—a ghastly word—will be subject to being brought together in a co-ordinated fashion, given their independence and their integrity, which we should respect at all times, and, more importantly, given the differences in the work that they do.

One need only consider the work carried out by the range of bodies covered, from inspectors of fire services, through Ofsted—a body with which I am more familiar—to inspectors of social services, children's homes and social security fraud. Each of those bodies is so different from the others in its objectives, the way in which it works and the responsibilities it discharges that I wonder to what extent any mechanism could draw all of them together and co-ordinate them in the way that both the Government and my right hon. and hon. Friends want.

Mr. Dominic Grieve (Beaconsfield): Was it not the Prime Minister himself who said that he wanted to replace what he regarded as a feudal system of government in this country with a Napoleonic system, which implies administrative tutelage? Is not what appears in the new clause a serious matter, in that it suggests that there will be administrative tutelage through bodies that were previously thought to be independent?

Mr. Forth: I wonder whether that is the case and I hope that my hon. Friend, who has a better grasp of

[Mr. Forth]

history than I, will explore that argument later—I certainly could not do it justice. My own points to some extent reflect the reverse side of his argument.

Having made it clear that all of the bodies listed in new clause 4 are extremely different in nature, I now turn to the aspirations the Minister expressed in his opening remarks. He spoke about voluntary and professional co-operation, which is all good stuff. I am amazed that he did not say "partnership", as it is about the only buzzword that he did not use—oh no, he did not mention "boom and bust", which might have been too difficult for him to get into that speech; nevertheless, I am sure that we shall hear the phrase later.

The Minister talked about voluntary and professional co-operation and, crucially, about an inspectorate forum, which he said would examine the methodologies, programmes and cross-cutting themes—another ghastly modern phrase that I do not fully understand. We are beginning to see a picture emerging of how the Government imagine the process will work. A forum will bring together very different bodies—the fire people, education people, children's home people and the benefit fraud people—that will sit around and discuss their methodologies, programmes and cross-cutting themes.

An optimist might imagine that that process could result in a co-ordinated approach or unified thrust. However, a pessimist—which I tend to be; after nearly nine years in Government, how could I be anything else—might worry about what would happen if the bodies could not agree about methodologies, programmes and cross-cutting themes. As my hon. Friend the Member for Sevenoaks (Mr. Fallon) said, given their independence and integrity and the very different nature of their work and experiences, what will happen if those bodies cannot agree about methodologies, programmes and cross-cutting themes? Are we still talking about a framework of guidance or about the Napoleonic approach that my hon. Friend the Member for Beaconsfield (Mr. Grieve) mentioned?

Mr. Fallon: New clause 4(1) makes clear what must happen, the bodies must have regard to the guidance. My right hon. Friend said that there might be confusion. However, the Secretary of State might simply say that there should be no inspection of school services in London boroughs in the year leading up to the borough council elections.

Mr. Forth: My hon. Friend obviously believes that the guidance would include that level of detail—

Mr. Jon Owen Jones *indicated dissent.*

Mr. Forth: My hon. Friend has an answer to his question, and I gather from the Minister's body language that the answer is no.

Mr. Jones: I hesitate to intervene because the right hon. Gentleman is enjoying himself in his usual manner. I ask him to try to be serious for a moment and to consider the important issues that Governments of all colours must consider. If we are trying to ensure that less children are abused—

Mr. Jenkin: Fewer children.

Mr. Jones: The hon. Gentleman corrects my grammar. The important point is that fewer children should be abused. It is extremely important to co-ordinate the work of various inspection bodies so that they can co-operate and attain a common theme rather than work alone.

Mr. Forth: I do not see how fewer children will be abused if the fire service is included in the discussions of the inspectorate forum. That is my point. Unless we can identify a common approach—*[Interruption.]* The Minister thinks that, because he comes to the Dispatch Box and mentions the protection of children, that is the end of the argument. That is not good enough. I am trying to make a different point: will the inspectors of children's homes and the fire service have a sufficient commonality of purpose to be useful in forum discussions? I have my doubts about that.

I can go further than that. Even if there were a degree of commonality, what would happen if the bodies disagreed? We know what will not happen because the Minister has told us. So an element of doubt remains as to whether the forum will be of any positive use or value.

Mr. Fallon: My right hon. Friend has been extremely generous in giving way. It is not simply a question of confusion. The Minister revealed in his intervention that he is seeking a common theme for the forum. He wants to impose on behalf of the Secretary of State, a common theme on bodies that are independent of the Secretary of State and that have been set up as independent bodies by the House.

Mr. Forth: That is the more sinister interpretation that could be made of Ministers' motives. Although the Minister tried in his opening remarks, he has not provided a sufficient level of detail of his thinking or of the motivation behind the new clause to enable us to understand how the process will work. I made notes, as best I could, of the Minister's speech. I paid close attention to him—even though he is not paying close attention to me—in an attempt to understand what was in his mind. It would appear that I have failed, as has my hon. Friend. There is an unresolved problem with the inspectorate forum as to how effective it will be and whether it can realistically achieve the objectives that the Minister has set for it.

7.15 pm

We then come to the vexed question of the involvement of local authorities. My right hon. Friend the Member for Skipton and Ripon (Mr. Curry) and other hon. Friends raised that issue, which remains unresolved. Perhaps the Minister will tell us in his reply that local authorities will be subsumed in new clause 4(3), which states:

"The Secretary of State may by order provide for this section to apply to a person or body specified in the order."

That sounds very much like our old friend the all-embracing, sweeping-up provision that says, "If we haven't already thought of it in new clause 4(2),

paragraphs (a) to (i), we will put it in subsection 3, into which we can insert almost anything". That might be where local authorities will be addressed because the Bill does not mention them anywhere else that I can see. That matter has already concerned my hon. Friends and I hope that the Minister will provide comprehensive reassurances in that regard.

Will the Minister also explain how he views the relationship between inspecting bodies, which are listed helpfully in new clause 4, and local authorities, which are in a completely different category? If they are to sit around the table at the inspectorate forum—we do not yet know whether they will—it will add another complication to the methodology of that forum that may undermine its possible unity of purpose even more than I have suggested.

The Minister also introduced our old friends, who I thought had long since departed the political scene but who have been resuscitated for the purposes of this debate—the stakeholders. They have made a dramatic reappearance and will apparently form a key part of the process that new clause 4 will introduce. The Minister said that the stakeholders would learn from each other's experiences, which develops an earlier theme involving methodologies, programmes and cross-cutting themes. One must assume that the fire service will learn from the experience of the inspectors of children's homes and that the benefit fraud inspectors will learn from the experience of Ofsted; otherwise the exercise has no point. I am at a loss to understand quite how that will happen and what the value will be for the different bodies.

A new bureaucracy will be created—albeit in response to my right hon. and hon. Friends' requests in Committee. I hope that they are beginning to regret those requests because there will be an additional army to supervise the existing army to which my hon. Friend the Member for Mole Valley (Sir P. Beresford) referred. I hope that my right hon. and hon. Friends are thoroughly ashamed of themselves because they have let a bureaucratic genie out of the bureaucratic bottle. I shudder to think what the cost will be.

To allow matters to proceed apace—I sense that several of my hon. Friends are itching to contribute—I shall refer briefly to amendment No. 19, which my hon. Friend the Member for Sevenoaks also mentioned. I referred to that amendment briefly in my comments on the money resolution, but it is appropriate to return to the matter now. The amendment demonstrates what might—again, we seek the Minister's guidance—be a radical new departure for the Audit Commission. The amendment says:

"The Audit Commission may delegate any of its functions under this Part to ... a committee or sub-committee established by the Commission (including a committee or sub-committee including persons who are not members of the Commission)".

My hon. Friend the Member for Sevenoaks raised that point, and he was right to do so.

The amendment goes on to refer to

"an officer or servant of the Commission",

but I am not too worried about that. However, when we start referring to

"persons who are not members of the Commission",

I wonder if we are breaking new ground. How confident is the Minister that moving in that direction will enable us to ensure the continuing high quality and integrity of the Audit Commission's work, with which we have all become familiar over the years?

The amendment would "delegate" functions to committees or sub-committees—we are already talking about one or two removes from the commission—and, further, to persons who are not members of the commission. That provides the potential for a dilution of the quality of the Audit Commission's work which may begin to endanger the whole process. I tentatively suggest that we are entitled to have that worry.

I hope that I have said enough to demonstrate that there are sufficient questions and anxieties about the group of amendments to explain why I have not yet been able to join my right hon. and hon. Friends in welcoming it. I remain to be convinced by the Minister about the additional or best value, or whatever phrase one wants to use, that the amendments would bring to the Bill. I shall, as ever, listen carefully to the Minister's reply. However, my hon. Friend the Member for Basingstoke and I share the same unhappiness and reservations about the amendments, and unless the Minister does a lot better than he did when he spoke to the amendments, I shall remain unconvinced of their merits.

Mr. Lansley: I am grateful for the opportunity to add a few words on subjects that have not so far been fully addressed in the debate on this group of amendments.

I am grateful to my hon. Friend the Member for North Essex (Mr. Jenkin) for correcting me on amendment No. 12, which relates to the making of grants to the Audit Commission. My hon. Friend will correct me again if I am wrong, but I think that I am correct in saying that two questions were raised in the debate on the money resolution which also arise on amendment No. 12 and to which satisfactory answers have not been given. The first, which has been mentioned by several of my hon. Friends, is what proportion of the increased cost of the inspection and audit framework—which has been estimated at £50 million—will be defrayed through grants to the Audit Commission and what proportion will be met through the normal mechanisms for funding local government activity, and then, presumably, recovered by the Audit Commission through fees that are charged.

The second question is my own and I may have missed an answer being given on this point. It is still not clear whether the Secretary of State will accept costs by making a direction under clause 14 to take over an authority's specific functions or whether those costs or those of any nominated person under that clause will wholly be defrayed by the local authority to which such a direction refers. I would be grateful if the Minister could answer that point.

I want first to deal with new clause 4 and then with amendment No. 19. I agree with my hon. Friend the Member for North Essex that it is helpful that in Committee Ministers took note of a lacuna that was identified in the Bill, in that it does not contain an mechanism for adequate co-ordination between inspection authorities, and they have dealt with that in new clause 4. However, it will be useful if we examine for a moment the position not only from the standpoint of the inspection authorities, but on the basis of the exchange, to which I contributed, that took place between the Minister and my right hon. Friend the Member for Skipton and Ripon

(Mr. Curry). That exchange concerned the standpoint of the local authority, the services that it provides and the manner in which it tries to keep to the spirit of the best

[Mr. Lansley]

value framework. It is generally accepted on both sides of the House that we are trying to make a success of that concept.

The starting point for an authority trying to manage its services effectively is that, increasingly, it is having to manage its cycle of activity under the best value framework in relation to other cycles. For example, the local performance plan is to be produced on an annual basis in co-ordination with a consultation cycle—part of the best value concept is that services should be provided on the basis of adequate consultation—a budget cycle and an audit cycle. It must also be co-ordinated with data collection and publication of performance indicators. The local performance plan must therefore orientate itself around a series of annual cycles. Such co-ordination is difficult to achieve and will pose management and other challenges for the services concerned.

In addition, the authority will have to consider how it undertakes adequately its best value programme of reviews. It is intended that over five years, each part of the authority's services should be reviewed, starting with the weakest. That is not simple. It is clear to me, not least from reading the document, "Better By Far: Preparing for Best Value", which was helpfully produced by the Audit Commission last December, that an authority that conducts that programme conscientiously will have to tackle rather difficult issues. In the best value pilots that have been conducted so far, the mechanism of a service-based review has conventionally been used. That is to say that the education service, social services department or housing service was reviewed.

My right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) referred to cross-cutting themes, which are another way of conducting such a review. For example, a local authority might ask itself, "By what mechanism are we setting out to comply with the duties placed on us to maximise community safety?" That cuts across a number of services, hence the concept of cross-cutting themes in trying to review services to find out whether they provide best value.

Equally, one could approach the review on an area basis. One could examine all the services provided by an authority in a particular area and find out how they interact. That might be useful. I remember that in the debate on unitary authorities, when county councils were defending their right to exist rather than be broken up, they were conscious of their increased need in future to review the management of their services and to provide a better service for a given area. An area-based review might be peculiarly appropriate for authorities that have had that debate in the past.

I have fixed on customer focus as a particularly useful method of review. It has been one of the lesser-used methods in best value pilots and in the past when local authorities have tried to meet best value objectives. Such a review would, for example, deal with children in local authority homes. I remember participating in the report of the Select Committee on Health about children looked after by local authorities. In such cases, the customer focus review is terribly important; otherwise, as we know, the failings of local authorities—I shall not elaborate on them—in accurately co-ordinating the relationship between their education service and their social services may lie at the heart of their failure to provide best value to those customers.

Local authorities are wrestling with the problem of what method to use to conduct best value reviews. Those may include area-based reviews, service-based reviews, cross-cutting themes where those apply, but particularly, reviews based on customer focus.

7.30 pm

If best value has a purpose additional to the competitiveness and efficiencies that were gained in the past and could be gained in the future through the application of compulsory competitive tendering, it is peculiarly apt that local authorities should pursue their activities not on the service basis of review, but on some other basis, alongside the normal regime of service reviews.

That will lead local authorities away from the service basis of review, and will mean that they are often conducting reviews that are not congruent with the service basis of inspection that occurs under the various inspection authorities detailed in new clause 4. If we increasingly bring together inspection by those authorities, and the best value activity of local authorities, we may find that we begin to force local authorities back into the straitjacket of service-based review, rather than the other models of review that are helpfully referred to by the Audit Commission and which I have just described.

On balance, I think it would be inappropriate to oppose new clause 4, but perhaps Ministers might consider for another place a further improvement to it. The responsibility of the Audit Commission and the other authorities to receive guidance from the Secretary of State in relation to their inspection activities must be related to the Audit Commission's responsibility to audit the performance review plans of local authorities.

That will allow the performance reviews in the various forms that I outlined to begin to mesh better with the inspection programme of the various authorities; otherwise, there will be a great heaping up of different review timetables – the annual cycles to which I referred, the review programmes set up in the local authority, some on a service basis and some on another basis, and the programme of inspections on a service basis.

Mr. Forth: My hon. Friend has been much more generous to the proposal than I was. He is implying some sort of leading role for the Audit Commission, which is not the way that I read new clause 4. I understand the Audit Commission to be one of many bodies, including all the other inspection bodies and possibly the local authorities—we do not know that yet. Is my hon. Friend saying that he would be happy with the proposal only if the Audit Commission were given that leading co-ordinating role, or is he content with the new clause as drafted?

Mr. Lansley: I am grateful to my right hon. Friend. The manner in which he asks the question crystallises the point that I am trying to make. I shall try to answer him.

At present, the Audit Commission has a leading role only in relation to the question of when inspections should occur. It should be explicit in new clause 4 that the Audit

Commission has a responsibility to liaise in the performance review activity of local authorities, in which the local authorities should play an integral part in showing the Audit Commission on what basis they are conducting their review, why they are doing so and according to what timetable.

The Audit Commission will also have a connection with the various inspection authorities and will be able to link the two, so that the inspections conducted by the various inspection authorities, including the Audit Commission itself, do not begin their assessment at an inappropriate moment—for example, if a given service in a local authority is about to be the subject of fundamental review.

None of that means that the local authority can determine when the inspections should take place by the social services or any other body. Sometimes it will be in the nature of an inspection authority that the local authority cannot defer or influence the timing of inspection, because the inspections should be entirely independent of the local authority. The Audit Commission has the status and ability to liaise between the two types of activities and try to make sure that they work together effectively, rather than cutting across one another.

It is clear that in the past, some inspection activities have occurred with a focus on compliance with the statutory responsibility of local authority services, but with no recognition of the intimate relationship between that and the management of a service, so that the service can be delivered more effectively. The example that I have in mind, which may be familiar to some hon. Members, is the management of child protection services in Cambridgeshire.

It was clear at an early stage that the social services inspectorate was engaged in examining what was happening in Cambridgeshire because it had fallen down on its statutory responsibilities to children, but that the main reason for that was the poor management of the activity in the service. The professional activity was not wholly deficient—many of the professionals worked well—but the management was poor.

To achieve best value in services, we must bring together review of management, which is essentially an Audit Commission responsibility, and the review of professional practice, which was the social services responsibility. It follows that that must be managed together with the best value and performance review activity of local authorities. For all its merits in respect of the points raised by my hon. Friend the Member for North Essex, new clause 4 could go further in linking the aspects that I have highlighted.

I shall comment briefly on Government amendment No. 19. I raised the matter with my hon. Friend the Member for North Essex and have been thinking about it further. Again, it is not sufficient to oppose the amendment. It should be further studied by Ministers and in another place. The question is whether it is appropriate for the Audit Commission to be given the power under amendment No. 19 to delegate all its functions under this part of the Bill to

"a committee or sub-committee including persons who are not members of the Commission, or . . . an officer or servant of the Commission".

The particular point that I have in mind is the ability of the Audit Commission, if it finds that a service is failing, to make a recommendation to the Secretary of State that he should make a direction under clause 14, which could go as far as to transfer a function from the authority to the Secretary of State. That is a pretty potent power and a pretty important recommendation for the Audit Commission to make.

Under those circumstances, it would be reasonable to reconstruct that part of the Bill, if it is so amended, so that although the Audit Commission can delegate its functions, if it is minded to make a recommendation of the kind that would lead to a direction under clause 14, that should be decided by the commission, rather than by any committee, sub-committee or person acting on a delegated function.

On balance, I agree with my hon. Friend that new clause 4 should receive our support, but with the substantial reservations expressed by my right hon. and hon. Friends and me.

Mr. Grieve: I shall be brief and focus on new clause 4 and amendment No. 95.

New clause 4 should not be allowed to pass without further comment. I said earlier, not entirely tongue in cheek, when I intervened on my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) that in the Bill, the Government were going down the road of administrative tutelage. That expression is well known on the continent and refers to a total system of government which is under central elite control through a bureaucracy which is run and politically directed. It is a system of government that does not commend itself to me.

Best value does commend itself to me. I perfectly understand the concept. If the Government say that they want local authorities to provide best value, I shall not stand in their way and would welcome it. Various Governments have tried to secure best value. Indeed, the pedigree of a best value project is a Conservative one. We should applaud the Government for wanting to go down that road. But central to Britain's administrative system is the independence of those organisations which exist to determine whether best value is being provided. That is what the Audit Commission and the various inspectorates listed in new clause 4 are all about. That is what they are designed and supposed to do. Yet new clause 4 suggests that the Government intend that, in future, the power of such bodies to control the way in which local authorities function will go way beyond the sort of remit that I would have expected them to have.

I am mindful that the Secretary of State can already give guidance under existing regulations, but when it comes to reform, I view the Government's project as a package. Therefore, I am even more deeply suspicious because I cannot divorce what new clause 4 is trying to do from a host of other Government legislation which is about administrative centralisation. Most extraordinary is that that is from a Government who pride themselves on having sold devolution. However, as we know, having given with the one hand, they try to claw back with the other.

New clause 4 is a highly suspect project. It appears to give unfettered power to a Government, who are highly acquisitive of power, to direct local authorities by administrative means and to fetter the very independence which the Government said at the election they wished to enhance. That is contrary to what the Government promised, but in conformity with what the Government have delivered in their first two years in office.

[Mr. Grieve]

The Bill has received its Second Reading and had a long Committee stage—in which, mercifully, given the long hours that were spent on it, I did not have to participate—but, as the pass has been sold, it is incumbent on us to try to save something from the wreckage. That is why amendment No. 95 so commended itself to me when my hon. Friend the Member for Mole Valley (Sir P. Beresford) asked me for my views on its drafting.

The impositions that will be placed on local authorities in respect of possible interventions by those various bodies are potentially extremely onerous. One of my hon. Friends referred to the extraordinary effect that such audits have on parish councils, accounting for the disappearance of between 50 and 75 per cent. of their budget.

But that is as things exist at present. Most extraordinary is that a series of measures are being introduced whereby the intervention of various bodies delegated by the Government under their guidance to carry out investigation will be non-stop. Under this project, the cost will fall entirely on the local authorities, with the Government setting the guidelines on how much it will all cost.

That is a manifest unfairness. Given the local Government settlement for last year and the previous year, when I had occasion to go to see Minister for Local Government and Housing at least once, the Minister knows well that, in the tension over Government expenditure, the tendency to pass over to local government expenditure for which the Government are not prepared to fork out, and to do it by sleight of hand, giving the impression that the fault for not providing the service lies entirely with local government, is a temptation for Governments of all political hue, but the Government are clearly going even further down that road.

Some limit must be placed on this. For once, I have some faith in local authorities, because most local authorities are not so inefficient and ineffective that they require the close tutelage which the Government intend to place upon them. If that is what the Government intend to do, they should limit the burden of cost on those local authorities.

If it were a question of local authorities committing some impropriety I would be the first to accept that the burden should fall on them. But this is a case of local authorities simply being told that they will have various inspections imposed on them for which they will pay. Therefore, amendment No. 95 seeks to ensure that, over a particular level, that cost is limited. I commend that to the House and I am grateful to note that the Liberal Democrats also think that there is merit in the amendment. I hope that, at the appropriate time, the amendment will be put to the vote.

7.45 pm

The way in which Government amendments have been introduced on Report clearly signals the close control that the Government intend to exercise over local authorities. This is not the partnership that was proclaimed at the election. I frankly admit that one of the criticisms that I had of the 18 years of Conservative Government was that, in our drive for fiscal and economic efficiency, on occasions we overrode the need for effective local government. What I find so extraordinary is that, far from wanting to reverse that, which is something which I would have at least tacitly supported and applauded on a selective basis, the Government are going much further and, instead of the tried and well tested system of allowing local government autonomy and interfering only where there is need, the autonomy will completely disappear, and the powers being taken by the Government in new clause 4 are all part of that. For those reasons, I oppose the new clause.

Mr. Jon Owen Jones: When I moved the new clause I welcomed the constructive approach adopted by the hon. Member for North Essex (Mr. Jenkin) in Committee and his determination to ensure that best value worked to good effect. However, in the past few hours, Opposition Members have made few constructive comments. Unfortunately, the Opposition's Janus-like view seems set to continue.

The hon. Member for Mole Valley (Sir P. Beresford) spoke of an army of inspectors. However, by enabling co-ordination and the co-opting of expert advice, the Government's new clause and amendments help to ensure effective and economic inspection.

The right hon. Member for Skipton and Ripon (Mr. Curry), who is no longer present, raised concerns about the number of inspections, a general theme among Opposition Members. Whether deliberately or otherwise, they seem to have misunderstood the nature of the inspection envisaged in the Bill.

In Committee, my right hon. Friend the Minister for Local Government and Housing referred on numerous occasions to the lightness of touch of inspections, saying that they would be triggered only by such things as the auditors' report or other serious causes for concern. It is not as though inspections will occur for no good reason, and will be the order of the day, occurring continuously. That is the impression that any member of the public listening would have got from Opposition Members, perhaps deliberately so.

Sir Paul Beresford: Will the Minister give way?

Mr. Jones: No, I shall not give way. For three hours I have been listening to the repetitious comments of Opposition Members. Very few of them were meant for serious consideration, but I want to address the serious points that were made.

The hon. Member for North Essex asked a number of questions and I shall try to answer some of them. He gave some welcome to new clause 4 and its attempt to ensure co-ordination, but he asked for an example of what the guidance would be. The inspection forums should, first and foremost, undertake the co-ordination functions for the various inspectorate regimes. Guidance issued by the Secretary of State or the Welsh Assembly would be a last-resort power used only when the forums had failed to agree. The failures in the forums would serve as indicators of what should be included in the guidance and, therefore, I cannot be specific about what the guidance will say until we see what causes disagreement.

The hon. Gentleman also asked some questions about amendment No. 19, as did other hon. Members.

Mr. Jenkin: That pretty inadequate answer is an admission that the Government are applying for yet

another power for they know not what, because they are making it up as they go along. That absolutely characterises the nature of the Bill. The Minister criticises Conservative Members, who are raising legitimate concerns. *[Interruption.]* I can understand why he is not enjoying the experience, because his answers are so inadequate.

Mr. Jones: The hon. Gentleman knows that it is in his best interest to appeal to the Conservative Members sitting behind him, but he has my answer.

Amendment No. 19 deals with the Audit Commission's powers to delegate. The Audit Commission Act 1998 provides for such powers in the undertaking of the commission's present functions. The Bill extends the commission's functions and the amendment simply allows it the same power to delegate in respect of best value as it has in other areas.

The hon. Gentleman asked why amendment No. 12 specifically refers to the Welsh Assembly. It does so because that amendment relates to clause 31 which is in part III, where the substitution provided for in clause 27—the Bill's Welsh clause—does not operate. Clause 27 is in part I.

The one non-Government amendment is amendment No. 95, which would restrict the flexibility of the inspector to vary his fee in respect of an inspection where significantly more work was involved than he had originally envisaged. That variation has been deliberately built in to cater for exceptional circumstances. If an inspector were to uncover acute failure, the fee could easily be greatly exceeded. The drafting of the clause reflects that of the Audit Commission Act 1998. When carrying out an audit, it is usual for the auditor and the authority to agree the approximate cost in advance, with the authority being informed during the audit whether any significant variation is likely to be necessary.

Sir Paul Beresford: Will the Minister give way?

Mr. Jones: No, I will not.

We expect that inspections will work in a similar way. In order to retain the flexibility to deal with situations in the most appropriate and cost-effective way, I ask Conservative Members to withdraw their amendment, although I have little confidence that their answer will be affirmative.

The hon. Member for Taunton (Jackie Ballard), who is not in the Chamber at the moment—

Mr. Forth: Typical.

Mr. Jones: I shall try to be gallant; having sat through the past three hours, I can well understand why the hon. Lady is not present. She asked whether the amendment relating to energy conservation could be included in the Bill. That amendment has not been accepted because it was not in order; if another can be drafted which is in order, we will consider it.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 5

REQUIREMENT FOR OVERRIDING ORDER

'(1) In the event of the Secretary of State's powers under sections 5 (2), 5 (4), 6 (2), 7 (4b), 7 (4c), 7 (4e), 7 (4f), 7 (5c), 9 (5), 10 (2), 10 (3) and 14 of this Act not being exercised in respect of a particular best value authority within any period of three years after the coming into effect of this Act, the powers in this Act shall only be exercised in respect of that authority subject to an overriding order under this section.

'(2) No such order shall be made under this section unless a draft has been laid before, and approved by resolution, of each House of Parliament.

(3) Such an overriding order shall itself expire if at any time a period of 3 years has elapsed during which none of the Secretary of State's powers specified in subsection (1) have been exercised.'.—*[Mr. Jenkin.]*

Brought up, and read the First time.

Mr. Jenkin: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Mr. Michael Lord): With this, it will be convenient to discuss amendment No. 83, in clause 13, page 9, line 24, after 'State', insert

'subject to section (*Requirement for overriding order*) above'.

Mr. Jenkin: The new clause is all-embracing. The Under–Secretary of State for Wales, who wound up the previous debate and is leaving the Chamber, accused us of being Janus-like in our opposition to the Bill, but more Janus-like is the Labour party's attitude, which produced the Bill in the first place. The expectation, from all the body language and attitude of Labour Members when they were in opposition, was that they would give powers back to local authorities and reverse the trend of centralisation which, we have to admit, occurred under the Conservatives.

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Nick Raynsford): They confess.

Mr. Jenkin: Yes, we confess. There were many constraints upon us that required us to take powers to central Government, but that was never a process that we enjoyed, and I suspect that the Labour party is enjoying that process even less. If ever an expectation were dashed, this is it; the Bill takes 27 new powers for the Secretary of State over the activities, functions and finances of local government.

The whole purpose of the Bill is make improvements in respect of activities undertaken by local authorities. The Labour party promised to abolish compulsory competitive tendering, but the best value powers over the activities of local authorities are more penetrative, more all-embracing and more comprehensive than the relatively limited competitive tendering powers.

The Labour party also promised to abolish what it called crude and universal capping, a phrase that was flourished at Labour party conferences in times gone by to give the impression that Labour was against capping. Attaching the term "crude and universal" to capping, suggested that capping was crude and universal by nature, but we now know that Labour meant that it would abolish one kind of capping and replace it with another.

[Mr. Jenkin]

We could say that the Bill modernises capping, but I do not think that many people are impressed. As for the introduction of council tax benefit subsidy limitation—*[Interruption.]* The Minister for Local Government and Housing asserts that I am out of order, but Mr. Deputy Speaker is quite capable of making that judgment on his own.

Council tax benefit subsidy limitation is a totally new concept and there was no promise, pledge or even hint of it in the Labour manifesto. In Committee, the Minister said, "Yes, we have extended our manifesto commitment", as though that was likely to be welcomed by local authorities. They bitterly oppose the measure, rather in the same way that the governing party bitterly opposed the housing benefit clawback introduced by the previous Conservative Government.

8 pm

Sir Paul Beresford: My hon. Friend has been too generous to the Government. Universal capping has been brought back, in effect, as council tax benefit clawback. What they have done with the second part is bring in subjective capping in a vicious way; it could be applied extensively, viciously and selectively, even on a purely political basis. We have seen the beginning of a trend. The standard spending assessment has been utilised to redistribute funds—

Mr. Fallon: Manipulated.

Sir Paul Beresford: Or manipulated, as my hon. Friend says. It has been manipulated to shift funds to friends, colleagues or crony councils throughout the country.

Mr. Jenkin: I agree with the points that my hon. Friend makes.

As I said on Second Reading, we approach the Bill from the perspective of an Opposition party that is re-evaluating its policies on local government. My right hon. Friend the Member for Richmond, Yorks (Mr. Hague) has been making it clear for more than a year that we are reassessing our view of local government. He said to the Local Government Association conference last year—*[Laughter.]*

I note that the Minister for Local Government and Housing is laughing, but my right hon. Friend got a better reception at the conference than she did last year, and I bet that she is not looking forward to it this year. He said on that occasion:

"I am committed to local decision-making and to effective local government."

He went on:

"all of us in this room must think about how we can once more make local democracy vital and effective"—

something which the Minister for Local Government and Housing seems to have forgotten about very quickly as she has settled into her comfortable ministerial office. He added:

"As we carry out our thinking our guiding principle will be this: we believe that decisions in our society should be taken as closely as possible to the people affected.

If we can achieve more independence and more accountability for local authorities, with all the tough choices and difficult responsibilities that entails, then we should be able to strip away the controls that fetter councils—including capping.

I want to be able to trust local government to take serious decisions affecting local people without the risk of heavy-handed intervention from central government."

That is the objective of our policy. That is what the amendment seeks to achieve.

I was struck by some of the reasons that were advanced in favour of capping in Committee. The Minister for Local Government and Housing used two in particular which caused me amusement. She said:

"We have said consistently that we do not run away from the fact that there is a national interest which—in terms of this country ever being ready to adopt the euro and make those changes—is the amount of its debt. The amount of a country's public borrowing is one of the Maastricht criteria: it is an aspect of the national interest, which is very important."

I never thought that I would hear monetary union advanced as an argument for capping local authority expenditure.

The Minister was a little more honest later when she said:

"The Government have a responsibility to local council tax payers to retain reserve powers to protect them, if necessary—as we promised in our manifesto."—[*Official Report, Standing Committee B*, 23 February 1999; c. 466-69.]

There is a legitimate reason, perhaps, to maintain controls over local authority taxation, but not perhaps over the overall local authority budgets.

The argument is a constantly developing one. A most interesting paper that was produced by Peter Watt, senior lecturer in economics at the university of Birmingham, advances an argument that perhaps puts local authority spending and, in particular, local authority taxation into perspective. Our amendment seeks—I will come to the detail of it in due course—to set a sunset on the general regulation of local authorities, particularly with regard to capping.

I have no doubt that the argument will be advanced against the amendment—whatever its detail may be—that capping is necessary in the national interest, but Mr. Watt points out that the macroeconomic gain in controlling local authority expenditure is very limited. He points out that council tax is about—

Mr. Deputy Speaker: Order. The hon. Gentleman should return to the details of the new clause, as he suggested that he might do soon.

Mr. Jenkin: I am advancing the argument, which is implicit in our amendment, that capping will reach the end of its useful life and should be phased out. The amendment provides a mechanism by which capping powers in the Bill will expire. I have no doubt that the Government will advance the case that those capping powers are necessary in perpetuity. I advance the argument that it is possible to run a good economy without necessarily having such close control over a relatively small part of our national expenditure.

Various arguments are advanced: we need a balanced budget; the shift between private and public spending causes inflation. However, the theory is based on the assumption that households do not benefit from local authority services.

Ms Armstrong: I wonder whether the hon. Gentleman could perhaps tell us which amendment he is speaking to because I think that he is speaking to the next group of amendments.

Mr. Jenkin: I beg the House's pardon. When I said amendment, I meant new clause 5. I am grateful to the hon. Lady for putting me right.

It is also argued that increased council tax feeds into the retail prices index; the argument was advanced extensively during our period of office. However, rates and now council tax should perhaps not be in the RPI; there is a question as to whether they do have an inflationary effect. Money taken out of council tax feeds directly into the economy in another way. Even if council tax is in the RPI, it is not clear that an increase in—

Mr. Deputy Speaker: Order. The new clause relates to best value reviews. The hon. Gentleman should come to the nub of the argument.

Mr. Jenkin: The nub of the argument is that the emphasis that has hitherto been placed on the importance of capping for its macroeconomic effects has been overstated, but I will curtail my comments on that score.

It is important to understand that bitter opposition to the Government's capping powers, which, as my hon. Friend the Member for Mole Valley (Sir P. Beresford) explained in his intervention, are much wider than the capping powers that the Government inherited, has come from august organisations that otherwise provide much support for the Government. They include the Local Government Association. It also opposes, or has expressed reservations, about the considerable powers in the Bill relating to best value. It also opposes the council tax subsidy limitation, which the new clause seeks to curtail.

The new clause creates circumstances in which the best value review powers, the capping powers and council tax benefit limitation powers will be gradually curtailed. The association says that council tax limitation will hit the poorest areas hardest, and that the guideline increases for council tax benefit limitation could be viewed as a direct substitute for the crude and universal capping that the Labour party says it opposes.

Mr. James Gray (North Wiltshire): Am I right in thinking that new clause 5—the sunset new clause—will mean that the provisions with regard to capping will expire after three years? Is that my hon. Friend's suggestion?

Mr. Jenkin: I am making the case for the new clause and then I will explain its detail.

Mr. Deputy Speaker: Order. The hon. Member for North Wiltshire (Mr. Gray) has tried to steer the hon. Gentleman back towards the new clause. I should be grateful if he would deal specifically with the details in the new clause.

Mr. Jenkin: The new clause refers to the requirement for an overriding order. Let me turn to the details. It refers to a number of powers that may be exercised— *[Interruption.]* I am finding it difficult to concentrate, because the Minister for Local Government and Housing keeps giving advice in a stage whisper.

New clause 5 specifies a number of powers to be exercised by the Secretary of State in the best value process. Its purpose is to specify the powers which, if not exercised within three years of the implementation of the Act, would cause all the powers in the Act—including council tax limitation and capping powers—to expire. *[Interruption.]* The Minister seems slightly hysterical. Perhaps she should drink a glass of water and lie down for a bit. I am perfectly willing to accept that the drafting of the new clause may be imperfect, but its purpose is clearly to provide for circumstances in which all the powers in the Act would expire.

There is, however, a fallback for the Government. If the Secretary of State needed to use the powers later because a local authority had not performed as it had been expected to and was causing difficulties, they would still be available—subject to an order that would have to be proved by resolution of both Houses of Parliament.

Mr. Forth: I hoped that my hon. Friend would specify circumstances in which the Secretary of State's powers might not be exercised in the way described by the new clause. I readily follow the logic behind "in the event of this, that and the other", but I want to know in what circumstances my hon. Friend imagines the wording of the new clause would be invoked.

For what it is worth, I have always assumed that the Secretary of State would be anxious to use the new powers in the Bill. I think that my hon. Friend said earlier that there were 28, but no doubt more will come. The new clause, however, suggests that the Secretary of State may not use those powers. I find that intriguing: in what circumstances might the Secretary of State not use them?

Mr. Jenkin: My right hon. Friend has asked a key question. We were constantly assured that the reserve powers in clause 14 would be fallback powers, to be used only in extremis, and that the very existence of the best value process would cause sweetness and light to break out in local authorities, so that the Secretary of State would not be required to intervene. It is possible that the drafting is too broad in respect of some of the powers specified in the new clause, but the key point is this: when an authority is essentially well behaved and is applying the principles of best value through self-discipline in conjunction with the monitoring of the Audit Commission, surely it is entirely reasonable for the other powers that the Secretary of State has over the local authority to expire, returning to the authority the powers that we want authorities to have.

[Mr. Jenkin]

I remind the House that the objective of the time-limiting of capping powers was discussed in Committee. Indeed, I believe that a member of the Minister's party tabled an amendment proposing that the capping powers should expire in 2005.

Mr. Deputy Speaker: Order. The debate is not about capping powers. The hon. Gentleman must refer specifically to new clause 5.

Mr. Jenkin: I may be under a misapprehension in regard to the drafting of my own new clause, but it states that, in the event of the powers in the first part of the Bill's not being exercised,

"the powers in this Act shall only be exercised"

subject to an overriding order. That is intended to include capping powers and council tax limitation powers in the whole Act. To that extent, this is about providing sunsetting for capping powers, council tax limitation powers and all the other powers in the Bill.

8.15 pm

Mr. Oliver Letwin (West Dorset): I have been puzzling over how my hon. Friend has come up with this construction, but I think that I am at last beginning to understand. Is he arguing that, under new clause 5, if the Secretary of State has not exercised his powers in relation to best value over three years, all the powers in the Act, including the power to cap, will fall away?

Mr. Jenkin: That is exactly it. I am sorry that I have not made myself as clear as I could have.

Mr. Letwin: In that case, the new clause is vastly better and more powerful than many of us thought. *[Interruption.]* Judging by the chuntering of Labour Front Benchers, it is much more powerful than the Government themselves understood.

Mr. Jenkin: The purpose of the new clause is to provide for circumstances in which the panoply of powers will begin to fall away from Government, allowing local authorities more autonomy and more control over their affairs. We thought that the Government believed in that when they were in opposition. I have here a number of early-day motions signed by hon. Members who are now in government, expressing such sentiments.

Mr. Letwin: Does my hon. Friend agree that, although the new clause obviously vastly improves the situation for which the Bill provides, it might improve the situation further if the falling away of powers under clause 29—the capping powers—occurred if they had not been exercised for three years, regardless of what had happened to the best value powers?

Mr. Jenkin: I certainly accept that there are alternative ways of sunsetting the provisions, but the purpose of linking the sunsetting of the capping and tax limitation powers and the best value powers in relation to the exercise of the best value powers is this. If an authority is achieving best value to the extent that the Secretary of State need not exercise his best value powers, the result must be that the authority is exercising its function effectively, efficiently and economically, and providing its council tax payers with a good service at a reasonable price. That is why I chose those powers rather than the capping powers. An authority may well avoid capping, but if it is not running its service effectively, why should it be exempt from the other powers in the Bill?

Mr. Letwin: I think that I am beginning to understand my hon. Friend's deep logic—*[Interruption.]* I mean that entirely seriously. He seems to be saying that, under clause 29, it would be impossible for the Secretary of State to devise appropriate principles for the invocation of capping if he had not already determined that a local authority had failed to achieve best value.

Mr. Jenkin: If the local authority had failed to achieve best value, the powers in the Bill would remain intact. I suspect that the Secretary of State would continue to exercise his powers with regard to best value, and would therefore keep alive the other powers in the Bill.

If best value is truly intended to work, it will presumably become less and less necessary for Ministers to intervene. If we are to believe that best value will work, as the Government say, the intervention powers in the best value part of the Bill should be used less and less often, and it should be possible to relieve authorities of their burdens. We must believe that the Government do not want to cap authorities, and do not want to have their powers in perpetuity, because of what they used to say when in opposition.

I am holding a copy of early-day motion 73, dated 5 June 1997, which states:

"That this House believes that local decision-making should be less constrained by central Government and also more accountable to local people; therefore considers it unacceptable to continue the practice of capping local authority expenditure so as to deny local discretion."

If I go back a little further in history, I find early-day motion 327, dated 9 December 1996, stating that its signatories condemn

"the imposition through capping of expenditure cuts"

in local authorities. The motion was signed by the Under-Secretary of State for the Environment, Transport and the Regions, the hon. Member for Mansfield (Mr. Meale)—who is in the Chamber—and by the hon. Member for Rotherham (Mr. MacShane), who is now a Parliamentary Private Secretary in the Department of Trade and Industry.

History is rich with such examples. Another early-day motion demanded

"that the Government ends its policy of capping local authorities".

It was signed by the Minister for Tourism, Film and Broadcasting, the hon. Member for Rossendale and Darwen (Janet Anderson); by the hon. Member for Liverpool, Wavertree (Jane Kennedy), who is now a Government Whip; by the Minister of State, Department of Trade and Industry, the right hon. Member for Makerfield (Mr. McCartney); by the Under-Secretary of

State for the Environment, Transport and the Regions, the hon. Member for Mansfield—again—and even by the Secretary of State for Wales.

Jackie Ballard: The hon. Gentleman is giving the House a fascinating history lesson. I should be grateful if he would add to it by reminding us of who introduced capping powers.

Mr. Jenkin: I do not think that that is in dispute. Some people do not seem to understand that the Conservative party lost the general election, and that Conservative Members are now doing what we were overwhelmingly elected to do—to oppose. When one loses an election, it is a time to reassess one's policies. The Government seem to have been elected and, immediately, changed their mind about some of the fundamental issues on local authorities.

Sir Paul Beresford: The hon. Member for Taunton (Jackie Ballard) neglected to set the scene in which capping was introduced, or to describe the effects that had to be achieved in trying to inhibit the behaviour of many local authorities. The previous Labour Government were themselves starting to take the same action. The hon. Lady has been praising some Liberal Democrat-controlled local authorities, in which I can appreciate why there may be some feeling against capping.

Mr. Jenkin: I entirely agree with my hon. Friend. The history of local government is the history of circumstances dictating ever more control over local authorities. However, now that the atmosphere in local government is changing, and the hard left has been defeated, there is an opportunity to consider alternatives.

Perhaps the most enlightening early-day motion I have is one that calls for

"abolition of capping as undemocratic".

It was signed by the Secretary of State for Education and Employment; again by the Under-Secretary of State for the Environment, Transport and the Regions, the hon. Member for Mansfield—his name appears regularly in such motions; and by the Minister for the Regions, Regeneration and Planning. The list goes on. Another motion calls for the Government

"to abandon the use of standard spending assessments in determining their arbitrary capping limits."

The same argument applies to the Government's proposals in the Bill on council tax benefit limitation powers. Early-day motion 544, dated 2 December 1997, was signed by no fewer than 100 Labour Members, criticising the Government for their provisions on housing benefit in the Local Government and Housing Act 1989. However, the Government are now applying, in their council tax limitation, exactly the same principles used in the earlier legislation. A few brave souls signed early-day motion 182, which criticises the Government for going down that road.

We know that the Secretary of State for Education and Employment fought a bitter battle in Cabinet to try and stop implementation of council tax benefit limitation. One should therefore have thought that the Government would look favourably on an amendment such as new clause 5—which would provide an opportunity to sunset unattractive powers that no hon. Member truly wants to exercise over local authorities, and that are in the Bill of necessity, not desire—to provide a sensible and structured way in which such powers might gradually be reduced.

In a letter of 14 January 1999 to the Minister for Local Government and Housing, the chairman of the Local Government Association, Councillor Sir Jeremy Beecham said:

"The Association also considers that the reserve capping powers should be time-limited, ending after, say five years, by which time the other aspects of the reform agenda should be in place."

The right hon. Lady has repeatedly said that the entire purpose of best value and of the Government's—as they call it—reform and modernisation of local government is to provide an opportunity to give more responsibility back to local authorities. Our new clause 5 would give real life to the Government's supposed commitments to local democracy, autonomy and control.

If the Government do not wish to commit themselves to accepting new clause 5, we shall divide the House on it, to demonstrate the seriousness of our intent and purpose in reforming local government, so that local government shall have more autonomy and more control. The Conservative party is a party that means what it says, rather unlike the Labour party.

I emphasise to the Minister that our new clause 5 is a structured proposal that will be paced according to how the Secretary of State himself exercises the powers provided to him in the Bill. It should be possible for the Minister to give it a warm welcome.

Mr. Curry: There is a serious purpose behind new clause 5—to discover whether the Government believe that the panoply of powers that they are now taking unto themselves, adding to current powers, will be needed in perpetuity. The principle of best value, as I understand it, is that it will produce regular improvement in how local government delivers services. As we discussed in Committee, there is bound to be a time when the excellent become a little more excellent, the ordinary move up a bit in the league tables, and the rather unambitious ones in the bottom half of the tables become passable. However, with each improvement, incremental gain becomes ever more difficult to achieve. Do the Government believe that there will be perpetual improvement, or is there a local government nirvana in which authorities will be deemed to be performing satisfactorily? The purpose of the new clause is to find the answer to that question.

There are two possible scenarios. In the first, we look at the current circumstances of local government. The Minister may need to be prompted when he replies, but he should not need my questions interpreted as we go along. I try to speak in relatively modest English.

Ms Armstrong: The right hon. Gentleman is not saying anything new.

8.30 pm

Mr. Curry: I am sure that the right hon. Lady knows from her long experience in the House that politics is often a matter of trying to repeat arguments that were clearly not understood the first time.

In the first scenario, we accept that there is clearly room for significant improvements in local government at the moment. The Secretary of State should not have to use his powers, because delivering improvements will not need a

[Mr. Curry]

gargantuan effort or the skills of rocket scientists, although there may be problems in one or two areas. For example, we have a "will he, won't he?" situation in Hackney on the future of the education service.

Improvements should be evident early on, but what happens 10 years down the road if the legislation is still in place and local authorities have made significant improvements? Having made a great deal of effort they may find it difficult to continue making incremental gains. The Secretary of State will not give up and will continue to expect more gains. Every year, all Governments build cost-efficiencies into their financing formulae and expect productivity gains. Every year people protest that the gains are not easy to achieve. At some stage, they are bound to be right.

Do the Government envisage the extraordinarily extensive powers of intervention being needed in perpetuity? They have released local government into a gilded cage. It is an open prison in which local authorities cannot see the walls, but they know that if they go beyond a certain frontier they will get an electric shock and the guards will come after them. That is the best value principle.

I quite like the best value principle, because it is a logical successor to the compulsory competitive tendering process. It would not have been introduced without the experience of competitive tendering. The previous Government were looking for a more sophisticated mechanism that was less demanding of resources to supersede competitive tendering. One cannot say that the Government's proposals will not require vast resources for policing. The Chief Secretary to the Treasury is having a conversation on the Front Bench at the moment. The Treasury may become rather twitchy at some stage about the resources demanded by all the monitoring. It usually reacts like that.

Mr. Gray: Did I understand correctly that my right hon. Friend believed that CCT involved more monitoring costs than best value? Surely it is the other way round.

Mr. Curry: No, that is the opposite of what I said. The previous Government were concerned about the manpower costs of CCT. We recognised that it was necessary to find a mechanism to allow the most responsive and competitive authorities to recover certain freedoms and discretions, relieving some of the manpower costs. That is a logical incentive. Best value has provided a different mechanism for control, but it has not relieved the public purse—defined in the broadest sense—of the immense cost of the supervision. The money resolution had to give enormous new resources to the Audit Commission.

Mr. Forth: I hope that my right hon. Friend is not forgetting the unquantified additional costs added to the Bill by the previous group of amendments, in which we identified a new army of co-ordinators, forums and all sorts of other things that would—probably mistakenly—attempt to co-ordinate all the others.

Mr. Curry: I have not forgotten about that. We pointed to the need for some co-ordination, but we are anxious that co-ordination should not take over the inspection functions. The costs will be very substantial.

I should like to tease out what the Government think that local government will look like in 10 years. That is a legitimate question. Governments tend to look at the ground immediately in front of them, because that is where the landmines explode, but they have another major local government Bill on the way—apparently it is to be published in the next few days—that is also very prescriptive of how local authorities must behave and what choices they have to take, removing discretion from councils to choose their own form of management. We are getting prescription across the board. I am anxious to know whether there is some stage at which the rhetoric of liberty—the freedom rhetoric—will be complemented by measures that suggest that local government is to be trusted.

As I said in Committee, the Government and their predecessors—I am not in the business of repentance politics, so I do not apologise for it—were more concerned about good local administration than about local government. The Bill is another prescription for efficient local administration, but it removes local government from the people because it does not give them the discretion to choose—even to choose bad councillors and inefficient local government if they want to live with that.

What does the Minister envisage as the net result of the legislation? It has a purpose. At some stage, we hope to reach a form of local government about which we can say reform has been achieved, when we can return local government to the people. The community should take responsibility for local government; we do not need a canopy of measures constantly riding shotgun.

If the Minister can give us some idea of the Government's intentions, the new clause will not be necessary. It was tabled to try to tease out some idea of where the Government imagine they will end up after the long voyage that they have undertaken with the local government barque being towed behind at some distance. If the Minister can tell us that, she will do us all a service. My hon. Friend the Member for North Essex (Mr. Jenkin) has done us a great service by tabling the new clause which requires that question to be asked and answered.

The sunset clause provides for the natural extinction of powers if they have not been exercised. If they have not been exercised, that is because the local authority concerned behaved in a way that the Secretary of State deemed satisfactory. In a sense, that is an incentive; it is a means by which the local authority can be rewarded with more freedom through the absence of restraint and direction. I do not understand why the Minister does not admit that that is rather a good idea. It enables a local authority to demonstrate its efficiency, good will and capability. If it can do that, why on earth should it continue to be bound by the constraints. Why can it not be said that a local authority has demonstrated that it can live within the responsibilities defined by its own electorate instead of by the Government? If the Minister accepts that, she will have done local government a service instead of constantly talking about its freedom.

Mr. Paul Burstow (Sutton and Cheam): I welcome the new clause as it provides a useful opportunity to debate a number of issues in the Bill. It also reflects the Conservative Front-Bench approach to revisionism and repentance in respect of the 18 years of Conservative Government. We welcome that, although I listened to the

right hon. Member for Skipton and Ripon (Mr. Curry) saying that he did not wish to be part of the repentance side of the exercise.

New clause 5 is a clever amendment, as was reflected in the exchanges around the Chamber. It provides for the cessation of the capping power being exercised by the Secretary of State if a local authority is a good local authority under the terms of the Bill. If the Secretary of State has no need to use the best value powers to regulate a local authority, after the three-year period to which the new clause refers the other powers within the Bill cease to have effect. That is to be welcomed.

It is a pity that the Conservatives did not take that approach in government and that it took the sunset of a general election for them to realise that such a measure would focus the energy and attention of local government. I urge the Government to give the new clause serious thought, as it represents another way of achieving their intentions in respect of beacon councils. Beacon councils are about providing a means by which local authorities can secure greater independence, autonomy and freedom of action for and on behalf of their local communities. If the new clause can achieve that, it must be welcomed.

We have one or two reservations, however, because the new clause does not extinguish those powers; it merely adds a second stage to the exercise of those powers.

If a Secretary of State wished to cap a council that for the first three years after the Bill's enactment had been good in his eyes and had complied with the provisions on best value, he would first have to come to the House to override the measure that the amendment would place in the Bill, and would then have to come back again with another motion to cap the council. That would not be a bad thing, because the Secretary of State would have to think twice before exercising the powers that the Bill will give him in respect of a secretive, selective and—in some respects—dubious process of capping.

This is a debate about capping, as well as a debate about best value. Some may have thought that we were straying on to a debate on the following group of amendments, but it is entirely right that we dwell on the consequences of the capping powers that the Government are taking to themselves which, in some ways, are much more invidious than those that the previous Government developed over a number of years. Those powers were crude and universal but the powers that this Government are proposing are far worse, because they allow a far more selective approach. It is for that reason—perhaps more than any other—that the new clause should be supported.

Mr. Letwin: Does the hon. Gentleman agree that one of the peculiar features of clause 29 is that it appears to constrain the arbitrariness of the reserved power while doing nothing of the kind? The Department has been more expert, perhaps, than any other in our nation's history in inventing principles that have the remarkable result of identifying only a single case for capping, or for anything else.

Mr. Burstow: I am sure that the advice to Ministers will be produced in a masterly way to assist them in achieving their aims. The hon. Gentleman makes a fair point, and that is in no way disrespectful of the professional way in which the work is done. However, the work is enabling Ministers to achieve their ends, and the Bill is very much about Ministers achieving their ends at the expense of local democracy and local choice by local people.

Mr. Adrian Sanders (Torbay): And council tax formulae.

Mr. Burstow: As my hon. Friend says, the proposals undoubtedly have an important impact on decisions that local authorities take on council tax—decisions that are largely out of their hands as a consequence of the system that this Government are operating, but which the previous Government largely constructed.

If best value is about anything, it is about making sure that local authorities deliver good and effective services that are appropriate and relevant to the needs of the local community. The problem is that the Government think that they know better than every local authority in the land about what that means. That is the problem with the proposals on best value. Therefore any measure that enables us to debate the powers and to recognise them for what they are—a set of powers designed to prescribe and direct local government, and to transfer it into an agency of central Government—is entirely to be supported. We will support the new clause because it is undoubtedly right that, at the very least, we in this place should be able to debate whether the Secretary of State should use the powers in future.

Many local authorities who, through their own good efforts, will deliver what the Government call best value should and ought to be able to escape the capping regime; both the crude and universal capping through council tax benefit subsidy limitation, and the more sophisticated, behind-the-door and sneaky form of capping proposed by schedule 1.

Mr. Letwin: The new clause is something like a lion seen from afar: it looks small but it is in fact big.

Mr. Curry: Or an elephant.

Mr. Letwin: Indeed, except that a lion has a roar, which distinguishes it from an elephant.

8.45 pm

The new clause has a particular logic in the context of local government finance and the architecture of the Bill, and it raises a major constitutional issue. I must admit that I share the concern that many Conservative Members had when we first heard my hon. Friend the Member for North Essex (Mr. Jenkin) speaking to the new clause. We thought that he had somehow missed its effect. I should have known better, because my hon. Friend is one of our more distinguished intellects and would not have made that mistake. He did the House the service of descending to the level of the rest of us and explaining the logic of the new clause, which is even more profound, important and just than he gave himself credit for.

Dorset county council has for many years followed all the rules imposed on it by central Government. That is because it has been in recent times under Liberal governance and not run by some lunatic Labour administration.

Mr. Gray: What?

Mr. Letwin: I will relieve my hon. Friend's concerns in a moment.

[Mr. Letwin]

Alas, the county council has not derived anything like best value from its operations. I recently lobbied it about a footpath in Salway Ash, stretching from the church at one end of the village to the houses at the other. It remains a matter of mystery why the church was built so far from the houses, but it was, and so was the school. We went along to the council and asked whether it could build a footpath from one end to the other, and we were told that the total cost would be about £100,000.

Mr. John M. Taylor (Solihull): My hon. Friend has raised rather an important point about villages where the houses are a long way from the church, which also happens in Norfolk. In the time of great plagues, communities moved, and the only permanent building was the church, which was therefore at some distance from the new settlement.

Mr. Letwin: I am profoundly grateful to my hon. Friend for illuminating what may indeed be the history of the case; but I will not dwell on that.

The county council said that the footpath would cost £100,000 because it had exerted itself to obtain best value and discovered that it would come, at that price, from its own work force. We were surprised, then, to discover, on obtaining a quotation from a local private contractor, that the very same path could be constructed for £10,000: a point that the council is now wrestling with, wholly unsuccessfully, under its Liberal administration. There is every appearance of the game being lost and the council being unable to find any reason why it should continue to build amenities such as footpaths when it cannot demonstrate that it can build them for less than 10 times the price asked by the private sector.

Ms Keeble: The hon. Gentleman seems to be saying that the council operated competitive tendering and went for what appeared to be the lowest quotation. If it had followed the best value rules, it would have consulted the local community, and might have found that people did not want the footpath at all.

Mr. Letwin: I do not want to dwell much longer on the footpath, but I cannot resist observing that the hon. Lady's intervention encapsulates more or less every mistake that she could have made. I was lobbying the council because I had consulted the local community—all 300 of them—and 298 had said that they would like the footpath. Dorset county council has been highly progressive in seeking best value rather than competitive tendering. It consulted extensively. Alas, under a Liberal Democrat administration, the result has been lamentable—but I do not wish to make merely partisan points.

There is a serious problem with best value. Like many, I support the concept, but remain sceptical about the ability of local authorities—even serious, sensible councils that are not lunatic—to achieve anything that would be recognised in business circles as best value.

New clause 5 is extremely subtle. It allows for the possibility that a Secretary of State who judges that a council has, over a three-year period, achieved best value—and who thus has not used the powers in the Bill—may still intervene in almost every part of the local authority's affairs to impose best value. Only in such a case would the new clause end the capping powers.

This apparently slight new clause contains a new doctrine of the relationship between local government and central Government. We used to think it proper not to intervene when a local authority was not spending too much money. That was a Treasury-driven metaphysic.

We are discussing a much subtler proposition. New clause 5 says that if the Secretary of State determines that spending is good—that best value has been achieved—his powers to cap should be removed. It would be left to the local population to decide the level of spending that it wanted. The Secretary of State could not intervene, so long as he had assured himself that the money was being put to good purpose through best value.

That is a profound—and right—shift in our perception of the proper relationship between local and central Government. It shows a depth of thought in the re-evaluation process to which the Minister will give credit if he is feeling generous. We know that if the Government spot a good idea generated on the Conservative Benches, they will begin a sequence of action. First, they will decry it; secondly, they will consider it; thirdly, they will adopt it. Finally, they will announce that they were its progenitors.

We should welcome that. We should be happy if the Government—even if they reject new clause 5—adopt in future a much better doctrine of the relationship between local government and central Government of the type encapsulated in the brilliant new clause moved by my hon. Friend the Member for North Essex. We should not be so churlish as to deny them the great public relations victory that they would doubtless seek to gain by announcing that they had had the idea themselves.

I do not wish to dwell on the relationship between new clause 5 and local government finance. The new clause raises a major constitutional issue, and I hope that the Minister will say how he could defend the rejection of new clause 5, given its constitutional significance.

New clause 5 time-limits an awesome—and rather intrusive—series of powers. They relate, it is true, not to individuals but to intermediate institutions—local authorities and any other best value authority. The Minister will ask why the powers should be time-limited, when so many other powers are not. If that is his approach, it will illustrate the very constitutional point that I seek to make and it will show how far we have fallen from grace. The Minister should be asking why we should not limit the powers in time, because Parliament used to do so regularly. For example, the Aliens Restriction (Amendment) Act 1919 was time-limited. The Commonwealth Immigrants Act 1962 was time-limited. The Licensing Act 1964 was time-limited. The Accommodation Agencies Act 1953 was time-limited. The Children and Young Persons (Harmful Publications) Act 1955 was time-limited. As all hon. Members know, Prevention of Terrorism Acts have also been time-limited.

So common was time limiting in our history—although many hon. Members present may have forgotten it—that it used to be the practice regularly to produce an Expiring Laws Continuance Act, as was done in 1969 and 1970, to continue time-limited Acts for a further year. That was a splendid practice, because almost all the Acts that were time-limited contained powers of a highly intrusive

nature. A parliamentary doctrine, repeated in debate over a century and a half, made it clear that if Acts gave exceptional and intrusive powers—or arbitrary and wide-ranging powers—to a Secretary of State, it was appropriate, unless there was an extraordinary argument to the contrary, that they should be time-limited.

I am sure that the Minister will be especially interested in the case of the Children and Young Persons (Harmful Publications) Act 1955. Section 5(5) of that Act is a specific time-expiry provision, although it is not as subtle as new clause 5. It is a blunter instrument and simply provides that the powers in the Act should expire at a certain date. In the Committee stage of proceedings on the Act, a certain distinguished Member of Parliament said:

"I am extremely glad that the Government have accepted . . . these Amendments. It deals with one of the main concerns which many of us on this side have discussed during the debates on the Bill, that is to say, we feared that an Act introduced for an entirely different purpose might, after a number of years, be distorted for a quite opposite purpose . . . Personally, I should prefer the Government to limit the period to a shorter term . . . Nevertheless we have done our best".—[*Official Report*, 29 March 1955; Vol. 539, c. 305-6.]

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. The hon. Gentleman has made his point about other Acts and he should not go into detail about when they were debated. He should get back to new clause 5.

Mr. Letwin: As ever, Mr. Deputy Speaker, I am grateful for that admonition. Luckily, too, I had finished the quotation. I mentioned it because the Minister will be interested to learn that it was from one Mr. Michael Foot, who cannot be said to have been a reactionary Conservative making utterances for the sake of causing trouble. That doctrine used to be espoused on both sides of the House, even by those most devoted to socialism in its full-blooded form. However, we still find that new clause 5 has not met with the ready acceptance of Ministers. Why not? I regret that the reason undoubtedly is that they have been corrupted by the same thing as afflicted the previous Administration. That is not a partisan point, but a serious one about what happens to Governments in their relationship to local government and in their whole use of powers.

9 pm

Later this evening, we shall debate Henry VIII clauses and the same point will be made then: the Labour Government have introduced more wide-ranging powers for Secretaries of State to amend Acts by order than ever before in British history. That is regrettable, but the Government have not done it on their own; those powers are the culmination of a trend. Similarly, we see the culmination of a trend in this measure. I remember the vigorous arguments of the early 1980s when the great expansion of local government finance first occurred—

Mr. Deputy Speaker: Order. The hon. Gentleman must talk about the new clause. Other matters have nothing to do with what is before the House at the moment.

Mr. Letwin: I am talking about the new clause, Mr. Deputy Speaker, because I am trying to explain why the Government have fallen into the trap of opposing the new clause. The reason is that, as we did before them, they have fallen into the trap of imagining that Government control over local government is a necessary evil. They have failed to observe—

Mr. Deputy Speaker: Order. Perhaps the hon. Gentleman would put his own case. I have not heard the Minister speak on the new clause, so we do not know what the Government's view is. We must hear the voices for the new clause and then, if necessary, we shall hear the voices against it. Let us not get into detailed explanations of why the Government should oppose the new clause until we have heard what they have to say.

Mr. Letwin: I would not dream of suggesting that I know what the Government will say, although you might agree, Mr. Deputy Speaker, that if the Government did not intend to take the view that I was describing, Ministers would by now – in what I regret is rather a long speech – have intervened. We know that the Government will not accept the new clause.

To reverse the point and make it positive, the reason for the new clause is that the Government need to adapt; they need to realise that local government is capable of running its own affairs. It is vital that if this country is to have a grown-up local democracy, local people should be given the chance to decide whether local government is running its affairs properly. I understand why my hon. Friend the Member for North Essex has said that the clause should be time-limited only if best value is being exhibited, rather than time-limiting the whole clause. He is saying that the local population may not be able to judge whether there is best value, but they are able to judge whether they like the level of local government spending.

Personally, I should have gone further. If those powers must be introduced at all – in respect of clause 29, I regret their introduction entirely – they should all be strictly time-limited. My hon. Friend has not gone that far and I understand why. However, it is also necessary for Ministers to understand it, until they come to the realisation – one to which we came very painfully as a result of the prolonged arguments between the Treasury-driven side and the democratically driven side that we went through from the 1980s – that repeated efforts by Government permanently to control local government are no more than a route to perdition. Ultimately, those efforts corrode local democratic accountability and generate their own necessity: because Governments undermine local democracy, they feel more and more inclined to control it and we enter a vicious circle. The new clause nobly attempts – although not as fully as it might have done – to begin to extricate us from that vicious circle.

Ms Keeble: I believe that the hon. Gentleman was an adviser to Baroness Thatcher when she was Prime Minister and to Secretaries of State for Education while the Conservatives were developing the thinking that resulted in the imposition of more regulations and strangleholds on local government than have ever before been experienced. Is he saying that he was wrong to do that, or is he now into the repentance pol[illegible] of the Conservative party?

Mr. Letwin: I am saying that we collectively made a dreadful error in believing that it was necessary to

[Mr. Letwin]

intervene more and more to achieve the effects we sought. At the time, I was in favour of introducing forms of fiscal regime that would make the local populace take seriously the question of what councils were spending, and then freeing the councils to act on their own. I am sure that you do not want me to go into the details, Mr. Deputy Speaker; suffice it to say that my side lost the argument and the result was both a tax that, as it turned out, was too tough, and controls and interventions. The hon. Lady is right if she accuses the Conservative Government of that, but that does not negate the fact that the Labour Government are now repeating the mistake. In fact, they are repeating it twice over, not only through capping, but through the best value intrusion. With the new clause, my hon. Friend the Member for North Essex is offering the Government a lifeline.

With that, I shall bring my remarks to a close. I hope that the Minister will recognise that it is a matter of great constitutional importance that he should recognise the force of the argument that there should be a natural presumption in favour of the falling away of any hugely arbitrary power from legislation, and that there is an extraordinarily strong case for time-limiting the powers relating to best value if he wants to give back to local government a degree of democratic accountability that will ultimately be his only source of rescue from the vicious circle into which he is getting himself.

For both reasons, I hope that the Minister will not take the adverse line that I, perhaps improperly, speculated he would take, and that he will come to the Dispatch Box and surprise us all by welcoming this brilliant new clause.

Sir Paul Beresford: In supporting the new clause, my right hon. Friend the Member for Skipton and Ripon (Mr. Curry) correctly pointed out that many Conservative Members, rather than being repenters, regard the best value aspects of the Bill as the continuation of a trend that started under a Labour Government in the late 1970s. Someone described local authorities as falling into three groups: parasitic, commensal and catalytic. In the late 1970s, the parasitic variety was dominant. Since then, the middle group of commensal authorities appears to have expanded and the catalytic group, which all Governments have tried to encourage, has slowly increased.

To set the scene, let me go back to the days of the Conservative Government's dealings with local government, in the 1980s and early 1990s. There was a trend of considering not only the financial aspects of local government, but, I remind the repenters, the way in which local authorities organised and ran their services. We introduced the Audit Commission and the citizens charter as the means to encourage local government to move forward. Many local authorities failed to improve: they continued to ignore the fact that they were not providing any value, let alone best value, and to plague local residents both financially and through the quality of services.

When I first arrived in this country, I lived and worked in areas such as the east end of London which had appalling local authorities—I shall ignore their political complexion, but most hon. Members will be able to guess. Those authorities imposed on local people huge council taxes—or rates as they were then—plundered local businesses and provided appalling services. The next stage of attempting to force local authorities to examine their services, which best value also attempts to do, was the introduction of compulsory competitive tendering, which was remarkably successful.

Having set that scene, the next scene we come to is the best value scene. Best value appears to many of us, including my right hon. Friend the Member for Skipton and Ripon, to be the next stage in the process I have described. My hon. Friend the Member for North Essex (Mr. Jenkin) is going one step further. He is saying that we should look further ahead and accept that there are an increasing number of catalytic local authorities—to use the original description—for whom new clause 5 is the right approach.

The Minister has said time and again that we must have faith in local authorities. She also said that we should have faith in her. I can take a limited step forward with regard to local authorities, but I have no faith in her or her Government's approach. A number of local authorities are best value authorities that meet many of the Bill's requirements without the huge imposition of inspections, procedures and expenditure on consultation that it demands. My hon. Friend the Member for North Essex is giving the Minister the chance to accept that the top 10 per cent. of authorities—perhaps even more than that—should be left alone to get on with their successful operations.

The spirit behind best value is the same as the spirit behind compulsory competitive tendering. Using the reserve powers in the Bill—which involve best value and capping—we will get hold of those authorities at the bottom and lift them to the top. Middle-range authorities can and will benefit if best value is introduced properly. I am concerned that that will not happen and that we are placing a liability on local authorities in implementing best value.

That is certainly the case with the top 10 local authorities. Several local authorities in London have proved time and again that they provide a satisfactory service—both in terms of service and value for money—to local residents. Therefore, I was disturbed by the Minister's attack yesterday on three authorities that have satisfied the voting public about the quality of their service provision. Several surveys conducted by the local authorities—which were not required to do so under best value and thus did not face the heavy cost of Audit Commission reactions—pointed to that high degree of voter satisfaction.

My hon. Friend the Member for North Essex says that we must take a deep breath and recognise that several local authorities meet the targets, aims and aspirations set out by the Minister in the Bill. We should relieve them of the burden of council tax capping.

Mr. Letwin: I bow to my hon. Friend's greater expertise in this area, but does he not agree that the cunning of new clause 5 is that the second part of it need not apply? Local authorities might impose council taxes but, as long as they lived up to best value, they would escape the capping provisions.

Sir Paul Beresford: My hon. Friend is absolutely right. I am concerned that the Minister may come to the Dispatch Box at the end of the debate and refer to the generosity to the beacon councils as a substitute for the new clause. *[Interruption.]*

I have read all the paraphernalia about beacon authorities, and I fear that many authorities are being forced down a road that they may not wish to take. The actions of local authorities may be impeded. New clause 5 is simplicity itself—even if it is difficult technically—because it says that the best authorities, according to a best value measurement, with low council tax should be freed from the burden and be allowed to provide their services locally with the support of the voting public.

I think of two authorities in particular that have been lambasted by the Government, but time and again, the public have given them enormous support. They will be burdened by the Bill, unless we can persuade the Minister to accept new clause 5. *[Interruption.]* That will give us the opportunity to change the emphasis, rather than the technicalities, and remove the burden from local authorities.

9.15 pm

Mr. Gray: It is always slightly terrifying to follow my hon. Friend the Member for Mole Valley (Sir P. Beresford), who, from his time in Wandsworth, epitomises in so many respects all that is best about local government and the way that we ran it, providing the best possible services to people at the cheapest price without any of the unnecessary paraphernalia proposed in the Bill.

I am puzzled because the Minister's sedentary comments during my hon. Friend's speech seemed to imply that new clause 5 will not end that interventionism. I am puzzled also that she should find it necessary to make such sedentary remarks at all. That seems rather strange behaviour for a Minister, and if there is a way to demonstrate that the new clause would not do as my hon. Friend said, it might have been sensible for her to intervene on him in the time-honoured traditions of the House, rather than muttering from the Front Bench.

I am also cowed by the fact that I am following the speech of my hon. Friend the Member for West Dorset (Mr. Letwin), whose learning and elegance of exposition terrifies anybody who follows him. I was, however, worried when he heaped praise on Liberal Democrat-controlled Dorset county council, which is a bizarre thing to do. I must say that, hate it as I would, I should prefer to have a Labour-controlled council in my county than a Liberal Democrat-controlled council. The only thing worse would be a Lib-Lab council, which is what Wiltshire had until a recent by-election allowed the Conservatives to take control of the council, and we look forward to significant changes being made.

I was disappointed that I did not have the privilege of serving on the Standing Committee that considered the Bill, which I would have greatly enjoyed. However, I tried to follow its proceedings from *Hansard* and discussions with my right hon. and hon. Friends. I have experience of local government because I serve, with other hon. Members who are present, on the Select Committee on Environment, Transport and Regional Affairs, which last year produced a report on the implementation of best value, which we greatly enjoyed doing. The Select Committee is currently involved in discussing how we can improve local government finance. Without giving away any secrets, I can say that the results of those discussions will be known in a week or two. It will be interesting to find out how the Select Committee views capping and other aspects of local government finance in that report, and how it will influence the outcome of the debate on the Bill.

Mr. Deputy Speaker: Order. The House will have an opportunity to hear how the Select Committee conducts its affairs, but we must return to new clause 5.

Mr. Gray: I was conscious that I had begun to ramble, Mr. Deputy Speaker, and I am grateful to you for correcting me.

My point is that the Select Committee report on capping will be interesting because it may have a direct bearing on the sunset clause—new clause 5.

Conservative Members are not opposed to the principle of best value. Indeed, we think that local government exists precisely to strive continuously to provide a best-quality service to the public at an affordable cost. Delivering high-calibre services has long been a priority of Conservative-controlled councils, and we are proud of that record. Unlike hon. Members who constantly talk about us being sorry for what we did while we were in government, I am not the slightest bit sorry for that, particularly in relation to local government. I am proud of the fact that we introduced compulsory competitive tendering and reformed local government, which when we came to power in 1979 was, by and large, a complete shambles. So much of what we did in DOE terms—I worked in the Department of the Environment for two or three years—took great strides in putting right some of the worst aspects of local government.

Ms Keeble: Is the hon. Gentleman proud of the fact that the Conservative Government brought riots to the streets of all our inner cities in the early 1980s, and brought riots again with the poll tax?

Mr. Deputy Speaker: Order. These matters are a little wide of new clause 5.

Mr. Gray: Indeed, Mr. Deputy Speaker. I shall not be tempted into answering the hon. Lady's point, although from her privileged position in Cheltenham Ladies' college and elsewhere, I cannot imagine what she knows about protest in the streets of London.

Of course CCT had its downside and its disadvantages. All of us would be concerned about one or two aspects of the way in which it worked. None the less, it had two overwhelming advantages, which best value demonstrably does not have. First, it was relatively clear, straightforward and intellectually pure. We knew what it was. It was the application of the market—the use of the tendering process and the market to provide the best possible local government services. That is exactly the opposite of the interventionist and bureaucratic approach of best value.

Secondly, leaving aside the interventions that the Government had to make when CCT was not properly applied—from my time in the Department of the Environment, I remember how often that was, especially when left-wing Labour councils went out of their way to find ways to avoid applying CCT—it largely allowed local government to go about its business. By and large, local authorities put their business out to tender and accepted the best tender.

Mrs. Louise Ellman (Liverpool, Riverside): The hon. Gentleman supports compulsory competitive tendering

[Mrs. Louise Ellman]

and opposes best value, yet the new clause to which he is speaking deals with best value. Does he not think that his comments contradict those of the hon. Member for West Dorset (Mr. Letwin), of whom he expressed such great fear and terror?

Mr. Gray: I am grateful to the hon. Lady for her intervention. The fact that we both serve on the Select Committee deters me from being too harsh in my reaction to her remarks. The new clause implies that CCT was better. The interventionism implicit in the best value regime would end after three years if it were not used. It is a sunset clause. If a local authority does what it ought to do and provides best value at the best possible price, which is its duty, the interventionist powers of the Secretary of State will lapse.

I am arguing that that is what happened under the CCT regime. The local authority was left to get ahead with its own business. It put the business out to tender, examined the tenders as they came in, chose the best one at the best price, and delivered the best services at the best price.

One has only to look at Wandsworth, where I had the privilege to live for a number of years when it was run by my hon. Friend the Member for Mole Valley, to see what CCT could do in turning round the worst-run local authority into the best-run local authority at the best price to the taxpayer. At one stage, as hon. Members will remember, the council tax in Wandsworth went to zero. Throughout its history the poll tax was lowest in Wandsworth.

How different from that is the best value regime. The precise way in which it will work is, to say the least, a little clouded in mystery. The Select Committee's examination of best value last year came to the conclusion that it was weak and vague at its extremities—probably a well enough intentioned sort of idea, but definitely weak round the margins. Who would set the standards by which the local authority would judge itself? If those standards were not achieved, what a large amount of intervention by the Secretary of State would follow.

The setting of standards by which the local authority's delivery will be judged—and the way in which the Government ensure that they are sufficiently robust and demanding—is entirely bureaucratic, to a degree that is beloved of Labour politicians in so many ways. They love committees, bureaucracy, regulations and restrictions. They love telling people what to do. They love to tell local government that they know best, that they will lay down what is best and that if local government does not live up to that, they will intervene. All that is so beloved of Labour in every aspect, and so hated by Conservative Members. We believe in giving people the right to make their own decisions and to lead their own lives. That is why the new clause is so important.

The thrust of the debate about the place of local government in society today, and of the debate in the Select Committee on the subject of local government finance, has been to find a way of telling local government that it has a real constitutional role to play, that it is the elected representative of the people and that it has been chosen locally to make important decisions about the way in which life is run locally, and to find a way to allow it the freedom to govern as it should.

The new clause takes the principles of best value which, as I say, are weak, interventionist and bureaucratic, but limits them. It sets out how the best possible services can be provided at the best possible price to the electorate. We welcome that. It goes on to say that, if local authorities can do that for three years and the Secretary of State has no reason to intervene, at the end of that period, the Secretary of State will have those rights of intervention removed. That is an extraordinarily important democratic step which is directly in line with the flow of current thinking on local government.

The new clause is saying, as both parties go to great lengths to say in the Select Committee, that more authority should be given to local government—and we must find ways of handing authority back to it. There is much talk about whether it should have more power to raise its own finance. All that is important. Local government must either be a delivering mechanism—a management mechanism—or it must be true government, in which case powers must be handed back to it. That is why the Opposition feel so uneasy about many of the central proposals in the Bill.

The Bill says to local government, "You are not local government at all. I, the Secretary of State, know more about the provision of good services than you guys do. You may be elected, but that's tough. I am elected and I am the Secretary of State, and I know more than you fellows do. I shall pretend that you have a lot of powers. I shall remove CCT. That was bad because of the market and because it was compulsory."

Mr. Nigel Waterson (Eastbourne): My hon. Friend is beginning to develop his arguments on this crucial point, but does he agree that, as long as the Government still have the power to come back to the House for an overriding order in due course, the onus is very much on them to say why they are not prepared to allow the powers broadly to lapse after three years where an authority has behaved well?

Mr. Gray: My hon. Friend is right. The fact that the Government would have to come back to the House to seek a positive resolution to reintroduce the powers would put the onus back on to the Government. We should be saying, "You need to demonstrate why you, the overmighty Secretary of State, should have the right to override the duly elected representatives of the people at local level." That is an important principle.

Ms Keeble: Did the hon. Gentleman give similar advice to John Gummer when it came to rate capping local councils and to calling in contracts?

Mr. Deputy Speaker: Order. It is the convention in the House to refer to hon. Members by constituency.

Mr. Gray: I was so overwhelmed by the appalling lack of good manners on the part of the hon. Member for Northampton, North (Ms Keeble) that I missed her point. I suspect that she was making some cheap reference to the advice that I gave to my right hon. Friends the Member for Skipton and Ripon (Mr. Curry) and for Suffolk, Coastal (Mr. Gummer) on the subject of local government. I did my best to provide what advice I could, although my right hon. Friend the Member for Suffolk, Coastal used to say that I was something of the grit in his

oyster, thereby producing a pearl, but not necessarily by easy means. My right hon. Friend the Member for Skipton and Ripon who, sadly, has skipped out for supper, used to tell me that I was a good political adviser because whatever I advised, he did exactly the opposite and by that means, he was nearly always correct. I did not quite catch the hon. Lady's intervention, but it would almost certainly have missed its mark.

9.30 pm

The thrust of the new clause is to say that you in local government have been elected by the people. You in local government have been given the right—

Mr. Deputy Speaker: Order. Why do not I give the hon. Gentleman some advice? He should be careful of the term "you", which refers to the Chair.

Mr. Fallon: My hon. Friend has been a Member for two years.

Mr. Gray: As my hon. Friend reminds me, I have been a Member for two years. I was of course using the word "you" not to refer to the Chair or to Labour Members, but in a rhetorical way to describe what I would say to people in local government, to whom the word referred. None the less, I apologise for the inadvertent lack of courtesy to you, Mr. Deputy Speaker.

All that may seem to be relatively lightweight—flippant would be too strong a word—but a very important constitutional principle lies behind it. Both parties go to great lengths to pay lip service to the need to return authority to local government. We all say how frightfully important it is to do that; it is one of biggest mantras in all discussions about local government.

Conservative Members have tussled with the issue for some years; we have found some ways of returning power to local government and we are constantly seeking new ways of doing so. Labour Members pay great lip service to returning power to local government, and the Bill is part of that process. They say, "Fine, we will give some of these powers back to local government, which is marvellous. Here's best value; it's tremendous, isn't it?" It takes away compulsion and tendering and gets rid of the market, which, goodness me, is a bad thing almost by definition—after all, the Tories introduced it. Best value is a new idea and it does away with compulsory competitive tendering. Isn't that fantastic?"

However, only when we look at the Bill's fine print do we discover that Labour Members are not giving anything at all back to local government; on the contrary, they are gathering more and more to themselves. It has been pointed out several times that the words "Secretary of State" appear 178 times in the Bill. He is gathering more and more control over local government to himself, which is why the new clause is so important.

Best value and the changes to the capping regime may have something to be said for them, but we will talk more about them when we discuss other amendments. The important point is that, under the new clause, the powers in the Bill would lapse if the Secretary of State did not have to use them. What could be more democratic or more important than giving back to local authorities the right to make their own decisions? If the Labour Government are genuine about their desire to give power back to local government, and if they do not want people to think that they are paying only lip service to that, what could be better than accepting the new clause?

Mr. David Wilshire (Spelthorne): Powerful arguments are clearly being made in this debate. When it began, four Members were on the Treasury Bench. We reduced that number to three and then to two. Now there is only one Member on the Treasury Bench. I can only conclude that, one by one, those Members have had to be sent out to consult the spin doctors to find some arguments against what is becoming a powerful case for the new clause.

Mr. Waterson: I am grateful to my hon. Friend for giving way so early in his speech. Does he agree that it is nothing short of remarkable that in a debate that has not only been interesting, but has raised some important constitutional issues, not a single Back-Bench Member of the Government has expressed any interest in making a speech?

Mr. Deputy Speaker: Order. I hope that we do not get into that particular discussion, because I want only debate on new clause 5.

Mr. Wilshire: Thank you, Mr. Deputy Speaker. I understand the point that you make.

Although I did not serve on the Standing Committee, I have taken a close interest in local government for the 12 years that I have been a Member of the House. To save the Under-Secretary of State for the Environment, Transport and the Regions the trouble of looking up my credentials—he is the only Member left on the Treasury Bench—I remind hon. Members that I served on a town council and a county council, and was the leader of a district council, before I was elected to the House.

I was the leader of one of the district councils which, in the early days, invited the Audit Commission in to do a council over as thoroughly as possible. That is how the Audit Commission developed the three Es, which are at the heart of the argument being used about best value. I have been around the course many times. In listening to the arguments, I have the sinking feeling that it will not be the last time that we go around it.

New clause 5 raises an important question, which I hope Ministers will answer when it is their turn to say something: if a local authority meets all the best value criteria that the Government have set out, why do they need draconian central powers to back up that wonderful thing called best value? If best value is the best thing since sliced bread, or at least the best thing since the last general election, why do the Government still need to trample all over local government?

What has happened to the soundbite that we kept hearing in 1996, 1997 and even 1998 that went, "We are handing power back to the people"? The Bill is the exact opposite of that soundbite. When the Minister comes to speak, he owes the House and the nation an apology for that particular U-turn.

I cannot help wondering—again, perhaps the Minister would like to enlighten us—whether the Government are not confident about best value. It is one of the smoke and mirror things that they are so good at—making policy look presentable. Is it perhaps that secretly, deep down, although they dare not mention it, they do not believe that

[Mr. Wilshire]

best value will work? If they believe that it will work, there are some more sinister reasons why we have the Bill and why they will vote against the new clause. It may be that best value is nothing more than a smokescreen for what the Government are really trying to do: take sweeping new powers over the whole of local government.

I have taken some stick in my time in local government. I was one of those whom many people loved to hate in those days; perhaps they still do. I took a lot of stick for defending previous Conservative Governments when they did things that the Labour party said were interfering in local government, but I have never tried to defend anything as draconian or as sweeping as this Bill. It goes a lot further than anything that Labour Members might accuse us of.

It is important that, before we get into the details of the new clause, we ensure that we understand in some detail what best value means. I am happy to listen to the Government on that. The Government define best value as continuous improvement in the way in which a local authority's functions are exercised.

I can live with that, but it leads me to ask yet another question: if a local authority continuously improves, in accordance with the definition, does not require capping when it starts down the process, and continues to conduct its affairs in a way that does not require capping for three years, why will the Minister need those powers? Why should he need to deal with a council that is behaving in exactly the way that he requires?

As well as the definition of best value, the Government set out tests that should be applied when considering whether best value is applicable. They say, surprise, surprise, that they want best value to be judged by the three Es: economy, efficiency and effectiveness. I have little doubt that the Government will issue a press release or two saying how they invented that wonderful test and how the wicked Government from whom they took over had no concept, but I explained my credentials to make it clear that it was Conservative councils, under a Conservative Government, who tested, tried and introduced the very things that the Labour party claims as its own.

Because of my background, I can live with what the Government are describing as the tests for best value, but that leads me to another question that I hope the Minister will answer. If a local authority uses its resources economically, delivers services effectively and efficiently and continues to be economic, effective and efficient for three years, why should the Secretary of State need powers? What interference is intended that goes beyond the tests specified in the Bill?

Having expressed some of my own doubts, I should perhaps give the Government the benefit of the doubt, and invite the House to consider the implications of assuming that best value will work. If the House accepts the Government's argument that it will work, it must also accept our argument that the draconian powers in the Bill are not needed to deal with the councils that are making it work. Perhaps, however, the Government are saying that it is not enough to deliver best value. Perhaps they are saying that it is not enough for councils to live within the three Es. Is there something else that they want? If not, why do they need powers to use against councils that are manifestly abiding by not just the letter but the spirit of the law?

Sir Paul Beresford: My hon. Friend may receive the answer that the Government will reward local authorities, in which case there will be a reference to "beacon authorities". I hope that he has examined the requirements for "beacon authorities", which are very politically correct. Such authorities must follow a Government trend: if they want the financial benefits, they will be forced down that road by bribery. As a result they will be labelled, and will be landed with more bureaucracy, more difficulties and possibly, in some instances, with opportunities to engage in greater corruption.

Mr. Wilshire: I thought at first that my hon. Friend was being generous to the Government, but, following his final comment, I realised that he was not. My argument, however, was not that the Labour party had an answer along the lines suggested by my hon. Friend, but that it did not have a single answer to any of the questions that I or anyone else had asked. Labour Members have been sitting there all the evening not saying a word. Perhaps my hon. Friend was being generous after all in suggesting that they have a counter-argument.

If I am wrong and there is no secret agenda over and above best value and the three Es, there is no reason for Labour Members not to vote for new clause 5, which does nothing that they say they are against.

Before we vote, it is essential for us to ensure that we understand exactly what the new clause seeks to do. It seeks to time-limit certain of the draconian powers that the Government are trying to take in respect of local democracy. In fact, there are 12 such powers, and I think that we should spend a moment considering each of them.

First, clause 5(2) seeks to empower the Secretary of State to order a review of best value practice. However, a council that is following best practice will not have to be ordered to conduct a review; it already will have conducted one or will be planning to do so. If the council is already doing a good job, why will the Government require a power to force it to do a good job? New clause 5 will remove the power, which manifestly is not needed.

9.45 pm

The second power that would be dealt with by the new clause is in clause 5(4), which states that the Secretary of State may order specific matters to be included in a review. However—again—if a council is behaving itself and is efficiently following best value, it will already be dealing with those matters. By definition, that is what best practice—the three Es—entails. Why, oh why will Labour Members today be voting against removing after three years a power to deal with councils that are manifestly behaving themselves? I simply cannot understand it.

In clause 5(4), my eye fell on paragraph e, which states that one of the ways in which some type of review or test should be conducted is

"to assess the competitiveness of its performance in exercising the function by reference to the exercise of the same function, or similar functions, by other best value authorities"

so far, so good; but then it goes on to say—

"and by commercial and other businesses".

As I understand it, that means competitive tendering—the dreaded thing from which the Government said that they will spare us. It is lurking inside the Bill. Therefore, rather than abolishing competitive tendering, the Government are seeking powers in the Bill to force councils to operate it if they think that councils are not behaving themselves. It is another U-turn for which the Government should apologise to the nation.

The third power that the new clause seeks to remove is in clause 6(2), which would provide the Secretary of State with powers to order a council to include certain matters in a plan. Again, why do the Government need powers to order a council that is behaving itself to include something in a plan that it will already have included? I should have thought that part of the definition of best value—economy, efficiency and effectiveness—is to have a sensible plan. That is what it used to mean in my time in local government. Perhaps the Labour party has changed the definition, so that economy efficiency and effectiveness have been omitted. However, if best value means was it used to mean, why, oh why do the Government need powers to force a council that is behaving itself to behave itself?

The fourth, fifth, sixth and seventh powers are all in clause 7(4). Just in case Labour Members feel that I am simply rehearsing an argument because I have been asked to do so by Opposition Front Benchers, I should say that I have some reservations on the provisions in clause 7. If we were to remove all the powers provided in the clause, we should be removing the powers of the auditor.

I should have thought that the Labour party would like to remove the auditor's powers, as the trouble with town halls is Labour sleaze. It should not be up to Conservative Members to weaken the auditor's power to expose the truth of Labour in local government. Happily, however, our new clause will not remove all of the auditor's powers. I simply ask my hon. Friend the Member for Eastbourne (Mr. Waterson), in giving the Opposition reply to the debate, to think carefully about whether he wants to help sleaze in Labour town halls. I am sure that he does not.

The eighth power that would be affected by passing new clause 5 deals with auditors issuing reports. Again, I have some anxiety about limiting the power of the auditor to issue reports. Clause 7(5)(c) says that the Secretary of State must take action on an auditor's report. On reflection, my hon. Friend the Member for Eastbourne might agree that requiring the Secretary of State to act on something rather than trying to shuffle it away is what the Foreign Affairs Committee was doing with the Foreign Secretary—trying to persuade him not to sit on a report or to hide, but to act. Some reflection on that might not come amiss.

The ninth change that the new clause would bring about relates to clause 9(5), which says that if there is a critical report from the auditor, the Secretary of State must act. If we agree not to make the changes that I have just referred to, there is no need to take that provision out. I ask the House to think carefully about the fact that it is consequential on the previous provisions.

The tenth change is to clause 10(2), which gives the Secretary of State the power to direct that an inspection should take place. That brings me back to my complaints about many of the previous powers. Why do the Government want powers to enforce an inspection against a council that is demonstrating best value? They must have some reason for wanting to demand an inspection of a council that is keeping to the rules, but I am blowed if I know what it is. I hope that we shall be enlightened on the secret agenda of wanting to demand an inquiry and send in inspectors when a council is following the rules. If there is no secret agenda, surely to goodness the Government will vote with us. The eleventh change, affecting clause 10(3), is consequential on that.

The final change is to clause 14. The first few lines of the clause show that all the draconian powers that the Labour Government want to take over local authorities are about the failure of best value. The Government appear to have no confidence in the idea, because in clause 14 they admit that it will not work. If it does not work, they want a range of powers for the Secretary of State. The Minister is looking puzzled, and well he should. The clause is an admission that the Government interference will be because of failure. The new clause is about success. Clause 14 should not apply to a council that succeeds and avoids all the traps that are listed. Why should those traps apply to a council that is behaving itself? So why is the Minister about to urge his colleagues to oppose a sensible new clause?

All 12 changes would only introduce a time limit. If a council co-operates with how the Government want it to behave, the provisions in the Bill need not apply. If councils behave, the draconian powers that the Government are taking need not apply to them. We are not saying that they should cease to apply immediately; we are giving everyone the benefit of the doubt. We are saying, "Let us be reasonable. It is a powerful argument, but let us allow three years to go by to make absolutely certain that the councils concerned really are genuine, are delivering what the Government want and are being effective in respect of the tests that are being applied. Only after three years should the powers elapse."

The case is overwhelming. New clause 5 would do only one thing. In the case of good local government, new clause 5 would hand power back to the people and if my memory serves me correctly, that was in the Labour party manifesto.

Mr. Fallon: I support new clause 5. On first inspection, it is a worthwhile improvement to the Bill. However, it was not until, with rather deceptive ingenuity, my hon. Friend the Member for North Essex (Mr. Jenkin) unveiled the arguments behind it that the House began to appreciate exactly how important it is.

My hon. Friend the Member for West Dorset (Mr. Letwin) first elucidated the fact that the definition of powers in line 4 of the new clause is not the same as those listed in lines 1 and 2. The careful and gradual way in which my hon. Friend the Member for North Essex advanced the merits of the new clause first alerted us to its wider implications.

Above all, the new clause rejects intervention. It rejects capping—and prevents it from being exercised after three years although it is not referred to specifically in the first two lines. Nor does it allow any of the other interventionist powers to be exercised after three years. I did not like capping when the previous Government introduced it. Nor do I like the range of interventionist powers that have been taken under the Bill. One might well ask why we would like an override power. In the

[Mr. Fallon]

final analysis an override power is subject to parliamentary approval and to an affirmative resolution. The Minister knows that to take that power he has to come to the House, make his case, approach the business managers and seek time.

New clause 5 has two overriding merits. First, it gives councils an incentive. The three-year period gives councils the incentive to get clear of the Secretary of State and the Department and to stay clear of them. That is a good thing; it strengthens local democracy and gives better performing councils something to aim for. They know that if they can get through three years without those particular powers having to be exercised, they cannot be exercised unless the override power is invoked. That is a very good incentive for local authorities to drive up their efficiency and improve the performance of the services that they deliver.

Secondly, the new clause introduces into local government legislation, perhaps for the first time, the concept of sunsetting. If, in the review of local government policy that he is clearly undertaking and the rethink to which he has referred, my hon. Friend the Member for North Essex is further minded to look again at the technique of sunsetting—a regulatory power that will simply disappear if it is not used after three years—that will be most welcome. This technique is used extensively in other countries, such as the United States, Australia and New Zealand.

It being Ten o'clock, the debate stood adjourned.

Motion made, and Question put forthwith, pursuant to Standing Order No. 15 (Exempted business),

That, at this day's sitting, the Local Government Bill may be proceeded with, though opposed, until any hour.—*[Mr. Hall.]*

Question agreed to.

As amended in the Standing Committee, again considered.

Question again proposed, That the clause be read a Second time.

Mr. Fallon: In our review of local government legislation and regulation, that system ought to be widely copied elsewhere.

The Government have set three Es as a test of best value, but these are superseded by a fourth. The Government talk of economy, efficiency and effectiveness. To that, those of us who defend local government add a fourth E—election. It is the key to the three-year period that each council knows that it must face the electorate, who in the end are the best judge of best value. That is why the borough council in Wandsworth, under Conservative control, was continually re-elected. That is why the loopy Liberal Democrat council in Tunbridge Wells was thrown out last May. In the end, the electorate—and not the Secretary of State or parliamentary orders—will determine what best value is.

Adding the new clause to the Bill will strengthen it. It will give councils a genuine incentive—way beyond the auditors who will troop through the town halls—to get free of central Government, to escape the interventionist powers, to improve their performance and to subject that performance to the ultimate test—the test of their electorate.

Mr. Forth: Perhaps I am out of sorts today, but I am yet to be persuaded of the virtues of the new clause—despite the eloquence of my hon. Friend the Member for North Essex (Mr. Jenkin). In spite of what many of my right hon. and hon. Friends have said, I am not sure that the drafting of the new clause stands very much scrutiny. I have a number of questions on the new clause for my hon. Friend the Member for Eastbourne (Mr. Waterson), who is to reply to the debate from the Opposition Front Bench.

I will refer later to the question of why should the Secretary of State not exercise the powers, which a number of my hon. Friends have touched on. My first point arises from the comments of my hon. Friend the Member for North Wiltshire (Mr. Gray), and concerns the basis of the selection of clauses referred to in the new clause.

The new clause mentions clauses 5(2), 5(4) and 6(2) which are self-explanatory, but I am puzzled by the selection of the elements of clause 7. More than that, I want to query why clause 7 is included at all. Clauses 5 and 6 refer explicitly to the Secretary of State, and deal with eventualities where the Secretary of State does not invoke his powers, which therefore lapse after three years. Logically, clauses 5(2), 5(4) and 6(2) refer to the Secretary of State.

Clause 7 refers to:

"A performance plan published by a best value authority . . . shall be audited by the authority's auditor."

The Secretary of State is not mentioned at all. I am perplexed, because clause 7 does not refer to anything that the Secretary of State does.

Mr. Jenkin: The powers in clause 7(4)(c) refer to clause 6, which says that the Secretary of State will

"specify matters which an authority must include in a plan for a financial year".

If the Secretary of State does not do that, clause 7(4)(c) and (e) are redundant. As for clause 7(4)(f), we do not want the Secretary of State to be recommended to take action under clause 14 when he no longer has any powers, assuming that they fall away.

Mr. Forth: I am grateful to my hon. Friend for trying to help, but I am not quite there yet, because clause 7(4) says:

"In relation to an authority's performance plan the auditor shall issue a report".

It mentions the auditor, not the Secretary of State, so I cannot see how the initial part of the new clause will apply and why clause 7 is mentioned at all.

Mr. Jenkin: I will give my right hon. Friend an example. Suppose that, in the three-year period, the auditor issued a report recommending intervention by the Secretary of State under clause 14, that recommendation would be enough under the new clause to suspend the passage of the three years towards the eclipse of the powers, and the period would have to start again.

Mr. Forth: I will take my hon. Friend's word for it. Perhaps when I reflect later on what he has said, I will see that he has explained the matter satisfactorily.

My next problem with the wording of the new clause concerns our old friends "and" and "or". As I read it, the provision would come into effect only if absolutely all the powers mentioned are not exercised by the Secretary of State. That is an excessive limitation. I would like £1 for every time that I have heard the word "sunset" in this debate, but the sun will never set if my interpretation of the new clause is correct. The likelihood of the Secretary of State failing to exercise even one of the powers is extremely small, even though, as some of my hon. Friends have said, the circumstances in which he failed to act would be when a very successful local authority was doing everything that it should.

My hon. Friend the Member for North Essex may have answered my next question in his excellent introduction to this debate. The new clause says that

"the powers in this Act shall only be exercised"

in certain circumstances. I gather that to mean all the powers in the Act. My hon. Friend made an excellent analysis of the capping, pseudo-capping, perhaps-capping, modern-capping or focus-capping—whatever the new phrase is that we are supposed to use—which was helpful because it gave us an idea of the scope of the new clause, which some of us at first thought was rather limited. We now find to our pleasant surprise that it is very wide ranging indeed and would have a cataclysmic effect were it ever implemented.

Subsection (2) would require that a draft should be

"laid before, and approved by resolution, of each House of Parliament."

That provision is familiar, but I wonder whether any difficulties are envisaged in relation to reform of the other place. We are in new territory, and none of us knows what effect reform will have.

Until now, we could be confident of provisions such as these. We have seen them all before, and they are perfectly standard. It is even reassuring, constitutionally, that a measure of such importance requires approval by resolution of each House of Parliament. The present size of the Government's majority makes the outcome of a vote in the House of Commons fairly predictable, though only for the present. We may think that we know how the other place would react at present, but we cannot predict anything given the uncertainty around the reform proposals for that other place.

My hon. Friend the Member for North Essex may wish to comment on that element of unpredictability as it could have a fundamental effect on whether the measure could be approved by resolution of each House of Parliament.

I apologise for giving such a detailed analysis. My hon. Friend has partly reassured me, but my hon. Friend the Member for Eastbourne may reassure me further when he sums up. If the Minister inexplicably suggests that he will not accept the excellent new clause 5, we will then be fully motivated to support it in a Division.

Mr. Waterson: I am delighted to speak at the end of an important and useful debate on a sunset provision. As my hon. Friend the Member for North Essex (Mr. Jenkin) explained, new clause 5 proposes that the powers listed in the clause—all of them, which may reassure my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth)—should cease to have effect if the Secretary of State does not have recourse to them for a period of three consecutive years.

A council that consistently performed well and kept its council tax within limits deemed by the Government to be reasonable would be allowed the freedom to set its own budget and to determine its own strategy for improving services. It would remain liable to reimposition of the Bill's powers if Parliament deemed it necessary, and the sword of Damocles that the Bill hangs over the councils would provide a strong incentive to ensure that they did their utmost to act responsibly and in the interests of their communities. That would be a welcome first step towards ending bureaucratic central controls on local government.

Every Government regrets capping powers. No Government embraces those powers with enthusiasm. However, the Labour Government went out of their way when they were in opposition to oppose crude and universal capping, which is one of the powers mentioned in new clause 5. The Local Government Association, among others, has backed a time limit on the Bill's capping scheme, and we have heard valuable speeches on that theme this evening. Alas, it is remarkable that not a single speech came from those on the Government Benches. In opening the debate, my hon. Friend the Member for North Essex rightly quoted extensively from the speech of my right hon. Friend the Leader of the Opposition when describing how we as a party were re-assessing and recalibrating our policies towards local government and how we wanted to see local government in the future much freer to make its own decisions and to strive in its own way for excellence. We wish to move away from capping in any shape or form.

10.15 pm

The dreadful truth has dawned on much of local government that they were taken in by this Government when they were in opposition. The Government are taking extreme and draconian powers according to any view of them, and they should have a sunset or sell-by date. A similar point was made by an amendment tabled in Committee by the hon. Member for Castle Point (Mrs. Butler).

My right hon. Friend the Member for Skipton and Ripon (Mr. Curry), in a powerful contribution based on his extensive experience, talked about whether these powers were powers in perpetuity. He asked whether we could test the Government's real determination not to reach for these extensive powers in the future and he mentioned a choice between a nirvana for local government and what he called the open prison of the provisions in the Bill.

The hon. Member for Sutton and Cheam (Mr. Burstow) welcomed new clause 5 on behalf of the Liberal Democrats, which made me question how good an idea it was. I have overcome that natural reluctance and their support—like support from anywhere—is welcome. I trust that they will join us in the Lobby tonight. The hon. Gentleman described the powers proposed by the Government as invidious. I know that he chooses his words carefully and that is not too extreme a word to use in this context.

We heard a characteristically intellectually powerful contribution from my hon. Friend the Member for West Dorset (Mr. Letwin). He has the intellect to plumb the deep subtleties of new clause 5, as explained by my hon. Friend the Member for North Essex. With his usual eloquence, my hon. Friend the Member for West Dorset

[Mr. Waterson]

demonstrated why it matters to have a time limit and a life put on these powers. He revealed some excellent research into other examples through parliamentary history and traced the history of a crucially relevant parliamentary doctrine, all too sadly lost sight of in these careless times.

My hon. Friend the Member for Mole Valley (Sir P. Beresford), from his vast experience, made the historical link between compulsory competitive tendering and best value, making the crucial point that those are not two antipathetic concepts. In many ways, one has grown out of the other. Best value would not be a starter without the hard work put into CCT. He described new clause 5 as simplicity itself, but I would not go quite that far.

My hon. Friend the Member for North Wiltshire (Mr. Gray) also talked of the benefits of CCT and the possibility of the Government coming back after three years to obtain the powers, if any councils did start to misbehave. Therefore—and this is the key point of the debate—the onus must be on the Minister to justify why the Government cannot accept new clause 5. My hon. Friend the Member for Spelthorne (Mr. Wilshire) spoke from his impressive background in local government and he was right to point out the yawning gap in this debate between rhetoric and reality. He questioned whether the power was really necessary in perpetuity when a council is behaving itself.

My hon. Friend the Member for Sevenoaks (Mr. Fallon) spoke persuasively about the regulatory technique in the new clause and its use in other jurisdictions. We heard a characteristic contribution from my right hon. Friend the Member for Bromley and Chislehurst, who queried the exact extent of the powers and talked of problems in the wording. He is right to regard the phrase

"the powers in this Act"

as encompassing not only the clauses specifically referred to in new clause 5 but to all the powers contained in the Bill. If the Minister is bursting to tell the House that his advice was otherwise and that the new clause will not have the effect that is claimed for it, does he at least accept the principle behind it?

To sum up, we want to know the Government's real intentions in respect of the substantial powers that the Secretary of State is gathering to himself. As I have said, the onus must be on the Minister to justify the need for those powers not to be time limited. As we have seen, it is still possible for the Government to come back to the House in the future to renew those powers, if they feel that to be necessary, but for them to maintain that they need those powers in perpetuity, despite pious promises that they will not use them unless absolutely necessary, is another example of the nanny state gone mad.

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Alan Meale): Like the hon. Member for North Essex (Mr. Jenkin), I find it difficult to respond to new clause 4, not least because, as the right hon. Member for Bromley and Chislehurst (Mr. Forth) correctly pointed out—*[Interruption.]*

Mr. Wilshire: On a point of order, Mr. Deputy Speaker. Are we debating new clause 5, on which I was speaking, or new clause 4 as the Minister has just said?

Mr. Deputy Speaker: Order. We are definitely debating new clause 5 and have been doing so for the past two hours.

Mr. Meale: To return to what I was saying, the right hon. Member for Bromley and Chislehurst correctly identified that new clause 5 was incorrectly drafted. There is no doubt about that. If hon. Members have any doubts on the matter, I point out to them that the reference in the new clause to the Secretary of State's powers under clause 7(4b), (4c) and (4f) in fact relates to duties on the best value auditor. Similarly, although the new clause states that clause 7(5c) and clause 9(5) refer to the powers of the Secretary of State, those clauses actually set out the duties of best value auditors and best value auditing respectively, but never mind.

Undoubtedly, the right hon. Member for Bromley and Chislehurst was able to identify that the new clause was poorly drafted because of his great experience during nine years as a member of the previous Administration. However, we understood the gist of what Conservative Members were trying to achieve in new clause 5 because of its reference to the Secretary of State's powers in clauses 5, 6, 10 and 14; that gave us sufficient clues as to their intentions.

New clause 5 seems to raise two issues. The first is that of parliamentary scrutiny of the use of the powers in the Bill. We have dealt with that on several occasions, but shall do so again. The second issue is that of the regularity of use of powers, where the Opposition's objectives are more difficult to fathom.

In respect of parliamentary scrutiny, once again the Opposition are trying to make one approach fit all, in the time-honoured tradition of compulsory competitive tendering, which was honoured in no other way. They seem to want to impose affirmative scrutiny on the use of almost all powers, whether they are powers of intervention, the conferring of new powers or technical amendments to performance indicators. A number of hon. Members hold particular views on CCT, and we accept that under CCT there were some advantages in terms of efficiency. However, lowest cost, inflexibility, evasion and conflict have hampered good management and good quality services, and best value will sort that out. We reject the approach that the Opposition have set out in the new clauses and amendments that they have tabled.

Throughout, we have taken an approach to scrutiny that is based on proportionality, whereby the powers in the Bill that affect other legislation or widen the scope of best value attract the most rigorous scrutiny. By the same token, the approach to amendments to the internal framework for performance indicators, reviews and plans is based on consultation with the practitioners, such as best value authorities and the Audit Commission. That flexible and thoughtful approach contrasts with the knee-jerk reaction displayed by Conservative Members.

The notion that any attempt to use order-making powers in respect of a specific authority should be governed by the length of the period that has elapsed since

the powers were previously used, or by whether the powers have been used at all, is bizarre. I can understand why Conservative Members might be concerned about the possibility of vindictive or malicious targeting of particular authorities when there is a change of political control over those authorities or when there is a change of Government, but are they seriously advocating that the use of the Secretary of State's powers to direct inspectors or to intervene in cases of serious failure should be restricted in the way they suggest?

Mr. Jenkin: Will the Minister give way?

Mr. Meale: No. I have sat for more than five hours listening to a variety of speeches that have gone far wider than the scope of the amendments.

Failure is failure, no matter where or when it occurs—*[Interruption.]*

Mr. Deputy Speaker: Order. The Minister must be heard, but there is far too much background noise in the Chamber. The House must come to order.

Mr. Meale: To repeat, failure is failure, no matter where or when it occurs. Ministers must have the opportunity to tackle it swiftly and decisively, so we must reject arbitrary restrictions such as those set out in the new clause on the Secretary of State's freedom to act. Similarly, where aspects of the framework, such as the requirements for reviews of plans, need to be adjusted to take account of how best practice is evolving, the sort of mechanistic rules set out in the amendment would rule out any form of sensible or helpful action.

Amendment No. 83 would have the effect of making any direction given as a result of the recommendation of a best value inspector to an authority that had not received a direction in the previous three years conditional on an order being laid before and approved by resolution of both Houses of Parliament. That would impose unacceptable time restraints on the ability of the Secretary of State to react to the problems that had led to the recommendation being made.

It is normal for the Secretary of State to have a certain degree of discretion in exercising his role of enforcement, and to subject that discretion to parliamentary scrutiny would be an overreaction. Where a direction has been recommended and an independent inspector has considered the situation, the Secretary of State will have the opportunity to judge the facts and any representation made by the authority before preparing a direction. He will also have the power, if he believes it necessary, to direct that a local inquiry be held to ascertain the views of local people on the matter in question.

Where intervention is recommended to address a serious or persistent failure in the delivery of services, delay might lead to vulnerable groups being left unprotected and to problems worsening if—

Sir Paul Beresford: On a point of order, Mr. Deputy Speaker. I am curious as to whether the Minister is answering the debate on the right clause, because the subject that he is now describing—

Mr. Deputy Speaker: Order. The Minister is in perfect order. If he had been otherwise, I would have told him so.

Mr. Meale: Thank you, Mr. Deputy Speaker. The hon. Gentleman himself referred to the difficulties that delay due to a requirement for parliamentary consent would cause to organisations, especially voluntary ones, whose response to a failure was hampered.

The new clause and the amendment may be honestly meant, but I think a few honest mistakes were made in their drafting. We believe they are wrongly tuned and inadvisable. I ask the Opposition to withdraw the new clause. If they will not, I must urge my right hon. and hon. Friends to vote against it.

Question put, That the clause be read a Second time:—

The House divided: Ayes 156, Noes 330.

Division No. 126] **[10.30 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baker, Norman
Baldry, Tony
Ballard, Jackie
Beggs, Roy
Beith, Rt Hon A J
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brake, Tom
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Bruce, Malcolm *(Gordon)*
Burnett, John
Burns, Simon
Burstow, Paul
Butterfill, John
Campbell, Rt Hon Menzies *(NE Fife)*
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Collins, Tim
Colvin, Michael
Cran, James
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice & Howden)*
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fraser, Christopher
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gill, Christopher
Goodlad, Rt Hon Sir Alastair
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Greve, Dominic
Gummer, Rt Hon John
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Keetch, Paul
Key, Robert
Kirkbride, Miss Julie
Kirkwood, Archy
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Rt Hon Andrew
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Mates, Michael
Maude, Rt Hon Francis
May, Mrs Theresa
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Moss, Malcolm
Nicholls, Patrick
Oaten, Mark
Öpik, Lembit
Ottaway, Richard
Page, Richard
Paice, James
Prior, David
Randall, John

Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Rowe, Andrew *(Faversham)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Shepherd, Richard
Simpson, Keith *(Mid–Norfolk)*
Smyth, Rev Martin *(Belfast S)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Tredinnick, David
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wardle, Charles
Waterson, Nigel
Webb, Steve
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Willetts, David
Willis, Phil
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mrs. Eleanor Laing and
Mr. Stephen Day.

NOES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Stuart *(Middlesbrough)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Cabom, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunliffe, Lawrence
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fisher, Mark
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galbraith, Sam
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L

Plaskitt, James
Pollard, Kerry
Pond, Chris
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheldon, Rt Hon Robert
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Twigg, Derek *(Halton)*
Vaz, Keith
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woolas, Phil
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Greg Pope and
Mrs. Anne McGuire.

Question accordingly negatived.

Mr. Keith Bradley (Treasurer of Her Majesty's Household): I beg to move, That further consideration of the Bill be now adjourned.

10.45 pm

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): In view not only of the lack of progress on the Bill, but of the Opposition's unwillingness even to discuss the time required for it, tomorrow's business will now be an allocation of time motion, followed by the remaining stages of the Local Government Bill. The business previously announced for tomorrow will now be taken at a later date.

Several hon. Members *rose—*

Mr. Deputy Speaker (Mr. Michael Lord): Order. The question before the House is debatable and I assume that the Leader of the House has made that statement as part of the debate.

Mr. Jenkin: A large number of amendments have yet to be discussed which raise serious matters about the Bill. We have yet to discuss the principle of capping and council tax benefit subsidy limitation, the application of best value duty to police authorities; the definition of the general duty of best value; the limiting of the Secretary of State's powers, requiring him to take independent advice; the widening of the duty to consult to include non-commercial organisation; and such vital matters as whether the Henry VIII clause should be limited in duration, as such clauses should be.

Serious constitutional issues are embodied in the Bill, it being the most draconian local government Bill that the House has ever seen. We are prepared to put in the time tonight to discuss these matters. *[Interruption.]* The question is why the Government would prefer to go home rather than do the work that they were elected to do.

We know what the Government want. They want a soft life. They want to go early to bed with their teddy bears and hot milk instead of doing the job for which they were elected. The Government will get the Bill through by guillotining further consideration of these matters. Many important issues that we wish to discuss may not be discussed. No doubt the Government's sittings motion will put the remaining Government business first in the order of consideration and there will be no further discussion of the matters that we regard as important. The Government will then regard that as sufficient consideration of the Bill.

There is time tonight to discuss these matters, but the Government would prefer to go to bed. That is a dereliction of their duty and an arrogant stifling of democratic debate in the House. I therefore oppose the motion.

Mr. Frank Field (Birkenhead): Some of us, as the hon. Member for North Essex (Mr. Jenkin) said, may be going home to our teddy bears tonight, but British troops may be in the air to carry out Government policy and may die in the process. Surely it is inappropriate that the House of Commons should continue with this sort of saga during the night when important issues are at stake.

The plain fact is, as I say to my right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer), that if the Government want the Bill they will get it. They have the majority to do so. No amount of sitting here tonight will make any difference to that.

Surely, as the country approaches war, it would wrong of the House to be giving such a display of party politics.

Mr. John Gummer (Suffolk, Coastal): Our next discussion would have been about democracy in local government and how local people might have decided what they wanted to do with their own local authority. It is very serious that so many Labour Members shouted when it was suggested that we should discuss these serious matters one after another. It is all very well for the Leader of the House, who never answered a question seriously when she was the Secretary of State for Trade and Industry, either because she could not or—

Mrs. Beckett: Will the right hon. Gentleman give way?

Mr. Gummer: No, I am not giving way. The right hon. Lady never answered a question.

Mrs. Beckett: I thought that I should correct the right hon. Gentleman. My hon. Friends were saying, "You have not been here all evening, so why are you concerned?"

Mr. Gummer: The right hon. Lady showed so much courtesy to the House that she did not even allow any

[Mr. Gummer]

discussion before getting to her feet to say that she was not having any more debate. She is not in a position to teach anyone anything, because she was never willing to answer any questions when she was in charge of a Department.

We are discussing a serious matter and we wish to go on to discuss democracy in local authorities. Year after year after year, the right hon. Lady complained in the House if anyone suggested that any decision should be made that was contrary to the wishes of Labour-controlled local authorities. I suggest that Labour Members want to introduce the various draconian measures that are before the House because they know that they will not control many local authorities in the future. They will therefore not come into conflict with Labour local authorities in the coming months and years.

I say to the right hon. Lady, if she is listening, that there is no need for draconian rules when local authorities are run by Conservatives because we are, by nature, careful with ratepayers' money. She and her hon. Friends are making a great mistake: they believe that they have to make such decisions, because otherwise they will be faced with recalcitrant authorities over which they do not have control.

We have given Labour Members a way out, but it is worrying that they will not take it. That way out is giving local people the right to decide for themselves whether they want an increase above that which the Government are willing to give them. That is what we would have discussed. The proposed Adjournment— :

Mr. Deputy Speaker: Order. The question before us is narrowly drawn. [HON. MEMBERS: "Hear, hear."] Order. I do not want the right hon. Gentleman to widen it too far. Would he please return to discussing the question before us?

Mr. Gummer: The motion before the House stops us discussing democracy in local government. This House is supposed to be the guardian of democracy.

Mr. Michael Fabricant (Lichfield): Does not my right hon. Friend agree that the right hon. Member for Birkenhead (Mr. Field) has affronted the House by saying that we should not be discussing democracy because of what might be happening over Kosovo? Are not we entering into a dispute in Kosovo for the sake of democracy? During the second world war, did not such discussions continue? The House did not go into abeyance for five years. The House of Commons—

Mr. Deputy Speaker: Order. This intervention is far too long.

Mr. Gummer: I will not follow that line because of what you have said, Mr. Deputy Speaker, but it is all very well for Labour Members to believe that this is a convenient time at which to point out that, because of their majority, they can make such decisions. I say to my right hon. Friend the Member for Birkenhead (Mr. Field)—who is my pair and who kindly described me in such terms—that it is true that the Government could carry through any measure they liked. However, one of the things that the Government, particularly the Leader of the House, should learn is that power also demands responsibility, and that continually using the power of the majority to avoid discussing issues that matter to minorities is the plea of those who do not believe in democracy.

The Leader of the House would do her side much more good if, instead of smiling away on the Front Bench, she seriously asked herself whether local authorities were not important enough for the debate to continue, if necessary, in government time tomorrow and the day after. If she would give us that open-ended commitment, we would be happy to go home now and to continue tomorrow and the day after. In the meantime, she must accept that the House is the place where those issues should and need to be debated, because that is what democracy is about.

Mr. Douglas Hogg (Sleaford and North Hykeham): Will my right hon. Friend emphasise that the position of Leader of the House is more than that of a Minister? The Leader of the House has an obligation to the House as a whole.

Mr. Gummer: I could emphasise that, but the present Leader of the House has rarely displayed that part of her role. I would like her to do so, but I have not so far seen it. Therefore, rather than appeal to that part of her role, I appeal to something that should be deep in her heart: a commitment to democracy. This is about local government. As, I think, the longest-serving local government Minister in the House, I do not remember not being willing to listen to her on democracy in local government. I sat through her speeches time and again.

I was not terribly well informed as a result of what the Leader of the House said, but as Leader of the House she should not have got up as she did, not even allowing time to discuss whether we should have the motion. She insisted on pushing her guillotine motion because she is after no debate, no discussion, no democracy. The fact that she has done that just before the debate on a new clause to open up local government to local democracy, tabled by my right hon. Friend the Member for Skipton and Ripon (Mr. Curry), is a great sadness.

I hope that you, Mr. Deputy Speaker, will allow me to say that, in her position as Leader of the House, the right hon. Lady should think again, perhaps show the courtesy that would come well from a party that claims to believe in democracy, and allow time for the matter to be debated properly.

Mr. Peter Bottomley (Worthing, West): About 32 hon. Members have spoken in the debate so far: five have been called by you, Mr. Deputy Speaker, and the other 27 or 28 have been talking non-stop on the Labour Back Benches. It is clear that they want to contribute to what is going on.

It would be useful to know whether the Leader of the House believes that her statement at the beginning of the debate was supposed to be a substitute for the business statement that she may want to make tomorrow, changing the business for tomorrow. Was it in accordance with precedence? Was her contribution to the debate a substitute for the business statement, on which she would normally expect to be questioned? If she is trying to avoid questioning, it compounds the offence of the way the Government have tried to curtail today's debate.

The right hon. Member for Birkenhead (Mr. Field) has made a valuable point. It does not deal with the threatened guillotine. In practice, the issue being debated is not just whether the House adjourns tonight, which is a debatable motion, but whether the Government are right to say, at the first whiff of discussion in the House of Commons, "We want to drop the guillotine on the debate."

Local government had to face the Government consultation, where the Government said that it could not argue for the present system—it could have any type of democracy except what this country had been used to. I believe that the House would be right to debate the issue for an hour and a half, or two and a half hours. I believe that, if the Leader of the House, who seems to be absent from the Chamber—[HON. MEMBERS: "Where is she?"]—is forced to make another business statement tomorrow, there will be the possibility of another hour of questions and answers. I will not anticipate points of order, but it strikes me that the Leader of the House would have been better advised to listen to the advice of her Whips. She would have done better to allow tonight's debate to continue in an even-tempered way, and, if necessary, to allocate more time to the Report stage.

11 pm

Mr. John Greenway (Ryedale): Is it not extraordinary that, half an hour after the moving of the business motion at 10 pm, a motion was moved to curtail the debate?

Mr. Bottomley: It may try your patience, Mr. Deputy Speaker, if I explain how that is consistent with a number of other actions taken by the present Government; but the key point for the House of Commons is that the debate could have continued until midnight, or slightly later. The only reason for the threat issued by the Leader of the House is the fact that the Government do not want the House to discuss, in detail, alternatives to their plans for local government. That will be noted in Worthing, in Arun district council and in West Sussex county council. *[Interruption.]* The laughter of Labour Members will be seen in parallel with the failure of their party to put up candidates in local government by-elections on the south coast.

The party that claims to govern for the nation is not playing its part in competition for elections to local government throughout the country. I believe that the party will be seen through, that as and when the consequences of its iron rule here are noted it will pay the penalty in local government, and that, whatever it does with the Bill, it will regret its action tonight. It is undemocratic and wrong.

Mr. Sanders: Liberal Democrats understand the frustration that the Government must feel. Certainly we could have made far more progress than we have made but for the filibustering tendencies of certain Conservative Members. Members of the official Opposition raised many important points—although some took a long time over it—but many more still need to be raised.

Mr. Fabricant: On a point of order, Mr. Deputy Speaker. If an hon. Member was filibustering, would that not be ruled out of order?

Mr. Deputy Speaker: I think that the hon. Gentleman can safely leave such matters to the Chair.

Mr. Sanders: I thank the hon. Gentleman for his filibustering intervention.

Many important facets of the Bill still need to be debated. The Bill alters the relationship between local government and central Government in what we consider to be an adverse way. It confers powers on the Secretary of State that previously resided with the House, or with local government. We have yet to debate the important amendments on the principle of capping. Labour Members have spent the last 18 years criticising the Conservatives in that connection, but they may not now be able to hear the debate in full tomorrow.

The application of best value duty to police and other authorities, the definition of the general duty of best value, the limitation to the Secretary of State's powers of requiring him to take independent advice and the proposal to limit the duration of the Henry VIII clause are all important issues, but what the Leader of the House has done has a further disadvantage: it has prevented Liberal Democrats from debating their amendments, and we may not now have the time that we would otherwise have had to debate them.

The right hon. Member for Birkenhead (Mr. Field) made an important point. We have forces on their way overseas on our behalf. If we cannot debate the best value provisions, perhaps the House should sit through the night to debate that matter.

Mr. Hogg: The right hon. Member for Birkenhead (Mr. Field) made a perfectly sound point about the desirability of debating events in Kosovo. Is not the proper action for the House to convene tomorrow to debate policy towards the former Yugoslavia and Kosovo, and to debate this matter tonight?

Mr. Sanders: I agree entirely with the right hon. and learned Gentleman, as do other Liberal Democrat Members, who will vote against the motion. I have made my point. This is a very sad day for democracy, and particularly for local democracy. The Bill is an attack on the ballot box in local councils and on people's right to determine who controls their council—local councillors or central Government.

Mr. Forth: The right hon. Member for Birkenhead (Mr. Field), perhaps inadvertently, let the cat out of the bag. He said words to the effect—I cannot quote him exactly—of, "The Government will get their Bill anyway—so what's the point in debating it?"

Mr. Field *rose—*

Mr. Forth: He will correct me.

Mr. Field: I said that merely on the basis of my experience as an hon. Member for 20 years, watching the Conservative party in government.

Mr. Forth: Whatever the basis of the right hon. Gentleman's comment, it revealed what is in the minds of Labour Members—in the mind even of a distinguished and respected Government Back Bencher such as him. The gist of his remark was, "There's no point in continuing a rather futile debate on the Bill. Let's just get

[Mr. Forth]

on with the Bill, because the Government have a huge majority." That seems to be the attitude of Government Back Benchers.

Mr. Hogg: Is there not another aspect to my right hon. Friend's comments—that, plainly, the Government Whips had caused their own Back Benchers to abstain from the debate, thus preventing a proper debate on the Bill?

Mr. Forth: Yes; regrettably, it is true. My right hon. and learned Friend is correct. Hon. Members who have been in the Chamber throughout the debate are very conscious of the fact that no Government Back Bencher spoke in it. Although that may be a matter for Government Back Benchers, I suspect—as my right hon. and learned Friend said—that it is much more likely to have been a matter for the Government Whips, ruthlessly suppressing any contribution by their own Back Benchers to the debate, and accusing Opposition Members of prolonging it.

Mr. Hogg: Is not the true position either that Government Back Benchers are not concerned about the issues involved in the Bill, or that a gagging order has been imposed on them to shut them up? It is one or the other. Which does my right hon. Friend think it is?

Mr. Forth: I regret to say that there were so few Government Back Benchers present for the debate that it was almost impossible to tell which it was—but I assume that it was their indifference to the Bill's substance, as they did not trouble even to come into the Chamber and listen to the debate, never mind participate in it.

Let us consider the point that we had reached in the debate. As many hon. Members will know, there are 12 groups of amendments for our consideration today. We have dealt with two of the groups, and the next group was intimately related to the one that we have just finished considering. The Government have, quite arbitrarily, interrupted the debate at a completely inappropriate time. It is bad enough that they are seeking to truncate the debate, but to do it in the manner that they chose shows that they are completely uninterested in the substance and nature of the amendments that were being debated.

Quite arbitrarily, the Government decided prematurely to finish off the debate. Moreover, as the Leader of the House said, the Government will tomorrow move a guillotine motion, further to restrict debate on this important Bill. That shows the Government's overall attitude to the House and to legislation, which is: no debate at all; no participation by Government Back Benchers; a minimum amount of time; arbitrary truncation of the debate, at a time when the House is perfectly capable of continuing with it; and—to add insult to injury—a provocative announcement by the Leader of the House that she will tomorrow move a guillotine motion further to reduce debate.

Mr. Fabricant: Does my right hon. Friend think that it is a delicious—if that is the right word—irony that the right hon. Member for Birkenhead (Mr. Field) can talk about the events in Kosovo, where British troops are going to fight the forces of fascism, which are engaged against democracy, when in this House, which is the seat of democracy, we hear that the Leader of the House is trying to curtail democratic debate? Is he not—

Mr. Deputy Speaker: Order. The hon. Gentleman has made that point already this evening.

Mr. Forth: I am grateful to my hon. Friend and I would not dream of arguing with his point. I accept it completely.

Are the Government going to allow proper consideration of legislation in this House and in another place? The Government's arbitrary and artificial restriction of debate here is bad enough, but what they are proposing to do in another place compounds that, because the Bill will not receive proper consideration there either.

Mr. Gummer: Will my right hon. Friend return to the point that he made about the right hon. Member for Birkenhead (Mr. Field)? There is a difference between saying that one side can always win a vote and being prepared to give time for a debate in case something should come out of it that would enable the Government to improve the Bill. That is an important element of democracy. Even if we lose the vote, such debates enable the Government to change their mind.

Mr. Forth: Ironically, as my right hon. Friend knows well, this evening we debated a group of amendments that arose from consideration in Committee. The Government came forward with amendments, they were duly debated and the House had an opportunity to decide whether to vote on them. In the middle of that process, we are going to be denied further proper consideration. I hope that the Leader of the House will reconsider what she has peremptorily and arbitrarily done this evening. Even now it is not too late. She has an opportunity during this brief debate to reconsider what she has done and to reflect on the damage that her decision will do to the image of a Government already tainted with the perception of arrogance, which is developing in the House and outside.

Mr. Hayes: Does my right hon. Friend agree that the damage to the Government's reputation will come not just from their treatment of the House, but from their contempt for local democracy? We are debating local democracy and good conduct in local government. Their reputation as the enemies of local government will be exacerbated by their behaviour tonight.

Mr. Forth: My hon. Friend is right. We are talking about a triple whammy. The Government have mounted an assault on local government and democracy, on democratic processes in the House of Commons, and on the role that the other place has played for so long in terms of proper checks and balances against the Executive in our legislature. There is a triple threat to the traditions of democracy.

Mr. Hogg: May I put it to my right hon. Friend that there is yet another dimension? The reluctance of Labour Back Benchers to protest about the truncation of debate is worrying. As Back Benchers, they should be concerned that they are not able to participate for longer tonight on such an important matter. Is that not a cause for concern to my right hon. Friend?

Mr. Forth: This is where beds, teddy bears and cocoa come into the matter. I suspect that the Government

Whips felt unable to ask or require their Back Benchers to remain in the House of Commons—never mind participate in the debate—and in their desperate anxiety to get them off home as quickly as possible, the Government are prepared to sacrifice the proper, traditional processes of the House. It is completely unacceptable.

11.15 pm

Mr. John Butterfill (Bournemouth, West): Does my hon. Friend agree that what will not be understood in local government and outside the House in general is the inconsistency of the Government's approach? If they had intended to curtail debate this early, why did they move the 10 o'clock motion? What was the point of moving the 10 o'clock motion if they intended to close down the debate early?

Mr. Forth: I hope that when the Government reply to the debate—I hope they will do us that courtesy in order further to explain their motivation—they will answer my hon. Friend's valid point. It seems odd that, when only a few minutes earlier the Government had invoked a process that would prolong the debate, they then sought to close it down. We must have an explanation of what on earth is going on, what is in the Government's mind and, more particularly, an assurance that the Leader of the House will reconsider what she has done and seek to find simple, straightforward ways—in which I am sure we would co-operate—to allow the debate to continue properly, so that this important Bill receives proper consideration.

Mr. Wilshire: The right hon. Member for Birkenhead (Mr. Field) made a fair point. He had my sympathy and I was beginning to be persuaded by what he said until his final comment. Unlike my right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer), I wrote down what the right hon. Gentleman said at the end of his speech. He said that no amount of sitting here will make any difference. I assumed that he was aiming that comment at us, but on reflection, perhaps he was saying how he feels when he bothers to come to the House and make a speech as it makes no difference, given the way in which the Government have treated him.

Mr. Field: It is important that the hon. Gentleman distinguishes between my main speech and secondary interventions that I made in response to points arising from the debate. In public discourse such as this, it is useful to make a distinction between primary and secondary causes.

I was saying that tonight British troops may die carrying out Government policy and it is inappropriate for us to be squabbling in this way. A secondary point was that general elections decide who govern and roughly on what terms. The Opposition have a duty to conduct a five-year election campaign. Some Opposition Members have not realised that they have made their point and they continue to embroider it. I think that we should begin to draw conclusions from the debate and that we should adjourn in a sober mood, considering what is happening elsewhere.

Mr. Wilshire: I made exactly that point. At the beginning of his speech, the right hon. Gentleman was making an effective point. He is the only Labour Member to say that he wants a discourse. That is approximately what we are saying; we would like a debate across the Chamber, but only the right hon. Member for Birkenhead is willing to do that.

Mr. Gummer: Does my hon. Friend agree that it would have been very much better had the Leader of the House got up and said that, owing to the serious nature of the announcement earlier, she would seek the adjournment of the House, that tomorrow we would discuss the issues of Kosovo and that she would provide proper time for the Local Government Bill. That would have come surprisingly—but extremely well—had she done it. The right hon. Member for Birkenhead did what she should have done, but it is a great pity that she did not do it. Perhaps she would like to do it now—or can a leopard not change its spots?

Mr. Wilshire: My right hon. Friend is correct. Like the right hon. Member for Birkenhead, I am concerned that we may go home tonight in a fractious state. However, he is wrong to try to put the blame for that on the Opposition. Had he been here for the debate, he would have found that the House was in a good mood. There was nothing fractious about it until the Government Front Benchers caused all the trouble. If the right hon. Gentleman goes home unhappy tonight, he knows who to blame. It is not us—it is the Government Front Benchers.

Mr. Hayes: Is not it the case that when the 10 o'clock motion was moved, most Members would have anticipated that the House would have continued to debate the amendments for perhaps an hour or two—perhaps until 12.30 am? One might have expected the Government to close down the debate at that time. By then, several further speeches would have been made and more matters aired. Frankly, the Government would have had a considerably easier time persuading Members on both sides of the House that their case was justified.

Mr. Wilshire: My hon. Friend asks what I expected when I came here. I have a confession to make—I had begun to believe some of the rhetoric of Labour Front Benchers. I was becoming brainwashed into believing that they were a confident, self-assured team who knew how to run the country. I have discovered that, far from that, they are a bunch of wimps who, even with a huge majority, cannot cope with opposition. They do not have the slightest intention of allowing anyone to have a say on anything with which they disagree. After only five hours of debate—during which time most Labour Back Benchers could not even be bothered to come here—they have run out of arguments and patience, and they have no intention of listening further.

Mr. Patrick McLoughlin (West Derbyshire): Is not it the case that the Government do not wish to discuss capping in detail on the Floor of the House? Is my hon. Friend aware that the present Government imposed the smallest-ever cap on a local authority, despite saying at the general election that they would not cap at all? Last year, they put a cap on Derbyshire—

Mr. Deputy Speaker: Order. That is a little wide of the matter before the House.

Mr. Wilshire: I congratulate my hon. Friend on making a point that the Labour party is trying to stop us

[Mr. Wilshire]

making by guillotining the debate. Not only has the debate been stopped after only five hours, it has been stopped after only two groups of amendments. That is all the Government can cope with. During the debates on the two groups, no Labour Back Bencher could be bothered to utter a word against our arguments. Opposition is something with which the Government cannot cope.

Mr. Fabricant: My hon. Friend has said that no Labour Back Benchers have contributed because they had no ideas to suggest to the debate. Was that the case, or was it that the Whips prevented them from doing so—thus demonstrating the inability of those on the Government Front Bench and the Whips to allow democracy in this House? *[Interruption.]*

Mr. Wilshire: Sadly, I do not have psychic powers, so I have no notion of what the Whips have been doing. However, having learned a bit about them in my first 11 years here, I would not be in the least surprised if my hon. Friend were correct. *[Interruption.]*

Mr. Gummer: Has my hon. Friend noticed that the Minister for Local Government and Housing is very anxious to enter the debate? Has he noticed that she has hardly been able to contain herself during any speech from the Opposition? Will he point out to her that if we did not have the guillotine, she would have plenty of time to share with the House her obvious indignation?

Mr. Wilshire: Again, my right hon. Friend makes a fair point. Had he been here during our earlier debate, he would have noticed that, far from wanting to join in, the moment that things got difficult, the right hon. Lady got up and fled, probably to seek advice from spin doctors.

Mr. Hogg: If we face a guillotine motion tomorrow, is not the overwhelming probability that we will not have proper discussion of major parts of the Bill? Does my hon. Friend agree that, in those circumstances, it is important that the other place should debate the Bill very extensively, so that it is properly discussed in one House at least?

Mr. Wilshire: That is absolutely right. I am sure that we can send a few copies of *Hansard* to the other place to make exactly that point.

Mr. Jenkin: One reason why Ministers fled may be that their names appeared on early-day motions condemning capping in the previous Parliament. Those involved include the Secretaries of State for Education and Employment and for Wales. They said one thing in opposition and now they do another.

Mr. Wilshire: Exactly so.

The Government cannot cope with more than five hours of debate. *[Interruption.]* Does the Minister for Local Government and Housing want me to give way?

Ms Armstrong *indicated dissent.*

Mr. Denis MacShane (Rotherham): I congratulate the hon. Gentleman on the fact that, for the first time this year, there are more than a dozen Conservative Members present in the Chamber. Yesterday, there were 12 here for the education statement. The average for Treasury, Trade and Industry and Education and Employment questions is fewer than 20. Here we have the fatuous fighting—

Mr. Deputy Speaker: Order.

Mr. Wilshire: If the hon. Gentleman cares to look around him, he will discover that there are more Conservative than Labour Members present. All his wimps have gone away again.

Mr. Oliver Heald (North-East Hertfordshire): Does my hon. Friend agree that the Government are trying to curtail the debate because the Minister for Local Government and Housing has been completely unable to answer Conservative Members' criticisms of her party?

Mr. Wilshire: Perhaps, having rushed out to seek help, the right hon. Lady could not find Alastair Campbell, so she came back with a guillotine.

After only five hours of debate and two groups of amendments and new clauses—a mere half an hour after moving the business motion to extend the debate—the Government decided that they had had enough, despite the fact that the business statement made it clear that we were to consider the Bill today. The Government gave ample notice of the debate and invited both Government and Opposition Members to consider the Bill and table amendments. It is a pity that only Opposition Members took up the invitation.

We could have had a constructive debate. The Government decided to move a business motion, for some tactical reason that is beyond me, but not because they genuinely wanted debate on what they said we would discuss today.

Mr. Hayes: The Adjournment motion was moved arbitrarily. The matters to be discussed later were at least as important as those that have been discussed, and arguably more so. The decision was based on no logic, common sense or sense of decency.

Mr. Wilshire: I agree that decency and logic are not hallmarks of the Government. They have made it clear that they do not want debate or amendments. They want to trample on democracy and deny us the chance to question what they have chosen to do.

11.30 pm

Mrs. Ann Winterton (Congleton): My hon. Friend reinforces all that I feel about tonight's debate. Do not the people in the country feel that we have an elective dictatorship that does not wish to hear debate on the important issues before us?

Mr. Wilshire: I agree wholeheartedly.

May I put a point directly to you, Mr. Deputy Speaker, which has been mentioned by others? I am not clear about what has happened tonight. The Government moved that we should cease further consideration of the Local Government Bill. That motion can be debated, it is being debated, and it will be voted on. However, the Leader of

the House made what amounted to a statement. You, Mr. Deputy Speaker, explained to us that she had spoken in our debate.

No doubt you will put me right if I am wrong, Mr. Deputy Speaker, but I understand that there is a motion before us and that we are debating it. The Leader of the House has spoken in that debate. I am not an expert on Standing Orders—[HON. MEMBERS: "Hear, hear."] Let us see whether I have a fair point or not. As I have learned during my 12 years in the House, business can be changed after it has been announced if a formal business statement is given to the House after the Government have given notice of that statement to the Speaker.

I do not understand whether we are debating a motion or a business statement. I do not believe that we can have both at the same time. When we come to vote on the motion, Mr. Deputy Speaker, would you guide us as to whether there must follow a formal business statement on which we may ask questions before tomorrow's business can be changed?

Mr. Hogg: Perhaps I can help my hon. Friend. The Leader of the House must make a formal business statement tomorrow, and we may look forward to asking her questions. At present, we are debating the motion, and very much enjoying it.

Mr. Wilshire: I should far rather have a ruling from the Chair, no matter how much I respect and like my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg). Is it permissible for the Leader of the House to leap to her feet tomorrow afternoon to say that we will change the business two minutes later? Would not it be sensible to make a business statement now?

Mr. Deputy Speaker: Order. Let me make it clear that we are debating the question that further consideration of the Bill be now adjourned. All speeches so far have been on that question.

Mr. Peter Bottomley: On a point of order, Mr. Deputy Speaker. May we take it from that clear ruling that the business of the House, printed overnight, cannot include what the Leader of the House purported to say at the beginning of her speech?

Mr. Deputy Speaker: The Government have total control of the Order Paper.

Mr. Gummer: Further to that point of order, Mr. Deputy Speaker. If it is the custom of the House that changes to the business of the House should be presented formally, do you agree that it would be a change in that custom if we did not have an opportunity to know what that change was and to ask at least limited questions of the Leader of the House of Commons?

Mr. Deputy Speaker: Perhaps it would be helpful if the Leader of the House responded.

Mrs. Beckett: I am happy to help, Mr. Deputy Speaker. I am slightly surprised that Opposition Members did not choose to ask questions when I made my earlier remarks. The right hon. Member for Suffolk, Coastal (Mr. Gummer) asked whether my action went outside the custom of the House. It did not.

Mr. Jenkin: It did.

Mrs. Beckett: That is not true. I well recall sitting in my office when I was shadow Leader of the House and seeing the then Leader of the House making a business statement on television without prior announcement.

Several hon. Members *rose—*

Mr. Deputy Speaker: Order. I shall deal with that point. The Leader of the House could not have expected hon. Members to treat her remarks as a statement as she was simply contributing to the debate on the motion.

Mr. Hogg: Further to that point of order, Mr. Deputy Speaker. The Leader of the House has now risen. I think that hon. Members will wish to treat what she has said as a statement that gives us the opportunity, before we resume our debate, to ask her some questions. Will you confirm that what she has said by way of an intervention is indeed a statement that gives rise to the process of questioning that statement?

Mr. Deputy Speaker: That is not correct. The Leader of the House was simply contributing to the debate.

Mr. Peter Bottomley: Further to that point of order, Mr. Deputy Speaker. You clearly gave a ruling that the Leader of the House's first remarks were part of the debate on whether the House should now adjourn. The Leader of the House, since then, has purported to say that she has made a business statement. Would it be possible, in the kindest way, to advise her that her remarks cannot have been a business statement as you had already ruled that her remarks were a contribution to the debate on the motion for adjournment. No one would want to accuse the Leader of the House of intentionally trying to challenge a ruling by you, Mr. Deputy Speaker, but until she clarifies the issue, that is the way it will read.

Sir George Young (North-West Hampshire): Further to that point of order, Mr. Deputy Speaker. Would it be in order for the Leader of the House to confirm that once this debate is out of the way she plans to make a business statement in the normal way?

Mrs. Beckett: Not only is that my intention, but I have been willing to make it plain at any time this past hour. *[Interruption.]*

Mr. Deputy Speaker: Order. We can clear this point up. Is the Leader of the House planning to make a statement at the conclusion of this debate?

Mrs. Beckett: At your convenience, and at the House's convenience, I shall make a statement when this debate is concluded. I accept, of course, your ruling, as I have accepted it from the beginning. I object strongly to the imputation by the hon. Member for Worthing, West (Mr. Bottomley), whatever his seat is. You properly ruled that I made a contribution to the debate and I have no

[Mrs. Beckett]

quarrel with that. I also have no objection to being questioned on the business statement: indeed, I look forward to it.

Mr. Deputy Speaker: The matter is entirely clear and we must now resume the debate.

Mr. Wilshire: Thank you, Mr. Deputy Speaker. Things get better and better or worse and worse, depending on one's point of view. A few moments ago, we witnessed a demonstration from a bunch of wimps who are not prepared to debate anything and are not prepared to listen. We have now had a demonstration from a bunch of wimps who do not understand how to run the House of Commons, although they claim to be in charge of it.

Mr. Gummer: Would my hon. Friend comment on the fact that for several moments while he was asking the Leader of the House whether she was going to make a statement, she shook her head, giving a clear indication that she would not. She now says to you, Mr. Deputy Speaker, that she never had any intention of not making that statement.

Mr. Deputy Speaker: Order. That matter has been clarified and we must move on to the question before us.

Mr. Wilshire: I imagine that it may occur to you, Mr. Deputy Speaker, that as we have not had a business statement, and the business has not yet changed, you might be tempted to ask how we can debate a change of business that has not taken place. Everything that has been said on the issue will need to be repeated after we have heard the business statement.

Mr. Hogg: One of the matters of concern to many hon. Members is that the Leader of the House proposes to make a business statement that clearly has not been discussed through the usual channels. Is not she abusing the courtesy and practice of the House and is not that a matter of grave concern to my hon. Friend?

Mr. Wilshire: It has been demonstrated that Government Front Benchers do not understand the conventions and courtesies of the House, so how can we expect anything different? The only other thing that we can now say is that perhaps the Select Committee on Standards and Privileges needs to investigate another leak. Before the business statement has been made, we know what will be in it. That is yet another leak from the Labour party.

I shall return to the subject of the Government's so far botched attempt to stop debate on the Bill. Before we got into this situation, we were discussing new clause 5. Our argument was that we wanted to return power to the people because the Bill would do the opposite. *[Interruption.]* We made no claim to that phrase; we borrowed it from the Labour party. Having had a debate about returning power to the people in local government, we are now having a debate about a Government who are prepared to deny power to Parliament. When the Government make their business statement shortly, they will guillotine a Bill—

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. We are not deciding what the Government or the Leader of the House are going to do; there is a motion before the House. We can worry about what the statement contains later on.

Mr. Wilshire: I accept that point, Mr. Deputy Speaker, but I was responding to the contribution to the debate made by the Leader of the House. However, I accept your point, Mr. Deputy Speaker.

The refusal to listen that we saw earlier and are seeing now reflects the use of the draconian powers that refuse to allow Parliament to sit late into the night. Those draconian powers against this Parliament, like the draconian powers against local government, show the Government in their true light; that is not a pretty sight.

Mr. Nicholas Winterton (Macclesfield): We are debating the progress of the Bill on Report; the Question is whether the House should adjourn and terminate debate tonight on this important Bill, having debated only two groups out of 12 groups of amendments and new clauses. According to the Leader of the House, many of the amendments that remain to be debated are likely to be subject to a guillotine, namely a timetabled debate.

I speak tonight because I served in local government and am proud of the role that local government plays in our democracy. Will the right hon. Lady guarantee to the House that she will allocate adequate time under the timetable motion for debate on the remaining 10 groups of amendments and new clauses, including the third group on the selection list? That group relates to capping—a most important matter, especially to those, like me, who served in local government. I am proud that one of the small number of achievements that I have notched up in my political career was when I won a Labour seat—

Mr. Deputy Speaker: Order. Until now, the hon. Gentleman has been perfectly in order, but he must not tell us about his political career. That is not the subject of the debate, interesting though it may be.

Mr. Winterton: Mr. Deputy Speaker, I have the feeling that the House wants to hear about it.

Hon. Members: Hear, hear.

Mr. Deputy Speaker: Order. The Deputy Speaker does not want to hear about it and that is what is important.

Mr. Winterton: Mr. Deputy Speaker, I thought that you were seeking to represent the best interests of the whole House. At no stage would I ever seek to overrule a decision of the Speaker or the Deputy Speaker, but I am trying to make the point that debate on the remaining 10 groups of amendments and new clauses could well be limited and that that might have an impact on the effectiveness of local government and on the democracy which is so important to local government.

Mr. Gummer *rose—*

Mr. Winterton: I shall give way to my right hon. Friend in a moment.

The right hon. Member for Birkenhead (Mr. Field) is someone for whom I have the highest regard; for several years, I served under his chairmanship of the Select

Committee on Social Security. He raised an issue about Kosovo and the fact that British service men and women—

Mr. Deputy Speaker: Order. *[Interruption.]* I am making the rulings and Kosovo is not a matter— *[Interruption.]* I make the rulings when I am in the Chair, and I cannot decide on what went on before I took the Chair. I am ruling that the matter of Kosovo is out of order.

11.45 pm

Mr. Winterton *rose—*

Mr. Gummer: Will my hon. Friend give way?

Mr. Winterton: I shall in a moment, but I hope that when the Deputy Speaker has received the advice of the Clerk of the House, he might—

Mr. Deputy Speaker: Order. The hon. Gentleman knows better. I am acting on my own advice and I say to the hon. Gentleman that he should make no mention of Kosovo—it has nothing to do with the motion before us. The hon. Gentleman knows the procedures of this House as well as I do. Carry on.

Mr. Winterton: Let me say to the Deputy Speaker that I have been in for the whole of the debate, and the fact is that a Labour Member stood up and made a major part of his speech in respect of that matter—

Mr. Deputy Speaker: Order. I suggest that the hon. Gentleman takes his seat.

Mr. Winterton: I will accept what the Deputy Speaker—

Mr. Deputy Speaker: Order. Mr. Winterton, you must accept my ruling and speak to the motion before us.

Mr. Winterton: Mr. Deputy Speaker, I have already said that I am prepared to accept the ruling that you have made, however it will be interpreted. I give way to my right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer).

Mr. Gummer: I wonder whether my hon. Friend would like to comment on an ugly rumour that has spun around the House that when debate on this motion has ended and the next motion is moved, the Government intend to limit speakers on the Government Benches to those—

Mr. Deputy Speaker: Order.

Mr. Bradley *rose in his place and claimed to move,* That the Question be now put.

Question put, That the Question be now put:—

The House divided: Ayes 314, Noes 140.

Division No. 127] **[11.47 pm**

AYES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Stuart *(Middlesbrough)*
Bennett, Andrew F
Benton, Joe
Best, Harold
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Caborn, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, John *(Hornchurch)*
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galloway, George
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Home Robertson, John
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hughes, Ms Beverley *(Stretford)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian

Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stott, Roger
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Twigg, Derek *(Halton)*
Vaz, Keith
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woolas, Phil
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*

Tellers for the Ayes:
Mr. Kevin Hughes and
Mr. Clive Betts.

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baker, Norman
Ballard, Jackie
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burnett, John
Burns, Simon
Burstow, Paul
Butterfill, John
Campbell, Rt Hon Menzies *(NE Fife)*
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clifton-Brown, Geoffrey
Collins, Tim
Cran, James
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice & Howden)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fraser, Christopher
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gill, Christopher
Goodlad, Rt Hon Sir Alastair
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Harvey, Nick
Hayes, John
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McLoughlin, Patrick
Malins, Humfrey
Mates, Michael
Maude, Rt Hon Francis
May, Mrs Theresa
Moore, Michael
Moss, Malcolm
Nicholls, Patrick
Oaten, Mark
Öpik, Lembit
Ottaway, Richard
Page, Richard
Paice, James
Prior, David
Randall, John
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Faversham)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Simpson, Keith *(Mid-Norfolk)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Tapsell, Sir Peter

Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wardle, Charles
Waterson, Nigel
Webb, Steve
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Wilkinson, John
Willetts, David
Willis, Phil
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mrs. Eleanor Laing and
Sir David Madel.

Question accordingly agreed to.

Question put accordingly:—

The House divided: Ayes 314, Noes 132.

Division No. 128] **[12.3 am**

AYES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Stuart *(Middlesbrough)*
Bennett, Andrew F
Benton, Joe
Best, Harold
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Cabom, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, John *(Hornchurch)*
Cunliffe, Lawrence
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galloway, George
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Home Robertson, John
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hughes, Ms Beverley *(Stretford)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michie, Bill *(Shef'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted

Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stott, Roger
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Twigg, Derek *(Halton)*
Vaz, Keith
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woolas, Phil
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*

Tellers for the Ayes:
Mr. Kevin Hughes and
Mr. Clive Betts.

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baker, Norman
Ballard, Jackie
Bercow, John
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burnett, John
Burns, Simon
Burstow, Paul
Butterfill, John
Campbell, Rt Hon Menzies *(NE Fife)*
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clifton-Brown, Geoffrey
Collins, Tim
Cran, James
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice & Howden)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Faber, David
Fabricant, Michael
Fallon, Michael
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fraser, Christopher
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gill, Christopher
Goodlad, Rt Hon Sir Alastair
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hayes, John
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jenkin, Bernard
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McLoughlin, Patrick
Malins, Humfrey
Mates, Michael
Maude, Rt Hon Francis
May, Mrs Theresa
Moore, Michael
Moss, Malcolm
Nicholls, Patrick
Oaten, Mark
Opik, Lembit
Ottaway, Richard
Page, Richard
Paice, James
Prior, David
Randall, John
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Faversham)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Simpson, Keith *(Mid-Norfolk)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Wallace, James
Walter, Robert
Waterson, Nigel
Webb, Steve
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Wilkinson, John
Willetts, David
Willis, Phil
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mrs. Eleanor Laing and
Sir David Madel.

Question accordingly agreed to.

Bill, as amended in the Standing Committee, to be further considered this day.

Business of the House

12.17 am

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): With permission, I should like to make a short business statement.

The business for tomorrow will be a timetable motion on the Local Government Bill, followed by consideration of proceedings on the Bill. The business previously announced will be taken at a later date.

Sir George Young (North-West Hampshire): The House is grateful to the right hon. Lady for making a proper business statement, on which the House can ask questions.

If the House is no longer to address the Access to Justice Bill tomorrow, what more important issue could the House address than the crisis in Kosovo? As for local government, we believe that we should have continued to discuss the Local Government Bill on Report tonight. We believe that the Prime Minister was right to table a motion saying that

"at this day's sitting, the Local Government Bill may be proceeded with, though opposed, until any hour."

We cannot understand why Labour Members have abandoned the motion that was tabled by their Prime Minister, which they supported at 10 o'clock.

It is not unusual for consideration to continue after 10 o'clock, particularly if that is the best way in which to make progress on important issues concerning local government. Is the right hon. Lady aware that, under the curtailed arrangements that she has just announced, the House will have an inadequate opportunity to discuss rate capping, policing, compulsory competitive tendering and other issues concerning the future of local government?

We were prepared to discuss those issues—which are vital to our constituents—through the night. The Government had no response to the cogent arguments of my right hon. and hon. Friends. The Government have panicked by changing the business. They have displayed arrogance—an arrogance that is becoming the hallmark of the Administration.

Mrs. Beckett: The right hon. Gentleman does himself and his colleagues a great injustice when he says that they cannot understand why the Government have taken the step of adjourning consideration of the Local Government Bill. He is entirely right. That is not unusual. The House does debate matters on occasion beyond 10 o'clock when it is for the convenience of the House to dispose of important business, but I am sure that he will have noticed that we were not disposing of the business at all.

The Bill went through Committee in good order and it came out of Committee in good order. It then came before the House. At no point did the Opposition suggest to the Government that the time proposed for the debate was insufficient. We had reached 10 pm, and we had debated two of the 12 groups of amendments that had been tabled. I think that it was very clear what was happening. Moreover, at no point did the Opposition indicate what further time they thought would be required, or when they thought that it might be possible to finish the debate.

Great concern has been expressed about local government matters. It may be known at least to Opposition local government spokesmen that early tomorrow morning—and I mean early—an important meeting is scheduled to take place between senior local government figures and my colleagues who deal with such matters. That meeting would have been prevented had the House continued to debate the Bill. When the right hon. Gentleman says that some people do not understand the purpose of the statement, he does himself an injustice.

Several hon. Members *rose—*

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. Before I call another Member, let me say that the Leader of the House must be asked questions on her statement.

Mr. Paul Burstow (Sutton and Cheam): I hope that Ministers will have a good night's sleep, so that they can have a good meeting with representatives of local government. I trust that the Leader of the House will appreciate that the gentlemen and ladies whom they will meet tomorrow will want to know what happened to the Local Government Bill tonight.

Why were we not given an opportunity to debate the council tax benefit subsidy clawback that the Government are imposing? Why were we not given an opportunity to debate capping, and the Government's decision to impose it again? Will the right hon. Lady acknowledge that we have spent an hour and a half debating not debating anything, and that we have consequently lost an opportunity to make further progress on the Bill? Will she also acknowledge that the lion's share of time has been taken by Conservative Members who have filled air time, but have not provided any substance? Does she accept that, as a result, we have lost the opportunity to debate properly local government issues that the Conservative party never cared about, and did a very bad job of dealing with in government?

Several hon. Members *rose—*

Mr. Burstow: My final question is this. I would be grateful if the Leader of the House would guarantee adequate time tomorrow for us to debate the final groups of amendments properly, so that we can test the Government on the issues as the official Opposition signally failed to do today.

Mrs. Beckett: I can only tell the hon. Gentleman that the Government will find time for those debates, however that time is used. He has made some very fair points about the way in which the time has been used today. That was not our doing, however; it was the doing of the official Opposition. We cannot predict or control the way in which the time that will be provided is used tomorrow, although the Government wish and intend the Bill to be properly debated, and we have done nothing to prevent that.

Mr. Dennis Skinner (Bolsover): Given that a day of Government business will be lost tomorrow, and given that the Tories are very concerned about losing that day, may I suggest a solution to the problem that my right hon. Friend could consider before the Easter break? There are

[Mr. Dennis Skinner]

two extra days for that holiday, the Thursday before Easter and the Monday after the holiday is over. My right hon. Friend should inform—

Mr. Deputy Speaker: Order. The statement was about tomorrow's business, and questions should relate to that.

Mrs. Beckett: I shall bear my hon. Friend's suggestion in mind. I am sure that Conservative Members will be anxious to attend.

Sir Nicholas Lyell (North-East Bedfordshire): As proceedings on the Access to Justice Bill are now to be delayed, will the Leader of the House ask her noble and learned Friend the Lord Chancellor to take the opportunity of that delay to explain more clearly why access to justice for poor people who have suffered personal injuries is being reduced?

Mrs. Beckett: Again, I shall bear in mind the right hon. and learned Gentleman's remarks. He will have the opportunity to make those points when the Access to Justice Bill is considered by the House.

Mr. Tam Dalyell (Linlithgow): As there have been new developments since the Prime Minister's statement on Yugoslavia, may I ask the Leader of the House—not least in light of the fact that Mr. Primakov has cancelled his visit to Washington—what the Government's thinking is on a statement or a debate on Yugoslavia tomorrow?

Mrs. Beckett: My hon. Friend will be aware that a debate on defence in the world is scheduled for Thursday. I have little doubt that those matters will be aired then.

Mr. Douglas Hogg (Sleaford and North Hykeham): May I reinforce the comments of my right hon. Friend the Member for North-West Hampshire (Sir G. Young) on tomorrow's business? As the business of the House is now being arranged, does the Leader of the House not agree that, tomorrow, we really should be debating Kosovo? Many of us have very grave reservations about the policy that the Government currently are pursuing, and we should like to have an opportunity to probe the thinking and the strategy of the Government and the NATO alliance. Tomorrow is an opportunity, as the business is being arranged. Why does she not take it?

Mrs. Beckett: The right hon. and learned Gentleman had an opportunity this afternoon to take part in the questioning on those matters. I understand that he was not here, just as he was not here for any of today's debates—although he has been very vocal since 10 o'clock.

Mr. Derek Foster (Bishop Auckland): May I support the claims of both my hon. Friend the Member for Linlithgow (Mr. Dalyell) and of the Opposition that we should have a debate on Kosovo? I think that there is a useful compromise. The Leader of the House has quite sensibly said that, on Thursday, there will be a related debate on defence. Can we not have that debate rescheduled as a debate on Kosovo, rather than as a tour d'horizon of all the issues of defence in the world? Let us have a debate on Kosovo alone, in view of the developments to which my hon. Friend the Member for Linlithgow has drawn attention.

Mrs. Beckett: I hear what my right hon. Friend says and shall bear his remarks in mind. However, it seems that the debate that it is intended we shall have on Thursday will provide an opportunity for those issues to be raised—perhaps with rather more knowledge and understanding, as the House will have had time to assimilate events that may be taking place tonight or tomorrow. I feel assured that it will be a better debate for that.

Mr. David Davis (Haltemprice and Howden): I was here for this afternoon's statement by the Prime Minister, and heard the right hon. Member for Chesterfield (Mr. Benn), with whom I do not always agree, describe the statement as the most serious statement that he had heard in all his time in the House—for several decades. [HON. MEMBERS: "Since Suez."] The right hon. Gentleman said since Suez; I beg his pardon. May I add my support to other hon. Members who have spoken, and ask the Leader of the House to reconsider the business for tomorrow and to treat the most important business before the United Kingdom—namely, Kosovo—in a debate tomorrow?

Mrs. Beckett: During the hour and a half of debate that we have just had on whether the House should adjourn this evening, my right hon. Friend the Member for Birkenhead (Mr. Field) very fairly questioned whether this was a time when the House should be engaging in such partisan trivia, but his comment was ignored. I have to weigh the observations made by right hon. and hon. Members in this exchange against that observation.

Mr. Menzies Campbell (North-East Fife): The debate on Thursday, entitled "Defence in the World", is scheduled to take place on a motion for the Adjournment of the House. In the light of what has been said, both today and in the exchanges in the past few moments, would it not be right for the Government to table a substantive motion on Thursday, and to allow the House to debate specifically the issue of Kosovo on a motion that expresses the Government's position?

Mrs. Beckett: I do take heed of, and shall certainly draw to the attention of my right hon. and hon. Friends in Government, some of the issues that have been raised on the matter. However, the right hon. and learned Gentleman will appreciate that that is not the issue that we are discussing now.

Mr. Tom King (Bridgwater): May I tell the right hon. Lady that, in view of the gravity of the situation that we face—none of us knows what the events may be tonight or early tomorrow—it is very important that the armed forces, whom we ask to represent us, should know, and are entitled to know, that they have the support of the House of Commons? Drawing on my previous experience, I know—as she will know—that, on a number of occasions, the House voted to show its support for our armed forces who were engaged in risking their lives. If we get involved in the new development, it will not be sufficient simply to have a debate on the Adjournment. It

will be necessary, and I believe proper, for the House to show that it is prepared to support our armed forces—who are risking their lives in a very dangerous venture, for reasons that I think that the House fully supports.

Mrs. Beckett: I simply repeat what I have already said to the right hon. and learned Member for North-East Fife (Mr. Campbell)—those points will be taken on board and will be given full and careful consideration. There can be no question but that the whole House fully supports our armed forces. However, the right hon. Gentleman could have made his points an hour and a half ago if his hon. Friends had not chosen to waste the time of the House.

Mr. John Gummer (Suffolk, Coastal): Does the right hon. Lady accept that, whatever she may say—and no doubt she will—about what has gone on earlier this evening, people outside the House expect that if we are going to change our order of business we should debate the issue that they regard as the most urgent. If we cannot do that tomorrow, it is important that we debate the issue on Thursday in a form that will show people outside the House that we feel it to be relevant. The right hon. Lady and I do not agree. She does not feel that the Government are bypassing the House of Commons, but many people do. She has an opportunity to show people that the Government believe that the House of Commons should discuss the issues that really matter, not late at night or at some other time, but in the full glare of publicity. I hope that she agrees that tomorrow would be the right day.

Mrs. Beckett: Without having attended any of the debate today, the right hon. Gentleman has spent a considerable amount of the past hour and a half to two hours wasting the time of the House and ignoring the important points that were made about Kosovo. His point was serious and well made, but he is not the man to make it.

Mr. Gummer: On a point of order, Mr. Deputy Speaker. Is it not the tradition of the House that the Leader of the House speaks not as a party politician, but on behalf of the whole House? Has she not just given us an example of her inability to live up to the standards of her office?

Mr. Deputy Speaker: The right hon. Gentleman knows that that is not a matter for the Chair.

Mr. Robert N. Wareing (Liverpool, West Derby): I should like to press my right hon. Friend on tomorrow's business and reinforce what has been said by hon. Members on both sides about a debate on Kosovo. I remind my right hon. Friend that before the Gulf war broke out, the House was recalled during the summer recess for a two-day debate and a vote on the issue. We are embarking on a leap in the dark. The people of this country should hear what their representatives have to say, for and against NATO's proposed action.

Mrs. Beckett: My hon. Friend is addressing the form in which the House might register a view. As I have said to other hon. Members who have properly raised the matter, the Government will give consideration to that issue. However, I am sure that my hon. Friend will understand and accept that the House may have a better informed debate, which will better reflect what is bound to be an evolving situation, on Thursday rather than tomorrow.

Mr. Nicholas Winterton (Macclesfield): The Leader of the House has announced a change of business. May I support the views that have been expressed by hon. Members on both sides that, bearing in mind what is going to happen in the name of the people of the United Kingdom, we should have the earliest opportunity to debate the situation in Kosovo and the involvement of United Kingdom service men and women in what may happen in that part of the world? As Leader of the House, I hope that she is prepared to represent the best interests of the House and assure us that she will use her influence to give us such an opportunity. Will she also allow adequate time for full debate on all the groups of amendments on the Local Government Bill that have not yet been considered, if democracy and local government mean anything to the Government?

Mrs. Beckett: Of course I understand. I have repeatedly made the point that it is not a matter of us seeking to deny time to debate issues that are important to right hon. and hon. Members on both sides of the House; it is a matter of when that debate might best be held. The Government will provide as much time as the Opposition understood was provided—and had not queried—for debate on the Local Government Bill. As the hon. Gentleman knows perfectly well, I cannot undertake to say how that time will be used.

Mr. Eric Forth (Bromley and Chislehurst): How much time will the Leader of the House provide for the 10 remaining groups of amendments to the Local Government Bill?

Mrs. Beckett: The intention is to provide the five hours which have been lost today.

Mr. Gerald Howarth (Aldershot): The Leader of the House will have heard tonight views expressed from both sides of the House about the importance of events in former Yugoslavia. As Leader of the House, she has a duty to the Hou[illegible] Will she undertake to convey to the Prime Minister the profound feelings expressed across the Floor of the House about the gravity of the situation and impress on him the need to change the business for Thursday, if not that for tomorrow, so that the House might have the opportunity that my right hon. and hon. Friends have requested? Will she also respond to my right hon. Friend the shadow Leader of the House, who said, quite reasonably, that the 10 o'clock motion in the name of the Prime Minister was moved and supported by the Government and that only 40 minutes later

Mr. Deputy Speaker: Order. The hon. Gentleman is testing my patience. His question was far too long.

Mrs. Beckett: I repeat to the hon. Gentleman what I have said already. Of course the Government take these matters seriously, treat them with great respect and will do so consistently.

Mr. Deputy Speaker: The Leader of the House made a very short speech. I shall take one more question from a Back Bencher and then I shall allow the Opposition Front Bench spokesman in.

Sir Alastair Goodlad (Eddisbury): May I add my voice to those who have said that in light of today's

[Sir Alastair Goodlad]

development it would be of great advantage to follow the precedent, when we have entered into armed conflict, of having a debate, preferably tomorrow, but certainly on Thursday, on a substantive motion on the subject?

Mrs. Beckett: Of course I have taken on board the points that have been made. It is important to make clear that even if the debate that is scheduled for Thursday remains unchanged, it will facilitate full discussion of the issues that right hon. and hon. Members wish to raise. It is not a matter of it being a different subject which would not permit those matters to be raised—*[Interruption.]* There is no point in hon. Members making those noises. I have said—and I mean—that I have taken on board the points that have been made and I will convey them to the proper quarters.

Sir George Young: Further to the serious exchanges that we have just had, will the Leader of the House reconsider the business for the next two days? Will she have discussions through the usual channels and then consider making a further business statement tomorrow?

Mrs. Beckett: I have already undertaken to consider what is scheduled to happen on Thursday, but none of us would be in the position that we are in now, let alone at this time, had there been the possibility of discussions to resolve these matters through the usual channels. *[Interruption.]* It is not a matter of being clever; it is simply a statement of fact. Of course I am always prepared to take on board what the House is saying and to discuss and consider these matters through the usual channels. That remains the position and I can assure the right hon. Gentleman that we will do that.

Mr. Deputy Speaker: Order. We must move on.

Mr. Michael Fabricant (Lichfield): On a point of order, Mr. Deputy Speaker. Will you advise the House? We have just heard that apparently there will be just five hours to debate 10 groups of amendments that the Speaker has grouped together. Is there any indication of how much time will be allocated to each amendment?

Mr. Deputy Speaker: That will be the subject of tomorrow's debate, when the hon. Gentleman might be able to catch the eye of the Chair.

Mr. Peter Bottomley (Worthing, West): On a point of order, Mr. Deputy Speaker. We have heard that we are to debate the timetable motion. In advance of that, is it possible to hear from the Leader of the House whether the five hours that she proposes to allocate to the consideration of the 10 groups of amendments will include Divisions or not? If Divisions are not included, it allows fifteen minutes—

Mr. Deputy Speaker: Order. The hon. Gentleman is trying to extend questions on the statement.

Mr. Hogg: On a point of order, Mr. Deputy Speaker. Several motions have been summarily removed from the Order Paper. Have you received any notification from the Government as to when they intend to put them to the House again?

Mr. Deputy Speaker: As a former Minister, the right hon. and learned Gentleman should know that that is at the Government's discretion and has nothing to do with the Chair.

Millennium Compliance (Defence)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Kevin Hughes.]*

12.41 am

Mr. David Atkinson (Bournemouth, East): There are now 284 days to go until the new millennium. Unfortunately, even as the champagne corks are popping at midnight on the eve of the new century, events will begin to unfold over which we will have little control, to which we can only respond as best we can and which no one can guarantee will be avoided.

I am, of course, referring to the effect of the so-called millennium bug on those computer systems upon which all of us today rely to sustain our standard of life but which, some experts predict, will cause chaos, confusion and even catastrophe that will be world wide: commencing in New Zealand—the first to enter the new century—and, like a tidal wave, moving at the speed of time westwards across the planet, wrecking whole societies in its wake.

I should emphasise that that is a domesday scenario suggested by some. Others predict that we will instead experience a slower breakdown of essential services and critical infrastructure as the computer services which deliver them come up against a date that they do not recognise—the year 2000.

I was the first to raise the issue in the House, as long ago as 7 December 1995, in a question to the then Prime Minister. Today, because of the ever-wider coverage given to the issue—and thanks to the Government's quarterly reports to Parliament—there is no excuse for any politician not to be aware of the issue and not to be ensuring that everything possible is being done to respond to it, both nationally and locally.

One of the most important aspects upon which we should be certain that our computer systems are millennium-safe concerns our national defence and security. In 1996, alarming reports began to appear in our national press. *Sunday Business*, on 17 November, warned that the UK

"may be defenceless in the Year 2000."

Rachel Oldroyd reported:

"Technology experts are warning that the country's entire defence infrastructure will fail at the end of the century unless immediate action is taken to rectify a serious flaw inherent in many of the Ministry of Defence's computer systems, space satellite communication systems, logistic systems and weaponry.

The systems will fail, according to experts employed by the Government, because many computer programmes and computer chips embedded within machinery including nuclear weapons are unable to recognise the Year 2000."

Mr. Brian White (Milton Keynes, North-East): The hon. Gentleman will be well aware that the UK systems are now millennium compliant. Will he comment on European systems and, in particular, the ex-Soviet fleet in the Arctic, which is not millennium compliant and may pose a danger to this country?

Mr. Atkinson: I was not going to comment on the issue, but no doubt the Minister will have heard the hon. Gentleman and may wish to reply if he has time.

The Daily Telegraph of 31 August 1996 reported that particular problems were predicted on 22 August 1999, when the global positioning satellite system used to direct cruise missiles to their targets, supertankers into harbours and aircraft to airports will reset its date to 6 January 1980 because of a year 2000-related fault.

In his letter to me of 1 December 1995, the then Prime Minister, my right hon. Friend the Member for Huntingdon (Mr. Major), had assured me that

"appropriate measures are already in hand".

That was subsequently confirmed in a detailed reply by the then Defence Minister, my right hon. Friend the Member for North-East Hampshire (Mr. Arbuthnot). That early work by the previous Government in response to the problems posed to our national defence by the millennium bug was acknowledged in the letter that Lord Gilbert, a current Defence Minister, sent to the hon. Member for Leicester, South (Mr. Marshall) on 1 June 1997, which concluded:

"I hope this gives you confidence that we are taking vigorous steps to ensure that UK defence systems are not at risk."

I applaud the present Government's continuation of the previous Government's work to address the threat posed to our defence by the millennium bug. I note that I am not alone in looking forward to learning from the Minister the latest position regarding the millennium preparedness of the critical computer systems of all three armed services, especially in view of last week's quarterly report from the Leader of the House suggesting that key Ministry of Defence agencies are not likely to be millennium compliant until late December.

I am sure that the Minister realises that it will not be enough to assure the House that the computer, information, satellite communication and logistics systems and weaponry concerned with the defence of this United Kingdom will be millennium ready, because we are in alliance with 19 other countries in NATO, and 10 in the Western European Union. Our computer systems are linked to and interdependent with theirs.

Just as Action 2000 is currently emphasising in its newspaper advertising campaign that

"If a business you rely on isn't ready, you aren't ready",

the same logic applies to the computer links with our allies. It is essential for the maintenance of the entire defence of Europe that all the systems of all our allies continue to function without interruption. I seek an assurance on that from the Minister, but from the evidence that I will now share with the House, he will not be able to give it.

Two years ago, I proposed to the technological and aerospace committee of the Western European Union that we should investigate the alarming reports that this country, and therefore all member states, might be rendered defenceless by the bug. I had hoped that the WEU assembly might debate the outcome of that investigation in December 1997, but that debate did not take place until the most recent session, last December.

The committee agreed that its chairman, the hon. Member for Leicester, South should approach the Defence Ministers of the 10 WEU states to find out how they were responding to the millennium bug, so that we could take a considered view on whether the WEU as a whole was responding adequately to the threat. My report,

[Mr. Atkinson]

document 1622, records the responses that he received, together with those from the WEU council, the satellite centre and the assembly.

From those responses we were able to conclude that Belgium, France, Germany, Luxembourg, the Netherlands and the United Kingdom are fully aware of the problem and are taking the action necessary, as, it would seem, are the WEU council, the satellite centre and the assembly, although, as I pointed out in presenting my report to the assembly last December, it should be aware that we now know that any assurance Microsoft gave that its most recent systems will not be affected must now be disregarded. Even Windows 98 will not be compliant without action being taken and tested.

We could not conclude that the computer systems involved in the defence and security of Europe, as provided for under the Brussels treaty, would be millennium compliant, because the hon. Member for Leicester, South has received no replies from four member states—Spain, Greece, Italy and Portugal—even after a second approach.

Moreover, as and when members of the assembly press their Governments in their own Parliaments, such as ours, on whether they can guarantee that the computer systems of the public services and infrastructures on which their armed services rely—including electricity supplies, rail or air traffic control systems—will be safe from the bug, they will not be given such an assurance.

In view of that, the assembly unanimously endorsed my recommendation—No. 6362—on the millennium bug and its consequences for European defence. In seeking an assurance that European defence would not be at risk, it urged the WEU council to report to the assembly on its response to the problem and on any contingency plans that had been drawn up.

Earlier this month, the council replied to that recommendation, but the reply is totally inadequate. It ignored our principal conclusion that, because four member states had ignored our request for information, we could not be assured that European defence would not be at risk. The council has not told us whether WEU is or will be millennium ready as a defence alliance. Nor has it said whether contingency plans have been or are being drawn up. I look forward to hearing from the Minister whether the collective defence of WEU member states will be at risk at the end of the year.

Let me turn to the NATO alliance. When the technological and aerospace committee visited the United States of America in 1997, it was briefed on the Department of Defense's Year 2000 management plan, dated April 1997. In his introduction, the then Under-Secretary of State, Emmett Paige, emphasised that that Department relies heavily on computers in the deployment of weapons. When the computer fails, the weapons systems fail.

However, in the British-American security information council's report, "The Bug in the Bomb: the impact of the Year 2000 problem on nuclear weapons", which was published last November, it appears that the Pentagon's efforts to meet the fast approaching deadline are "a mess", with what the report calls

"severe and recurring problems across the spectrum".

The report says that initial research findings by a number of agencies and teams of experts inside and outside the USA's Department of Defense have resulted in no confidence that the Department's programme will meet the challenge. The Deputy Secretary of Defence, John Homre, is quoted as admitting that

"everything is so interconnected, it's very hard to know with any precision that we've got it fixed".

This worrying situation appears to be confirmed in *Connected*, a supplement of *The Daily Telegraph*, which, on 31 December, contained an article headlined, "The bug bang". Simon Davies reported that at a meeting on 25 September a group of high level officials met at Mr. Homre's office to review the potential impact of the millennium bug. Admiral Richard Mies, the commander-in-chief of US Strategic Command—STRATCOM—bluntly told the meeting that the nuclear defence system was not millennium compliant. He warned that 11 crucial STRATCOM nuclear systems would not be fixed in time. He added that 12 new systems currently in development would also not be compliant.

In other words, says *The Daily Telegraph*, at least 23 control systems at the heart of the USA nuclear arsenal might fall victim to the millennium bug. If the computers fail to recognise the rollover, they might react in 100 different ways, from creating a false attack alert to blacking radar systems.

If what I have said is remotely accurate, it would appear that with only 284 days to go, we cannot conclude that the member states of the WEU and of NATO will not be rendered defenceless by the millennium bug. Nor can we guarantee that we will not be at risk from accidental nuclear attack, as the Federation of American Scientists has warned. As the report "The Bug in the Bomb" concludes:

"the only prudent course may be to de-alert or even de-activate those nuclear missile systems where date-related malfunctioning in associated command, control and communications systems poses even a remote possibility of accidental launch."

We know that a similar risk of accidental launch of missiles exists from other countries with a nuclear capability, such as Libya, Syria, Iran, China, Russia and North Korea, because so much of their computer software has been pirated that they lack the source code to correct it, unless the Americans are prepared to share information to guard against a launch based on faulty data.

Nor can we rule out a calculated launch, as suggested in the *Sunday Telegraph* on 6 December, which quoted an American defence official as saying:

"If Saddam Hussein wanted to launch an attack, 1 January 2000 would be the day to do it."

I look forward to hearing from the Minister on the current state of preparedness of UK defence, about the collective defence of western Europe in our alliance with the WEU and NATO, and about the risk of accidental launch of ballistic missiles and nuclear weapons from unfriendly countries unable to cope with the millennium bug.

In particular, will the Minister respond to the key question posed in *The Daily Telegraph* in an article on 31 December, on which his Department declined to comment?

"If Britain and the US are partners in an integrated nuclear defence system, then how will the possible failure of 23 critical American systems affect our own systems?"

Will he support the endorsement given by the WEU assembly to resolution 1167, passed last September by the Council of Europe, calling for an internationally agreed standard of millennium conformity; and will he say how far that has progressed? An internationally agreed test day should be held as soon as possible to put right the problems that will, inevitably, be exposed. Finally, will the Minister tell the House of the proposed involvement of the British Army in providing back-up to the police from new year's eve to deal with any civil emergency arising from any breakdown of public services due to the millennium bug, as suggested in the memo by the Secretary of State for Scotland last November?

12.56 am

The Minister for the Armed Forces (Mr. Doug Henderson): I congratulate the hon. Member for Bournemouth, East (Mr. Atkinson) on securing this debate on such a crucial issue. I am sure that he is as pleased as the rest of us that he was able to address the House at this time instead of somewhat later, as was threatened earlier in our proceedings. I recognise the hon. Gentleman's important work on raising awareness of the issue, which he has undertaken as Deputy Chairman of the Select Committee on Science and Technology, and as rapporteur on the year 2000 computer date change problem—or, as it is otherwise known, the millennium bug. I thank him for his remarks about the Government's work on the problem.

The hon. Gentleman covered a lot of ground. I propose to try to cover the points he raised in connection with our response as a nation, and the responses of our allies, our friends and NATO. I shall also try to refer to the point raised by my hon. Friend the Member for Milton Keynes, North-East (Mr. White) in relation to Russia. If I have the time, I shall also refer to the point made about support for civil authorities. The question of the minutiae of various manoeuvres in the WEU would be better raised in that forum rather than here, but if the hon. Member for Bournemouth, East wishes to write to me on specific points, I would be happy to try to deal with them.

The first question raised was about the preparedness of the Ministry of Defence and the armed forces. I wish to amplify the remarks made by my right hon. Friend the Leader of the House in her statement last Tuesday on progress by the Government and key parts of the national infrastructure in tacking the millennium bug. She said that the Ministry of Defence was making good progress in dealing with the bug, but that it was a large and complex programme and there was no room for slippage. I agree with that point.

The Ministry of Defence year 2000 programme is, indeed, the largest and most complex in central Government, and accounts for about half of the total central Government expenditure of some £400 million. The programme receives the highest priority in the Ministry of Defence, with the exception only of meeting key operational commitments.

So far, many more than 30,000 systems employing computer-based technology have been assessed within the Ministry of Defence and its associated agencies. Work on many of them is already complete. For example, the Ministry of Defence centre and the armed forces have so far completed work on around 65 per cent. of all systems. It is expected that work on 95 per cent. of those systems determined to be critical to defence will be completed by the autumn, with the remainder finished before the end of the year. I can say that for the three services, we are confident that by August this year, all Royal Navy ships and submarines will be year 2000 compliant, that all Army front-line systems will be compliant by September and that all Royal Air Force aircraft will be mission capable through the millennium by the end of May.

Year 2000 rectification work is time consuming and has to be carried out to the highest standards. Within the Ministry of Defence, our progress is reviewed monthly by Ministers, including myself, and senior staff, and is a standing item on the defence council agenda. We are certainly not complacent about progress and we have put in place an independent audit programme to provide additional assurance that the work is carried out correctly.

Even so, there may be unforeseen failures, as the hon. Member for Bournemouth, East pointed out. For that reason, we are developing contingency plans to cope with the unexpected, which might arise. In any year 2000 programme, individual systems must be made compliant, but the interconnections between systems must also be checked. During this year, our overall readiness will be validated in a number of exercises. These will show that the checks and rectification work have been successfully carried out, and that our contingency plans and fallbacks really do work. For example, we are well aware of our dependency on the communications infrastructure of NATO and other nations. I will describe our co-operation with those nations later. In our own programme, we are demonstrating our ability to maintain the command and control of our forces deployed overseas using our wholly owned, year 2000 compliant communications systems. Almost all the work will be complete by late summer this year.

I turn now to the work that is taking place with allied nations. The Ministry of Defence and the United States Department of Defense have been proactive in raising this issue in NATO and with our NATO allies. An international group on defence has been formed to address the impact that the millennium bug could have on allied and coalition operations. Currently, participants include the United States, the UK, Australia, Canada, New Zealand, the Netherlands, France and Germany. NATO is also represented, providing liaison between the group, the work within NATO and other nations. The next meeting to review progress will be held in July.

The role of the group is to exchange information on the progress each country is making in dealing with the problem. The group deals with common issues, such as ensuring that electronic data exchanges between defence forces will not be affected, and co-ordinating operational planning and priorities over the millennium period. It also seeks to raise awareness in the defence forces of other nations with which we co-operate.

NATO has established a team, under the auspices of the NATO command and control and communications board, to deal with the millennium problem in NATO-owned systems and in those that cross NATO-national boundaries. The UK works closely with the NATO team to ensure that NATO-UK issues are promptly addressed. To address the points made by my hon. Friend the Member for Milton Keynes, North-East and the hon. Member for Bournemouth, East, a working group met in January, under the auspices of the

[Mr. Doug Henderson]

NATO-Russia permanent joint council, to exchange year 2000 programme information; that meeting was well attended by NATO nations.

We have made it clear that we are prepared to share our expertise—we think that we have a lot—and experience, and to contribute our resources to ensure safety and security in military and linked operations throughout the world, including the former Soviet Union—especially Russia. We want to give help where we can and in establishing links with those countries, we can be assured that systems in those countries are safe. The initiative is important and I hope that we shall make progress, although I realise that time is short.

In addition to playing a leading role in NATO and the wider international year 2000 defence group, the UK has also been to the fore in raising awareness and exchanging information with other nations bilaterally—for example, we introduced initiatives to Russia on that basis. Last year, my right hon. Friend the Secretary of State signed a letter of intent with France covering exchanges of information on a range of topics, including the year 2000.

The question of nuclear safety has been raised. I want to reassure the hon. Gentleman and the House that the Trident system has been checked very carefully as part of our overall programme. There are no computer failures, whether induced by the year 2000 problem or by any other cause, that could result in the accidental launch of a Trident missile. There has been some speculation in the press about the operation of the Trident system, especially about the compliance of some American nuclear systems. We enjoy a close relationship with the US Department of Defense on year 2000 issues; we were notified by that Department in December 1998 that the mission-critical subsystems of the Trident II, or D5, strategic weapons systems as operated by the Royal Navy had been certified as Y2K compliant.

The hon. Gentleman raised the question of support for civilian authorities, and others have raised that matter with my noble Friend Lord Gilbert, the Minister for Defence Procurement—who has specific responsibility for such matters—and with me. I can assure the House that our armed forces will, as usual, be ready to provide assistance to civil authorities, within the constraints of resources and other operational commitments.

As I have said, my right hon. Friend the Secretary of State for Defence regards tackling the millennium bug as one of his highest priorities, second only to operations. The Ministry of Defence has the largest remedial programme in Government and I know that we are on track to complete it. We are at the forefront of work with our NATO allies and partners to ensure that the international dimension is properly dealt with. We are satisfied about the security of our nuclear deterrent, and we have put in place sensible plans to deal with international risk and any domestic civil emergency in respect of the millennium change.

Question put and agreed to.

Adjourned accordingly at seven minutes past One o'clock.

House of Commons

Wednesday 24 March 1999

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Transport (Eastern Region)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Jamieson.]*

9.33 am

Mr. Kelvin Hopkins (Luton, North): I am pleased to have the opportunity to raise in the House the substantial subject of transport in the eastern region. I have lived in the eastern region of England for the past 30 years, and have travelled its length and breadth many times by a variety of transport modes. I have also been a rail commuter for all those 30 years. Moreover, I have a long-standing interest in transport policy.

Between 1973 and 1977, I was employed in the Trades Union Congress's economic department, working primarily on transport policy. My immediate predecessor in that post was my hon. Friend the Member for Sheffield, Attercliffe (Mr. Betts), and my immediate successor in the post was my right hon. Friend the Member for Hartlepool (Mr. Mandelson). My immediate superior at that time is now a Member of the other place and the Minister for Roads and Road Safety, with whom I now meet and correspond to discuss transport and specifically roads policies. It was pleasing to renew old acquaintances on entering the House.

After the TUC, I was employed by the National and Local Government Officers Association and Unison as a policy research officer working on transport policy, among other things. I wrote a number of papers on transport policy and the unions' response to the previous Government's deregulation of bus services. I opposed deregulation then and still believe that it was a profoundly misguided policy. I am pleased with the publication this week of the Deputy Prime Minister's bus statement.

A few weeks ago, I was one of a number of Labour Members from eastern region constituencies who undertook an experiment to test public transport services in the region. We all travelled from our constituencies by public transport, meeting up at Stevenage on a Friday afternoon. Some of my hon. Friends may refer to their experiences later in the debate. The experiment demonstrated both the possibilities and the difficulties of using public transport. Some journeys were relatively simple; others were time consuming and tortuous.

North-south journeys on routes radiating from London are relatively straightforward, whereas east-west, cross-country routes are difficult. Indeed, the coherence of the eastern region is weakened by poor east-west transport links, and by a sense of relative isolation between the eastern coastal counties and Hertfordshire and Bedfordshire in the west of the region. With the increasing importance of regionalism in our constitution, good transport links across the region are essential to the development of a sense of unity and a strong identity.

More important still is the need to ensure that transport links are sufficient for the regional economy to develop and prosper. The eastern region as a whole is one of the more prosperous in the country, but within the region, there are areas of deprivation and unemployment, notably in the coastal towns of East Anglia and parts of my town, Luton. Both areas require improved transport communications to assist their economic development. The region as a whole must keep improving its communications network if it is to develop its full economic potential.

A recent Confederation of British Industry survey in the region recorded a high proportion of local economic development officers stating that transport links of all kinds needed to be improved. In particular, almost 100 per cent. of them thought that rail provision needed to be upgraded.

The eastern region is well served by mainline and commuter services fanning out from London, with Euston, St. Pancras, King's Cross, Liverpool Street and Fenchurch Street all serving parts of the region, but all those services require new investment and upgrading to enable them to carry more passengers and take pressure off the roads.

In that context, I shall raise the more parochial matter of Thameslink 2000. I travel to and from Luton by rail every day, and during my two years in the House, have never yet driven to Westminster. I am fortunate that Thameslink is one of the better commuter services, at least on the north side of the Thames. I know that, on the south side, overcrowding is horrendous. I recently had a long meeting with Euan Cameron, the managing director of Thameslink. There is clear concern that even Thameslink's relatively good performance has begun to deteriorate, and investment in track and in new additional train sets is urgent.

The multi-million pound Thameslink 2000 investment programme has been badly delayed. The original intention was to complete the project by 2000. It then slipped to a start date in the year 2000. Now the project will not start until some time after 2000—2006 seems to be the earliest likely start date. Cash has been allocated—Railtrack has the cash to do the work—but no start date has yet been agreed.

Thameslink wishes to purchase a considerable number of new train sets to increase the length and frequency of its trains, and to take many more passengers to and from London each day. I ask Ministers to do everything they can to ensure that the Thameslink modernisation programme goes ahead at the earliest opportunity, and that steps are taken to ensure that Thameslink is upgraded before 2006. That could perhaps be a first task for Alastair Morton and the new Strategic Rail Authority.

I shall touch on roads, specifically the M1 motorway, which passes through the heart of my constituency. Last July, I welcomed the roads review and the decision by my right hon. Friend the Minister of Transport to abandon plans to widen the M1 north of junction 10 through Luton. However, that decision made the need to upgrade commuter rail services, especially Thameslink, still more crucial. Car commuters cannot be expected to abandon their cars and travel by train if they cannot find a seat in peak hours, if services are not reliable, and if fares are too high.

[Mr. Kelvin Hopkins]

May I say in passing that the privatisation and fragmentation of the railway system inflicted on the country by the previous Government have done nothing to help. I welcome the establishment of the Strategic Rail Authority, which I am confident will restore some coherence and rationality to the development of rail services.

Another matter of great local concern in my constituency is the environmental impact of the M1 motorway. Between London and the north, my constituency contains the only stretch of the motorway that passes within feet of homes and schools. The noise and airborne pollution, together with the recently lifted threat of motorway widening, have caused considerable blight in the area.

I have raised the matter with my noble Friend the Minister for Roads and Road Safety, and have had meetings with the Highways Agency and the local authority. I am hopeful that noise reduction measures, including barriers along stretches of the M1 through my constituency, are a real prospect. I have also asked the Highways Agency to investigate whether noise reduction barriers combined with appropriate foliage can help to reduce airborne pollution in the immediate vicinity of the M1, and the agency is looking into the matter.

During the debate on the roads review, which my right hon. Friend the Minister of Transport announced in July, I was much encouraged by his positive answer to my question about possible measures to counter the environmental problems caused by the M1 in my constituency. I shall continue to pursue that matter and will not let it go.

Luton needs other transport infrastructure improvements if economic development and the number of jobs in the conurbation are to be maximised. On the positive side, Luton airport is expanding with large investment in new terminal buildings and aircraft handling capacity. The new Luton Parkway station will soon open, and airport passengers will be able to check in for their flights directly off the rail platform.

The translink corridor project could provide an important new passenger traffic route between Dunstable and Luton, on the route of the old railway line. That would require money, and people at every level of government must ensure that such investment opportunities are not let slip. In the best of all worlds, the venture would be a matter for public enterprise and Government investment. I cannot imagine such a project in France being delayed for years by shortage of funds.

Finally, I must refer to the motor car. The car is a boon to modern living and, for most of us, essential for certain journeys, but inappropriate car usage, not car ownership, has been the problem. I recently spoke to shop stewards at the Vauxhall Motors plant in Luton and drew attention to the situation on the continent of Europe, where motor car ownership is generally higher than in Britain, but motor car usage is lower.

However, exhorting motorists not to use their cars for inappropriate journeys must go hand in hand with the provision of first-class public transport services. We must accept, too, that public transport, in economists' terms, can never be a perfect substitute for the motor car. Each has a role to play, but there is a crucial balance to be struck between public transport and driving one's car. The car remains vital for most people who travel around the eastern region. I am sure that other hon. Members will raise matters of concern for their own areas and I hope that the House will forgive the parochial elements of my contribution.

I have taken to heart one of the messages from my right hon. Friend the Deputy Prime Minister. I have rediscovered walking as a mode of transport and it is not only cheap and non-polluting, but beneficial to my health. I hope that my hon. Friend the Minister will take note of the points that I have made and do what she can to promote improvements in transport in the eastern region as a whole and in my constituency in particular.

9.42 am

Mr. Malcolm Moss (North-East Cambridgeshire): I shall address the House on the A47 Thorney bypass, which was one of the casualties of the Government's decision to slash their road building programme from 160 schemes to about 37. The White Paper "A New Deal for Transport: Better for Everyone" proposed massive changes to the road building programme. That proposal certainly did not make things better for my constituents in Thorney and the community is extremely angry.

I attended a public meeting last November, which was packed to the gunwales. There are about 2,000 souls in the village and I should think that every one was present. They are determined that the long-promised bypass will go ahead in the near future—and as soon as possible. The villagers set up the Bypass Thorney campaign and, such has been the strength of feeling, they have already held two rallies on the A47 in the village in which traffic was held up for a considerable time. They of course have the full co-operation of the police and the local authority.

The campaign for a Thorney bypass has a long and chequered history. The villagers have been campaigning for their bypass for 67 years. A campaign started in 1932, and a great Isle of Ely route was proposed to improve the A47 across the fens from Peterborough to King's Lynn, and on to Norwich. Plans were resurrected in the 1960s and published in 1962. A start date was confirmed in 1968. In the 1980s, a public consultation determined that a single carriageway should be routed north of the village and a start was planned for 1986.

In June 1987, the bypass was again confirmed, on environmental grounds, by the then Under-Secretary of State for Transport with a planned start date of 1989–91. The plan for a bypass was changed to one for a dual carriageway in 1990 and a start date of within two years was confirmed. In 1994, the Department inexplicably decided to test Thorney for trunk road traffic calming measures. I think that Thorney was one of three projects on which the Government decided at that stage, and I shall discuss traffic calming a little later.

The fear at that time, which I shared, was that traffic calming measures in the village were a way round going ahead with the bypass, and an attempt to alleviate some of the problems of delay and the high accident rate. In 1996, the programme was changed and the bypass was put into the second phase, but the real body blow came in 1998, when the present Government dropped the Thorney bypass from the road development programme.

Thorney is a heritage village. Its centre is a conservation area with 167 listed buildings, 116 of which front on to the A47. The road bisects the village,

which is linear, right the way through. Most residents are affected by the heavy traffic. The village is built on fenland soil, which is part peat and part silt, and the vibrations from the increasing traffic cause significant problems for buildings.

The village's terrific tourist potential is not in any way realised because of the problems of pollution and traffic. The traffic problem is essentially that 16,000-plus vehicles a day go through this small fenland village, and 19 per cent. of those are heavy goods vehicles. They cause severance to the village, because the road bisects the built-up area, and create noise and pollution. Even though traffic calming measures have been taken, delays are caused.

Traffic does not go through the village only during the day. The campaign team recently carried out a survey which found that a massive number of HGVs go through all night and, between midnight and 6 am, the HGV count was much higher, at 57 per cent. The village also suffers from traffic going through its centre seven days a week. There is additional holiday traffic at weekends as people go from the midlands to the north Norfolk coast.

The village is bisected by the road. There are two zebra crossings—one at each end of the village—but, during peak times, no one in his right mind would risk crossing that road. It is so dangerous that parents invariably take their children to the school, which is on the road by one of the zebra crossings. However, they take their children to school by car, because there have been accidents involving children, particularly those on bicycles, over the past 10 years or so.

Traffic calming measures are causing more problems for residents. The clatter of HGVs going over the humps and bumps and round the chicanes has exacerbated the noise and pollution problem that they were designed to solve. Those measures have caused delays, which add to the problems of the environment and cost.

Even the Government office of the east, which is based in Cambridge, has concluded that there are great merits in the 1996 scheme for a dual carriageway of 4.3 km, which would have cost about £15 million at that time. The Government office has also concluded that the accident rates in Thorney are higher than average, with clusters on bends in the road and at minor junctions, and that the traffic calming measures, which were installed in 1994 at a cost of almost £500,000, have not overcome the basic problems. Thorney's rural location means that public transport is not only unlikely to be provided, but would not in any way provide a solution to the problems.

The figure obtained by the cost benefit analysis is comparatively low at 2.3, but that is for a dual carriageway. The figure would probably double if the Government pursued their proposals for a single carriageway. Along with the villagers, I shall press for the road to become a single carriageway, in which event the figure would probably be nearer 5.

The villagers of Thorney would want me to put another point to the Government. I believe that every other village on the A47 has been bypassed, all the way from the midlands around Peterborough, across the fens and around Wisbech, King's Lynn and the stretch leading to Norfolk. Why, after all this time, is Thorney the only community that has to suffer such heavy traffic at its heart?

The GOE believes that an improvement in the road—even a bypass for Thorney—would help to regenerate the northern fens area. Wisbech currently enjoys assisted area status, as it has since 1993—although that is being reviewed—and is at the heart of an objective 5b area, while much of the northern fens region has rural development status.

What is the way forward? The Bypass Thorney campaign submitted its proposals to the panel at the public examination of the draft regional planning guidance for East Anglia earlier this year. I am told by Lord Whitty, the Minister responsible for trunk roads, that the panel's report is due in mid-May. At that point, the Secretary of State will have the power either to accept the report or to modify its conclusions, but, in any event, he will have to consult those involved.

My constituents and I want the go-ahead to be given for the reintroduction of this much-needed bypass into the programme as a single carriageway. For all the reasons that I have given, we believe that the community needs and deserves the bypass. Other communities may not want improved roads—although I suspect that they are far fewer that the Government would have us believe—but this community does. The campaign will not go away: these people are serious, and they will continue to blockade the A47 for as long as it takes to make the Government see reason.

9.53 am

Mr. Bob Blizzard (Waveney): In any transport debate, our first task is to strip away the ideology. Nowadays, too much of the argument is taken up by certain groups. There are those who see transport only in environmental terms, as an inconvenience or an obstacle to the pious business of saving the planet, having no regard for our economic and industrial needs. Some of those "interest groups" have no realistic economic policy; they are at heart anti-car, indeed anti-motor vehicle. Then there are those who ignore the issues of pollution and climate change. They are typified by the right hon. Member for Wokingham (Mr. Redwood), whom I heard speaking to the annual dinner of the Institute of Petroleum. His rallying call to an audience whom he expected to be friendly was, "What we need are lower taxes and more motoring". He did not impress the institute, however, because most of the companies involved have signed up to the Kyoto agreement.

Then there are those who rage on with arguments about public versus private. There is the champion of public transport, who refuses on principle to own a car and who, witnessing a traffic jam, repeats in a sort of Orwellian duck-speak his long-cherished belief that Soviet-style buses always were better than the decadent private motor car. On the other hand, there is the car-lover who prides himself on the fact that he would never deign to ride in a lowly bus or train. Sometimes those hollow, stale arguments are dressed up, but we hear too much of them.

An oft-used maxim of the present Government is, "What counts is what works", and I think that that maxim should be applied to transport. A practical approach is needed, and I hope that such an approach will be reflected in the composition of the new integrated transport commission. I hope that it will consist of practical people with real interests, rather than experts with ideological interests. We need a bold approach, but an approach that is, above all, practical.

It follows that there should not be just one approach to transport throughout the United Kingdom and in every type of community. We cannot have a one-stroke policy

[Mr. Bob Blizzard]

to be applied everywhere. We need to get that message across. My rural constituents write to me expressing the fear that they may have to pay a congestion charge to drive into the local small market town. Of course such policies have to be considered in the case of cities, but there is no prospect of their being introduced in small market towns.

Let me make three general observations. First, I do not think that people will accept less mobility than they have grown accustomed to. Secondly, whatever we do about transport, it must continue to operate for the benefit of our industry as well as our environment. It is an engine of the economy, and, in the context of costs and journey times, it is important to maintaining our competitive position in Europe.

The overwhelming picture of our transport system, however, is of a poor-quality infrastructure suffering from chronic underinvestment in all modes of transport. As we near the end of the century and look back, we see that the Labour party has been in government for only 23 years of this century. It is fairly clear which party we can pin the blame on. Our railways have been decimated and, unlike cities elsewhere in Europe, we have seen our trams being wiped out. Buses have disappeared from rural communities, and a sporadic convoy system has been introduced in towns. We have the fourth lowest number of miles of motorway per 1,000 sq km in the European Union: only Portugal, the Irish Republic and Greece have fewer.

That brings me conveniently to the subject of East Anglia. I am afraid that I do not know enough about the more western parts of the eastern region to talk about them.

Mr. Moss: What about Thorney?

Mr. Blizzard: Thorney will do; I can follow Thorney.

We have a poorer transport infrastructure than any other English region, and transport is now the dominant issue in our part of the country. Most visitors comment on the lack of modern roads in East Anglia. The traveller has history before his eyes as he travels. Footpaths between fields were widened and became bridleways, the bridleways were widened into lanes and the lanes were widened into roads, but, unfortunately, our roads still wind between the fields of East Anglia, through—and here we come to Thorney—ancient villages and historic market towns. That is even true of trunk roads. It is possible to travel up the A12 and to see tiny cottages below the road level, looking up at the huge trucks that rumble past. The further north and east one ventures into East Anglia, the worse the road links become, until eventually one reaches Lowestoft, Britain's most easterly point, which is in my constituency.

Our rail links are no better. Train services are infrequent, expensive and slow, and the lines are few and far between.

I firmly believe that we need an integrated transport policy. Lowestoft is simply not integrated into the national transport network. It is a port, whose function is to integrate land and sea, but it is difficult for it to perform that function when there are such poor links on the landward side. Lowestoft is further from the continuous dual network system of roads than anywhere else in the country. Ministers past and present have often arrived late in my constituency, and have always been surprised by the journey time.

It is not so much that our roads in East Anglia are congested by traffic; it is just that the pace is so slow. The winding single carriageway is clogged with tractors, lorries and, in the summer, caravans. It is not only an inconvenience for the leisure-time motorist; it is taking its economic toll. Lowestoft has lost its traditional industries and it finds it difficult to attract new ones. What company will locate at the end of such poor links? They also make it tough for existing businesses—it is hard for them to expand. All the businesses in my constituency are unanimous in their view that we must have better road links. Poor transport links cost time and are key factors in business competitiveness and inward investment.

Some people sometimes question whether the link between transport and economic prosperity is proven. I mention just the figures for East Anglia. Along the A14 corridor, unemployment is currently 2.4 per cent. in Huntingdon, 2.2 per cent. in Cambridge, 2.1 per cent. in Bury St. Edmunds and 3.6 per cent. in Ipswich, but, further north and east, it is 9 per cent. in Lowestoft, and 10 per cent. in Great Yarmouth. There has to be a link. People know that there is a link.

My constituents are frustrated and angry about that point. However, they are delighted at yesterday's announcement that work is to start soon on studies of the trunk road between Norwich and Great Yarmouth, the A47. We are convinced that they will show it has to be improved and dualled, which is what we have been after.

Should we look for improvements not to the roads, but to the railways? I hope that the railways can be improved. Again, we have to look at practice, rather than theory. Unfortunately, towns in my constituency are linked by single track lines, with lots of small lanes and farm tracks crossing them. A slow speed limit has to be invoked for safety reasons. The only way in which those lines can be improved is by grade separation of all crossings—road bridges over or under the railway. That would be very expensive and time consuming, and I doubt whether it is viable. I hope that we can improve rail to a degree, but it cannot be a substitute for road improvement.

I mentioned the problem of heavy lorries rumbling through the narrow streets of ancient villages and market towns. I raised the matter because I am not clear where we were with village bypasses. Of course, we must examine all the alternatives before we approve plans for a village bypass, but, in Bungay in my constituency, a study has been done. There is no alternative, yet there are no plans for a north-south bypass. It has not even been put on the list by the county council, even though the company that is the main source of the lorries is willing to contribute to the construction of such a road. People in Bungay are asking whether the lorries are to rumble through Bungay for ever more. Again, we need a practical solution, not an ideological one.

In the most general sense, what should be the transport policy for the rural part of East Anglia? We definitely need rural buses because there are people living in villages who do not have access to a car at all. Therefore, we welcome the rural bus fund, over £1 million of which has already come Suffolk's way in the first year of its operation. That is welcomed by people who live in the

villages, but will more buses encourage a modal shift to buses by those who have a car? Let us examine the practicality of that.

People will not shift unless there is a regular service. If there are only a couple of buses a day, they will not wait three hours to avoid their car journey. Let us suppose that they would wait half an hour. What would it take to institute a half-hour bus service to shuttle around all the villages in East Anglia? The cost would be phenomenal. Existing services are disappearing or under threat, propped up by the county council. Therefore, although I welcome more buses, I do not envisage that buses will be an alternative to the car in rural areas and produce any real modal shift.

That leads me to the fuel duty escalator. People in my constituency, particularly those in the rural part, find it hard to grasp the measure. It is a blunt instrument in that respect. It is not a progressive tax; there is not much social equity in it. People question whether it can have the desired environmental effect in rural areas, where there is no practical alternative. Therefore, I hope that we will look at where we are going with the fuel duty escalator and its effect on rural areas.

Mr. Simon Burns (West Chelmsford): Will the hon. Gentleman give way?

Mr. Blizzard: No, because I am winding up my speech. I am sure that the hon. Gentleman will make his contribution later and I want to allow other hon. Members to get into the debate.

I hope that the Government will take measures to reduce congestion, and that they will focus on the parts of the country where congestion and pollution are serious problems. I hope that they will manage to avoid any suspicion of a broad one-stroke policy, which would seriously worry those in my constituency and in rural parts of East Anglia.

10.5 am

Mr. Norman Baker (Lewes): I shall be brief as I am conscious that there are local Members who want to speak in the debate.

From my knowledge of the region and from the representations that I have received, it seems that some of the problems in the region are common to the rest of the country, whether they be congestion, pollution, over-dependence on the road network or the reduction in rail lines. Unfortunately, many lines were closed under Beeching. In many towns with which I am familiar, such as in Hadleigh in Suffolk, the rail network seems to have been taken away. Sadly, sizeable communities now depend on road transport.

Of course, for the rail transport that is there, rail fares increased by 74.8 per cent. above inflation between 1974 and 1996, whereas road transport costs have decreased by 3.5 per cent. Those who complain about the fuel duty escalator should bear those figures in mind.

The Government accept that the region is less well served by east-west rail connections; the point was made by the hon. Member for Luton, North (Mr. Hopkins). All roads seem to lead to London, as do rail lines. If we are to regionalise our country, as we should, we need to deal with that fundamental point.

I want to suggest one or two areas that the Minister might pursue. I should be grateful for an indication on whether the channel tunnel will benefit the eastern region in any way. Will there be connections to the eastern region from the channel tunnel?

Mr. Burns: Stratford, of course.

Mr. Baker: Yes, but, to take the point of the hon. Gentleman, who has rudely interrupted me, we want connections to the eastern region north of Stratford. We also want to ensure that rail connections to Felixstowe are maximised to ensure maximum movement of freight transport by rail.

It has also been drawn to my attention that there is a problem with public transport links north of Stansted to Stansted airport. From London, the links to the airport are quite good, but north of Stansted, the links are a problem.

I draw to the Minister's attention one or two excellent examples of transport in the eastern region, particularly cycling schemes, which are an important part of the Government's strategy. Many towns in the region contain the highest levels of cycling. They include Cambridge, Peterborough and King's Lynn, although not, to my knowledge, Luton.

Mr. Bernard Jenkin (North Essex): Or Colchester.

Mr. Baker: Or Colchester.

I draw to the Minister's attention Kesgrave high school near Ipswich. I understand that nearly 60 per cent. of journeys to the school are by bicycle, compared with the national average of 2 per cent. That success has been achieved by developers incorporating cycle routes into their town planning. Routes to the school from the entire catchment area were built. The result is that more than half the students cycle to school. Some people say that we can never shift transport away from the private motor car, but there are examples in the region and elsewhere to demonstrate that that can happen.

I regularly ask about road traffic reduction measures and the Minister gives me slightly different answers on each occasion. I do not wish to be churlish. I am happy with the direction in which the Government are going, but I should like some clarification.

The Minister has said in written answers to me that, in certain parts of the country, an actual reduction in road traffic will be achieved. Can she tell us whether any part of the eastern region will be one of the areas where there will be a real reduction—as opposed to a reduction in growth—in road traffic? Can she quantify when that might be achieved? When will road traffic levels throughout the country be less than in the previous year for the first time?

10.9 am

Miss Melanie Johnson (Welwyn Hatfield): As it is very easy to misunderstand the issues, I should like to offer a perspective from the southern part of the eastern region, particularly Hertfordshire, which contains my constituency, and to sketch some of the characteristics of Hertfordshire. I also agree with the comments made by my hon. Friend the Member for Wavency (Mr. Blizzard)

[Miss Melanie Johnson]

on the need, in debating and considering transport needs, to consider the needs of individual areas—which vary considerably, even across the eastern region.

Hertfordshire is the United Kingdom's third most densely populated county, with a million people and 19 urban areas. It therefore has very high car usage. Nationally, Hertfordshire has the third highest level of car ownership. Sadly, it also has the United Kingdom's second highest road casualty rate per head of population. Last year, it had 6,826 road injuries and 58 road deaths.

One of Hertfordshire's main characteristics is that primarily radial routes pass through it, from London, up to the north and east. However, there are few links in Hertfordshire between east and west. I should like to return to that theme later in my speech.

My hon. Friend the Member for Luton, North (Mr. Hopkins) mentioned Luton and Stansted airports. Over the next four years, Stansted expects a rise of more than 3 million passengers. We are looking forward to airport forums improving passenger transport in and out of the airport.

The A1(M) provides an important link through Hertfordshire, which also has a substantial road maintenance backlog.

I have raised these issues because they are important in considering transport in my part of the eastern region. The issues were very different 20 years ago. In the past 20 years, we have lost time in which we could have done much to address issues both of infrastructure and of people increasingly using private, rather than public, transport. It has been a missed opportunity, which the current Government must now try to salvage.

Dr. Ian Gibson (Norwich, North): Does my hon. Friend agree that the most recent occasion on which a debate on transport in the eastern region was held was in 1977—when, in an all-night sitting, some of the problems that she is dealing with were mentioned? After that debate, an Opposition Member—who is not in the Chamber—emerged bleary-eyed, asking for dual carriageways and for all the issues that my hon. Friend has raised to be addressed. He became a Minister and did some work on the issues, but not enough. I agree with my hon. Friend that not enough has been done in the past 20 years. Why does she think that is?

Miss Johnson: I can only put it down to the policies of the previous Government. I thank my hon. Friend for his comments on the lack of debate since 1977. What a tragic waste of all those years, in which—with investment and public transport—we could have dealt with the growth in transport need and population growth in counties in the eastern region, such as Hertfordshire. Until the current Government started to address the issues of bus deregulation and rail privatisation, those policies, too, were the source of more problems than answers.

Rail transport is a substantial concern to people in my constituency, many of whom commute to work in London and expect to be able to use rail services to get about. I receive in my office many complaints about trains that are too frequently over-crowded, and about the lack of services and punctuality. Often, commuters suffer the most, as they travel at times of day when trains are likely to be crowded. I therefore particularly welcomed the Deputy Prime Minister's comments on the subject, when he said that he was "switching the points" on the privatised rail industry and clamping down on issues such as standing, train schedules and punctuality, which are all crucial to people in Hertfordshire.

Billions of pounds could have been invested in rail transport had the British Rail sell-off been done at a more realistic market price. It is very disappointing that that opportunity was lost. That lost opportunity is a shocking public scandal, from which people in my constituency trying to travel by rail to London or elsewhere suffer daily.

There are serious issues of accountability and competition in rail service. We need exactly the type of action now being taken by Ministers at the rail summit. We have to be persistent, and to support investment in rail.

There is some scepticism about some of the action being taken to deal with matters such as train overcrowding. The action proposed on overcrowding seems to be based on very old standards of what constitutes overcrowding. People who live in areas in which journey times to destinations are perhaps only 13 minutes are concerned about how lateness is measured, as trains must be at least 30 minutes late before compensation is paid. The relative lateness of trains is crucial to such travellers.

I particularly welcome the Government's initiative on the Strategic Rail Authority, which will make a substantial difference in addressing many of the issues that I have raised.

Rail issues are connected to the future of the east-west transport link that Hertfordshire requires. The central Herts passenger transport scheme is expected to create a transportation link between Watford—through St. Albans—and Hatfield, in my constituency. Establishing an east-west link is the No. 1 priority for the southern part of the region, as it would help to integrate public transport and provide modal links—which Conservative Members seemed to find so amusing when mentioned earlier in the debate. Modal links are one of the ways in which we shall tackle the crucial difficulties of transport.

An east-west link would provide integrated and sustainable transport, and the necessary links for regeneration in my constituency—particularly after closure of the massive British Aerospace site at Hatfield. The site may now be developed for housing and for use by the university of Hertfordshire, and by retail and other business. However, that opportunity will be fully realised only if action such as the central Herts passenger transport scheme is implemented. The scheme would reduce traffic reduction, and links with the university would help both local education and the local economy.

Those are long-term issues. Even if agreement is given soon to start planning the central Herts passenger transport scheme, it will not operate until 2006. It is another example of the long-term work that the previous Government neglected to do on behalf of passengers in the eastern region. If the scheme is agreed, by 2015, 9 million passengers will be using it. I therefore hope that, in October, Ministers will approve the scheme when the outline case is submitted to them.

As my hon. Friend the Minister has visited us on at least twice since the general election and seen what Hertfordshire county council is doing, she will be well aware that the county council is in the vanguard of addressing transport issues. The council has pioneered Travelwise to develop sustainable transport; gained European Union support for a business Travelwise scheme; increased its partnerships to reduce child casualties and to increase journeys to school by means other than car, which is the source of much traffic congestion on roads—the issue of car transport to private schools should perhaps also be examined; and developed safer routes to schools and the Walking Bus project.

Hertfordshire has taken all those actions to tackle the transport issues facing us. I believe that, with the setting provided by the Government, we now have the mechanisms necessary to drive forward transport—by rail, bus and road—and thereby to ensure that the economic future of the southern part of the region is secured.

10.19 am

Mr. Keith Simpson (Mid-Norfolk): I welcome this opportunity to contribute to this important debate on transport in the eastern region. I do not have to remind the House that transport is a crucial issue in the region, particularly for Norfolk and my constituency. I welcome the speech of the hon. Member for Lewes (Mr. Baker), although it is a pity that no other Liberal Democrat Member is able to contribute to the debate.

Traditionally, Norfolk has felt geographically isolated. It is somewhere that people travel to rather than pass through. Indeed, our national hero, Horatio Nelson, used to write about going into and coming out of Norfolk as though it were some strange foreign country. Malcolm Bradbury, the distinguished professor at the University of East Anglia described Norfolk as being cut off on three sides. He said some 20 years ago that it was cut off on two sides by the sea and on the third side by British Rail. Unfortunately, very little has changed since then.

I wish to raise two specific points. The first, the dualling of the A47, was mentioned by my hon. Friend the Member for North-East Cambridgeshire (Mr. Moss). It is a crucial issue for everyone in Norfolk, but particularly for people in my constituency where two large stretches remain to be dualled. The Brundall-Lingwood stretch, east of Norwich is a death trap for many local people and for visitors.

Mr. Anthony D. Wright (Great Yarmouth): Does the hon. Gentleman agree that, under the previous Administration, no fewer than 23 Ministers with a roads portfolio visited the area and agreed that urgent work was necessary on the A47 east of Norwich, including the Acle straight linking Norwich and Great Yarmouth? In 1996, the then roads Minister took the project out of the scheme, but the present Government have put it back and are conducting a study. Does the hon. Gentleman agree that the study will produce a way forward for that stretch of road?

Mr. Simpson: I am grateful to the hon. Gentleman for raising that unpartisan point as he has enabled me to comment in an unpartisan way that, before the general election, he and his hon. Friends promised the people of Norfolk the earth and told them that the A47 would be dualled. In fact, it has not been dualled. The Government have failed to keep their promises, and he and his hon. Friends now have to answer difficult questions in their constituencies.

Miss Melanie Johnson: Will the hon. Gentleman give way?

Mr. Simpson: I am sorry, but I want to allow other hon. Members to speak.

The A47 has not been dualled. It is a killing zone on the eastern side of Norwich. There are also two dangerous stretches in the Dereham area.

The A47 is vital for two reasons. First, at the strategic level, it provides communications that are vital to all people in Norfolk, whatever their political views. Secondly, there is the matter of safety. My constituents of all political parties are disappointed by the Government's decision, after many promises in opposition that they would carry out yet more studies on the A47. Indeed, the hon. Member for Waveney (Mr. Blizzard) referred to that.

Under the previous Government—and under the present Administration—the A47 has been studied to death. We want action and the A47 to be dualled. There can be no more excuses.

My second point has been touched on several times, mainly by Labour Members who consider it an embarrassment. The continued increase in fuel costs penalises motorists in rural areas, particularly in my constituency of Mid-Norfolk where a car is not a luxury; it is a necessity for many of the poorest families who are penalised time and again. The proposed cut in road licence tax for cars with smaller engines is irrelevant to poor families with large cars. Are they expected to sell their cars and buy new ones?

Transport should be about offering people a choice. In most of Mid-Norfolk the geography of the area creates a major problem in respect of providing an integrated public transport system. Cars are vital in Norfolk, and it must be the Government's duty to provide every opportunity to support people's ability to use their cars. So let us keep the fuel costs down and make certain that our main trunk road—the A47—is dualled. Let us deliver on the promises that Labour made in opposition and has so far failed to deliver.

10.24 am

Mrs. Anne Campbell (Cambridge): I begin by congratulating my hon. Friend the Member for Luton, North (Mr. Hopkins) on securing today's debate on an important issue which affects us all. I also welcome yesterday's announcement by the Government on the multi-modal studies, particularly that relating to the A14, which runs from Cambridge to Huntingdon, and which is designated to start in 1999–2000. It is most welcome. The *Cambridge Evening News* conducted a great campaign and collected 10,000 signatures. The Government's approach looks at the whole area around the A14. It involves not simply building a four-lane highway through the middle of Cambridgeshire, but looking at other modes of transport—including public transport and the Cambridge-St Ives railway line, for which many of us have campaigned for many years—and provides an opportunity to get those issues onto the agenda and

[Mrs. Anne Campbell]

consider them in a sensible way, with land use planning, public transport and road transport all playing a role in the economic development of Cambridgeshire.

I know that the present Government, unlike the previous Administration, will produce not simply an empty, unfunded wish list, but proposals that will have a real chance of being implemented. The previous Administration did a real disservice to the people of Cambridgeshire by misleading them about what was in the roads programme and funded. Their wishes were extremely misleading.

Mr. Andrew Lansley (South Cambridgeshire): Further to the point that the hon. Lady is making, I hope that the Minister will be able to say not only that the study will take place sooner, which is welcome, but that if it concludes that the A14 should be upgraded, that should happen quickly and, if necessary, be included in the Government's targeted programme of road improvements, even though it is within the seven-year limit that was set last July.

Mrs. Campbell: I acknowledge the work that the hon. Gentleman has done on this issue and I am sure that my hon. Friend the Minister will respond to the point that he has raised. I certainly hope that the work on the road will be completed as quickly as possible.

Let me spend a little time talking about my constituency in Cambridge, which is not rural but has a great problem that affects many people. I receive constant complaints from a variety of people—mainly school children—about the difficulty of walking to school because of the enormous amount of road traffic that affects my constituency more severely than most. Some 40,000 people commute into Cambridge every day—an excessive number given that only about 100,000 live in the city.

People in Cambridge have tried to solve the problem in their own way. The city has one of the highest proportions of people who travel to work by bicycle. The figure is around 20 per cent. in Cambridge—a higher percentage than for any other city in the UK, and which rivals some cities in Denmark and Scandinavia. I have to praise West Anglia Great Northern railways for making it easier for people to use bicycles as part of an integrated transport strategy. WAGN has provided extra parking space at Cambridge railway station and railway carriages that can carry bicycles without inconveniencing other passengers. It has provided secure cycle parking at Cambridge railway station. If one buys a season ticket to commute into Cambridge, it is possible to borrow a bicycle free of charge. Those facilities could be emulated elsewhere and are an extremely welcome development. Real efforts are being made to attract cyclists.

There are problems with taxis that need to be addressed. I understand that WAGN proposes to lease part of the station forecourt to an operator of O-licensed public service vehicles. I understand that the hon. Member for West Chelmsford (Mr. Burns) also has an O-licensed taxi problem in his constituency. The vehicles often appear to be identical to taxis. Some operators have been using O-licensed vehicles in the same way as taxis, but they are not subject to the regulation imposed on regular taxi cabs. Not unnaturally, taxi drivers in my constituency are outraged at the intrusion.

I know that my hon. Friend the Minister is taking the issue seriously and will introduce regulations so that the drivers of such vehicles have to undergo the same safety and criminal record checks as conventional taxi drivers. I welcome that. I hope that she will also consider the effect on taxi drivers, many of whom have paid many thousands of pounds for their licence plate and are worried that they will lose that investment and be driven out of business by the unregulated taxis.

I want to know what the Government have to say, but I also stress the importance of making the unregulated O-licensed vehicles stick within the strict confines of the law. I understand that there has been some laxity in its application in Chelmsford. Taxi drivers in my constituency are concerned about what has happened there. I hope that any infringement of the rules will be taken seriously and dealt with promptly.

The success of the Government's exhortations to people to use public transport has created problems. Many commuters are finding rail services unsatisfactory. The Cambridge to King's Cross commuter line has been subject to various delays in recent weeks, causing inconvenience and making people lose valuable time and resources.

Stagecoach Cambus took over the bus services in Cambridge some time ago. We have had several months of complete disaster with the bus services. I feel strongly about the issue, because it affects the most vulnerable people in my constituency—those who cannot afford a car and have to rely on public transport to get around. I have had letters from elderly people who wanted to go to hospital or into town to do some shopping and had to wait an hour or an hour and a half for a bus, when they should come at 10-minute intervals.

I have had several meetings with the directors of Stagecoach. They are taking the problem seriously now and are effecting some improvements, but there is still some way to go. Anything that my hon. Friend the Minister can do to encourage quality partnerships between county councils and local bus operators would be welcome.

The park-and-ride bus service works very well. Unfortunately, it does not help my constituents, although it may help the constituents of some Conservative Members. However, it reduces the amount of traffic coming into the city, because people are encouraged to leave their cars in the park-and-ride car parks, knowing that they can get a regular and reliable bus service into the city.

I congratulate the Government on the long-overdue measures that they have taken to encourage public transport. I hope that they will lead to traffic reduction in Cambridge city. I urge my hon. Friend the Minister to take every possible means to encourage public transport, the increased use of bicycles and better facilities for pedestrians, which will all help to achieve the reduction in traffic on our roads that she and I want.

10.34 am

Mr. Simon Burns (West Chelmsford): I shall be brief, because time is pressing. I should like to talk about the issue that the hon. Member for Cambridge (Mrs. Campbell) referred to—the definition of regulations as they affect authorised taxi drivers. I wrote to the

Minister earlier in the week, because a delegation including my constituents and, I am sure, the hon. Lady's, came to lobby us on the issue.

The problem has arisen out of confusion in the drafting of the Transport Act 1985. We urgently need clarification of the legal meaning of the Act so that we can see whether it addresses the problem properly and can be enforced. If the law is so badly drafted that it is meaningless, I should be grateful if the Minister would advise the House of what the Government are prepared to do. The hon. Member for Cambridge said that the Government were committed to regulations. I was interested to hear that. I should like to hear more from the Minister about the background to that and whether she feels that we can move forward on that basis.

No one wants to restrict competition for customers and price competition that results in better value for customers, but it is important that everyone who provides a taxi-type service should operate on a level playing field. They should have the same safety checks for the protection of the public and of themselves. The same applies to pricing policy. In Chelmsford, prices for licensed taxi drivers are determined by the local council. Those who do not come within the ambit of the council can set prices off their own bat. When two groups of people provide the same service, it is unfair that one group is hamstrung by having to abide by rules and regulations—with implicit financial costs—and the other group is not. I urge the Minister to clarify the situation as far as she can and sort out an unintended muddle in the law so that we can ensure that our taxi services are efficient, first-rate, price-competitive and, above all, safe for passengers and for drivers.

10.37 am

Mr. James Paice (South-East Cambridgeshire): I shall try to be very brief. I thank the Government for changing their plans and announcing yesterday that the A14 Cambridge to Huntingdon road would be brought into the first tranche of multi-modal studies, as the hon. Member for Cambridge (Mrs. Campbell) said, although she might have admitted that if the Labour Government had not taken the improvement out of the programme originally, the issue might have been more straightforward.

The stretch of the A14 from Girton, on the edge of Cambridge, to the Suffolk border is all in my constituency. Although the problems of traffic volume on that stretch are not as severe as those on the Cambridge to Huntingdon stretch, they are considerable and are causing significant problems of noise impact for those who live nearby.

The public inquiry 26 or 27 years ago proposed the building of noise barriers alongside the villages of Histon and Impington. They are still not built. I hope that the Minister will examine the Highways Agency's argument that the requirement for noise attenuation measures applies only to new roads. Many existing roads now carry far more traffic than they were designed for and it should be possible to put in noise barriers in such cases.

The Government have proposed to detrunk the A10, but we do not know what that means, when it will happen and whether there will be any dowry to maintain or improve the road. That critical link from Cambridge to Ely and the fens could be used to push the development pressures further north, but that will not happen until the road is improved. I hope that the Minister will soon give Cambridgeshire county council the details of the detrunking plan so that the county council can give it the priority that local people attach to it.

The A142 connects the fens and Ely to the A14 further east, and goes through to Felixstowe port, which is obviously important. There is only one village on the A142 that is not bypassed: the village of Fordham. I declare that that happens to be where I live, but the bypass is No. 1 on Cambridgeshire county council's list of road improvements.

Last year, I took a delegation, representing all tiers and all parties in government in the county, to see the Minister. She listened courteously, but was unable to put the money into Cambridgeshire. I hope that she will look again at what is a major requirement. A lot of industrial development is taking place in the area, and such improvements would make the world of difference to the community.

In the whole of the East Cambridgeshire district, atmospheric pollution levels are highest on the stretch of road where the A142 runs through Fordham. That is not what anyone would have expected, but all the tests demonstrate that that is the case. We are only talking about a £12 million bypass—not a large sum. However, the county cannot even begin the design or go through the necessary procedures until it has an undertaking that the money will be forthcoming.

I hope that the Minister will take on board those points, but particularly the need for clarification on the A10 and the need to look again at the Fordham bypass on the A142.

10.41 am

Mr. Bernard Jenkin (North Essex): I congratulate the hon. Member for Luton, North (Mr. Hopkins) on obtaining this debate. It is notable that debates on regional and local transport seem to be more common—perhaps reflecting frustration and disappointment with the delivery of the Government's much-vaunted integrated transport policy.

The hon. Member for Luton, North launched an attack on bus deregulation. Unfortunately, the Government broadly accepted the privatised framework of the bus industry in the recent White Paper. We welcome any measures to improve bus services, but the White Paper has a sting in the tail. The UK has some of the safest buses in the world, but the Deputy Prime Minister thinks that we need those corrupt EU officials to tell us to make them safer. The White Paper says that the bus industry will be brought under the EU working time directive, which will force up bus operators' costs and reduce the number of viable routes—another great triumph for the Deputy Prime Minister.

Otherwise, the White Paper is a glossy brochure with a requirement for yet more consultation, underlining that it is more publicity puff that lacks policy. The Government are still fumbling for something positive to do. The White Paper does not radically change Conservative bus policy, but builds on privatisation and competition. Local authorities will need to put aside outdated anti-privatisation attitudes, and will have to work more positively with commercial operators than many have in the past.

[Mr. Bernard Jenkin]

The hon. Member for Luton, North talked about delayed investment in Thameslink 2000. That is regrettable, but at least there is an investment programme—including new train sets. That is a big contrast to the much-vaunted public-private partnership on the tube, where nothing is happening because the Government are hidebound in their ideology about who should own the tube.

The hon. Member for Luton, North said that there was a great task for the Strategic Rail Authority—but where is it? We are two years into the life of a Government who promised immediate benefits to the travelling public, yet the Deputy Prime Minister has been unable to secure any transport legislation. We are still waiting for the SRA.

The hon. Member welcomed the roads review, and—extraordinarily—welcomed the abandonment of the widening of the M1. Does he honestly believe that it is a viable long-term option not to widen the M1? He said that he wanted to improve rail links, and certainly there has been improvement. Despite his opposition to privatisation, the privatised railways will announce tomorrow that they are increasing investment by another £10 billion.

That means that the Government have inherited a £30 billion investment programme in the railways. Where would that money have come from if the service had not been privatised? It would have been stuck in the same groove as the tube, with no investment at all. Who seriously believes that the railways can be built to take sufficient capacity to avoid the need for widening schemes such as the M1?

The hon. Member complained about the lack of money for investment in local transport infrastructure, yet Luton airport is owned by Luton council. There is a source of funds. If the council were not dedicated to the 100 per cent. ownership of the airport, it could get involved in a public-private partnership to raise capital for investment in the airport.

Mr. Hopkins: Luton airport is a public-private partnership, and money is coming in from the private sector. However, the long-term ownership remains with the local authority.

Mr. Jenkin: I put it to the hon. Gentleman that, by sticking to the outdated socialist ideology of public ownership and ultimate public control, he is cutting off his nose to spite his face. The council could raise far more money if it transferred the business to the private sector, as the Government are doing with National Air Traffic Services.

My hon. Friend the Member for North-East Cambridgeshire (Mr. Moss) referred to old chestnut of the A47 Thorney bypass. I regret that the previous Government did not deal with that problem.

Mr. Blizzard: They had only 18 years.

Mr. Jenkin: The delay and dithering of which the hon. Gentleman is accusing us has been mimicked successfully by his own Government. We must move on. It is odd that Labour Members pick on policy failures of ours to justify policy failures of their own. The Government promised an integrated transport policy, and they are failing to deliver.

The way forward is not another study, and the real reason for a study is that the budget is being cut. There is no alternative to a bypass at Thorney. Friends of the Earth support bypasses in such circumstances because they are good for the environment. The only reason that it has been delayed again is because the budget has been cut.

The hon. Member for Waveney (Mr. Blizzard) made a sensible speech, and asked us to strip away the ideology—and he did so. However, the road improvements that he wants for his constituency to deal with unemployment are not within Government policy. Unless they change their attitude to the importance of roads to economic development, the hon. Gentleman will be a long way from getting those roads. Again, the studies on the A47 are just another excuse for inaction.

The hon. Member, rightly, said that rail in all circumstances cannot be a substitute for road improvement, and there is no substitute for the bypass round Bungay.

The hon. Member's comment on the fuel duty escalator was apposite. He said that it was a blunt instrument which lacked social equity, and road hauliers in his constituency are suffering badly because of it. We think that the point of an escalator is that when you get to the top, you get off. It is time that the Government reviewed the policy.

Mr. Blizzard: Is the hon. Gentleman aware of the outcome of the roads review, which showed that the routes to my part of the region, the A11 and the A47, were deemed to be justified on the grounds of economy and integration? That was clearly marked on the map that encapsulated all the policies. What we have for the A47 is a step forward from the complete deletion of the scheme by the previous Government.

On road haulage, is the hon. Gentleman aware of the KPMG report yesterday that showed that this country has the second-lowest road freight costs of all of the G7 countries?

Mr. Jenkin: The hon. Gentleman should try telling that to his road hauliers—I would be interested to know what happens to him.

The hon. Member for Lewes (Mr. Baker) talked about the importance of cycling, and I agree. However, I wonder where the hon. Member for Colchester (Mr. Russell) is, because Colchester borough council has been criticised by cyclists for not providing sufficient cycling facilities.

The hon. Member for Welwyn Hatfield (Miss Johnson) complained about the roads maintenance backlog—which, I should point out, is getting worse under this Government.

My hon. Friend the Member for Mid-Norfolk (Mr. Simpson) talked about the dualling of the A47—another broken promises, and another study as an excuse for a lack of money. He is right to say that the Government should be delivering choice, but that they have failed.

The hon. Member for Cambridge (Mrs. Campbell) also wants a new road. It is interesting how many participants in this debate want new roads, contrary to the Government's policy. The outcome of the study, as my hon. Friend the Member for South Cambridgeshire (Mr. Lansley) said, is bound to be the widening of the A14, and the Government are simply using that as an excuse.

My hon. Friend the Member for West Chelmsford (Mr. Burns) picked up on the need to clarify the Transport Act 1985. The official Opposition share that objective and will provide the Government any assistance for primary legislation on that score.

Transport taxation is rocketing, while spending on transport is falling under the comprehensive spending review. Vital investment programmes are being cut or are hidebound by ideology. The Government promised an integrated transport policy, but they delivered a standstill Britain, which is why more and more hon. Members are queueing to take part in these debates. They promised immediate benefits for the travelling public but they have failed to deliver.

The Government should put the environment first, put choice second and come up with real new ideas and fresh thinking to deal with our transport challenges.

10.51 am

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Ms Glenda Jackson): Every single contribution, other than that of the hon. Member for North Essex (Mr. Jenkin), has highlighted the vital importance of integrated transport infrastructures for the eastern region. Member after Member, both Conservative and Labour, underlined the total failure of the previous Administration to begin to address the issues of integrated transport and its impact on a sustainable economy. Member after Member highlighted the failure of previous Administrations to tackle the serious issues concerning rural communities and the peripherality of the region.

In a debate as short as this, the contribution of the hon. Member for North Essex was contemptible. He used it exclusively for empty party political purposes. It was as ill-informed as it was ill-structured. His total failure to acknowledge the Conservative Government's responsibilities with regard to the issues in the eastern region was lamentable.

The Labour Government have transformed the direction of transport in this country. We have put massive funding into the eastern region, via the local transport plans and investment in rural bus companies. Every single contribution, other than that of the hon. Member for North Essex, underlined the fact that our actions will bring the co-ordinated benefits that will begin to tackle the serious problems that have existed in the eastern region for far too long.

Mr. Keith Simpson: On a point of order, Mr. Deputy Speaker. I genuinely seek your advice. The Minister seems to be including me in that blanket approval of Government policy, but, as you know, I expressed no such sentiment.

Mr. Deputy Speaker (Mr. Michael J. Martin): That is a matter of debate, not a point of order.

Ms Jackson: Conservative Members may have approached in a somewhat more oblique way the lamentable failures of the previous Administration, but that is a problem more for their consciences than for this debate.

Themes have recurred in the debate. My hon. Friend the Member for Luton, North (Mr. Hopkins), whom I congratulate on securing this debate, and my hon. Friends the Members for Waveney (Mr. Blizzard), for Welwyn Hatfield (Miss Johnson) and for Cambridge (Mrs. Campbell) all spoke of the serious problems of east-west routes in the region. The difficulties concern both the strategic road corridors and the railways. Without exception, my hon. Friends welcomed the steps that the Government have taken in introducing a Strategic Rail Authority and the benefits that will stem from the rail summit.

We are delivering on the strategic routes, which hon. Members have identified as the A11, A14 and A47. Let me remind the hon. Members for Mid-Norfolk (Mr. Simpson) and for South-East Cambridgeshire (Mr. Paice) that it was the previous Government who withdrew the then roads programme. There will be some disappointment that not all schemes and studies can be completed straight away, but we have to be realistic.

I regret the fact that the hon. Member for South Cambridgeshire (Mr. Lansley) is not present. He left me a note explaining why he could not be here. I am sure that he will be aware that future investment priorities are to be considered by the regional planning bodies as part of their regional transport strategies.

Most of the issues that have been touched on concern how we can begin to offer genuine choice for the transport of both individuals and freight in the eastern region. Clearly, integrated transport is the way in which that can be achieved. We have already begun the process by asking local authorities to produce integrated transport plans. Perhaps even more important are the responsibilities for regional transport forums and regional development agencies. Transport is a major player in issues such as reintegration, regeneration and breaking down the barriers of social injustice: burdens left to us by the previous Administration which we are tackling with great speed and concentration.

My hon. Friends highlighted the need to use, for example, pedestrian and cycling facilities, not only to offer us greater choice as individuals but, very importantly, to begin to reduce the need for children to be taken to school by car. My hon. Friend the Member for Welwyn Hatfield spoke of the extremely good work being done in her part of the region. I had the privilege of joining the Walking Bus when I last visited her part of the world, and a delight it was. Ensuring that routes are safe and reducing the need for children to be taken to school by car can make a contribution not only to reducing congestion and pollution but to our children's health.

My hon. Friend the Member for Cambridge and the hon. Member for West Chelmsford (Mr. Burns) spoke about O-licences. As my hon. Friend said, we are examining regulations, especially in relation to safety. I was aware of the lobby that took place, and I have given a commitment that I will meet representatives from the Transport and General Workers Union's taxi section to discuss the issue.

It is entirely appropriate to touch lightly on the issue of quality partnerships, as, only yesterday, my right hon. Friend the Deputy Prime Minister launched yet another daughter document to our White Paper, dealing with buses and the way in which we can ensure that local authorities and bus providers, working together, deliver buses that will transform that form of transport from the old workhorse to a steed of great parentage and blood.

[Ms Jackson]

Huge improvements can be made to people's lives by, for example, the introduction of accessible buses. We want the process to expand. There has been massive funding in the eastern region from our rural bus fund and the rural bus challenge. We look to local and regional authorities to build on those innovations to ensure that we can begin to break down the social isolation suffered in far too many parts of the eastern region.

The hon. Member for South-East Cambridgeshire mentioned detrunking and noise on roads. I am sure that he is aware of the announcement by my noble Friend the Minister for Roads and Road Safety on the criteria and funding that the Government will introduce to consider noise on roads that are currently outside the structures for additional noise barriers. On detrunking, negotiations are continuing between local authorities and the Department. It does not mean any loss of status for the roads concerned and we want to transfer a fair amount to local authorities to ensure the whole-life maintenance of such roads.

The hon. Member for—

Mr. Deputy Speaker: Order.

Metropolitan Police Budget

11 am

Mr. Edward Davey (Kingston and Surbiton): I am grateful for this opportunity to raise the issue of the Metropolitan police budget for the next financial year. It is right to start this debate with a few words of heartfelt praise for the work and efforts of the Metropolitan police across the capital, especially as the force has faced a tough few years. The cuts imposed by the previous Conservative Government, coupled with controversial internal reforms such as the introduction of tenure, have meant that the morale of the capital's police force has been sorely tested. After the tragedy of Stephen Lawrence's murder and the revelations and publicity surrounding the Macpherson inquiry, that test has been truly tough. However, Metropolitan police officers, day in and day out, have put those pressures and frustrations aside and got on with the job. We should be grateful to them and pay tribute to the excellent work they do for all who live in, work in, and visit this great city.

It is because the Metropolitan police have played such an integral and vital role in London that I wish to raise my concerns about the budget allocation made by the Government for the force next year. It is not enough. That is not only because the budget has gone up by only 2.7 per cent., when the Met themselves say they need 6.1 per cent. just to stand still. It is not only because the number of officers is falling by 75 next year, following a fall of 230 this year. The budget is not enough because, in the daily experience of my constituents, the police are increasingly overstretched and unable to do the job that the community wants them to do.

I am indebted for information about the key elements of the Metropolitan police budget for next year to the Receiver of the Metropolitan police and the Minister. I owe a particular debt to the receiver, because—as a member of the Standing Committee that considered the Greater London Authority Bill—I helped to abolish him, or rather his post. However, the receiver reassures me that he is happy to be abolished. I am not so sure that the Minister will feel that this speech is recompense for her kindness in ensuring that I received yesterday personal copies of the Met's new policing and efficiency plans for next year, but I thank her none the less.

The budget figures are stark. The small cash increases awarded to the Met for next year represent a real cut of 0.8 per cent., following a fall this year of 0.9 per cent. Nor do those cuts follow years of growth. The Audit Commission's report, published in January, reveals that between 1994–95 and 1997–98, the Metropolitan police were one of only three police authorities in the country to see real-term budget cuts. It has not been boom and bust for the Metropolitan police, but bust and bust. There will be no relief even after next year. In years two and three of the comprehensive spending review—the two years after the next financial year—there is little sign of a turnaround.

In practice, the budget situation is even worse that I have described, because of various other factors including, in particular, the mushrooming pension bill of the Met, which is largely paid for out of revenue. Other factors include cost pressures due to increasing demands on and duties for the Metropolitan police, such as those arising from the Crime and Disorder Act 1998 and the new laws regulating minicabs.

The coming financial year will also see specific one-off cost increases for the Met, including the capital city costs for policing the millennium, the costs arising from the change in the Metropolitan police district and the need to support moves to borough-based policing. I hope that the Minister will address those one-off costs in her reply. Will she reflect on whether the Government should use cash from the contingency reserves to supplement the 1999–2000 Met budget? That would at least recognise that the Met face some extraordinary expenditure items next year—expenditures that the budget allocation we are discussing this morning has not yet specifically covered.

Over the longer term, the increasing pension bill adds 1 per cent. a year to the direct costs of the Metropolitan police. That means that inflation for the police is already 1 per cent. higher than general inflation before anything else, such as pay, is considered. The pension pressure by itself implies that inflation-adjusted cuts to the Met's budget next year, as in the previous years I have already mentioned, present too rosy a view of the underlying position.

Considerable cost pressures arise from the issue of pay, because of the significant problems that the Met have with recruitment. Partly as a result of the abolition of the London housing allowance after the Sheehy report, the numbers coming forward to join the Met have been falling. If the Met are to recruit more officers from ethnic minorities, for example, they will have to ensure that pay remains competitive. My hon. Friend the Member for Twickenham (Dr. Cable) will try to catch your eye later, Mr. Deputy Speaker, to say more about the Met's recruitment problems, but, for my purposes, they illustrate the financial challenges that the Met face.

The Minister and I may disagree about many issues today, but I hope that we can agree that the Met's budget has been, and continues to be, cut in real terms. Part of the reason for the negative trend in the Met were the changes in the early 1990s to the formula dividing the national police budget between different police forces. That deliberately introduced an anti-London bias. Chief constables from outside London convinced Home Secretaries that London was being featherbedded. As a result, the Met have seen their share of the national police budget shrink from 29 per cent. before the changes in the formula to some 22 per cent. today.

We must now seriously question whether that squeeze on the Met can be sustained for much longer. I understand that the Government are trying to bypass the worst effect of the formula for London by increasing specific grants to compensate for the distinct national and capital city functions that the Met undertake, in protecting royalty and diplomats and policing major events. However, formulae that have served their useful life should be changed, and I urge the Minister to revisit the formula and tackle the anti-London bias.

The comparison that makes London's case well is how London's police officer establishment compares with that in other capital cities of equivalent size and population. While London has some 26,000 officers, New York scrapes by with 40,000—not including Federal Bureau of Investigation and anti-drugs officers—and Paris has a mere 50,000 officers.

London's police precept, compared to other parts of the country, is low and there appears to be a clear intention, which started with the previous Government and looks set to continue, that this precept gap should be closed, and London's council tax payers will be asked to fork out more. It is possible that Londoners will readily accept that, but only if they feel that the extra money they are paying is being used to increase London's police.

The political problem that the Government have is simultaneously cutting London's police budget and demanding higher and higher precepts. How can such a perverse combination be explained to the voters? A member of the Kingston police and community consultative group, Mrs. Alison McWhinnie, put the point well in a letter about the situation in Kingston:

"Local feeling is very strongly against the police cuts, particularly against the backdrop of what is perceived to be a totally unjustified rise in council taxes. Local people feel that they are having to pay more—to get less in return."

I hear that complaint increasingly frequently and I completely agree. It is verging on the undemocratic to ask voters for more money for the police and then, because of the complexities of the police funding arrangements, to proceed to cut the total budget.

The Government have only one major argument against that analysis of the Met's budget, and that is efficiency savings. The Government's view is that all the real-terms budget cuts and all the dire short and long-term budget pressures on the Met can be absorbed through efficiency savings. They have assumed, for example, that next year the Met will save 3.5 per cent. through efficiencies, of which 1.8 per cent. can be cashed in for redirection. Indeed, the central budgetary role of efficiency savings has become a pet theme of the Home Secretary. He seems to be convinced that the police are so riddled with inefficiencies that their performance will be unaffected if budgets are slashed.

Dr. Jenny Tonge (Richmond Park): In my constituency, efficiency savings have meant the closure of a sub-police station in Ham. Local volunteers kept going until recently, but sadly that will not continue. The main police station in Richmond town centre, an area which is widely regarded by the Metropolitan police as the drinking centre of London, is manned in the evenings only during the summer. For the rest of the time, the residents have to be content with a telephone on the wall. How does my hon. Friend feel about that as an efficiency saving?

Mr. Davey: I share my hon. Friend's concern about that type of efficiency saving. New Malden has also lost a police station, and my constituents tell me that they do not wish to see efficiency savings such as that. The Home Secretary goes on about efficiency savings. Last Thursday, warming to his theme, he quoted the former Conservative Chief Secretary to the Treasury—the quote was taken in turn from the memoirs of Lord Baker—as saying of the police:

"We have thrown money at them and we have the highest level of crime in our history."

The Home Secretary quoted that remark with apparent approval, implying that Labour agrees with the Conservatives. Home Office Ministers appear to have done a complete volte face since they were in opposition, positively revelling in the self-evident and all too convenient statement that it is not police numbers or budgets that count, but whether or not crime is going down. It is not inputs that matter, but outputs, they say.

[Mr. Davey]

Who could disagree with a search for efficiency savings or with the notion that the police, like all public services, should focus far more on outputs? We do not disagree with that analysis, but we do not share the Government's logic that basic budgets can therefore be cut.

As a member of the Liberal Democrat Treasury team, I studied last year New Zealand's experiment in budget setting by output. Output budgeting drives greater efficiency and enhances accountability because Ministers, Parliament and the public can see more easily how taxes are being spent. The estimates that Parliament receives become thick tomes rather than a few pages. They mean something, and debate can flourish about what is wanted from the police.

We agree with a focus on outputs, but I enter one note of caution. There can be perverse outcomes when budgets for public services are set in terms of outputs, with purchased amounts of services measured and targeted. Towards the end of one financial year, Wellington traffic police had carried out nowhere near the number of breathalyser tests that it was contracted to perform, and to meet its contractual obligation, the police brought Wellington to a standstill, breathalysing almost everyone in a motor vehicle.

Despite such occasional absurdities, output budgeting has largely worked in New Zealand. Directly relevant to this debate is the fact that when a public service analysed what it was trying to achieve, the result was not cuts. Indeed, in many areas, the police realised that more spending was needed.

That is the crucial lesson which I wish to share with Ministers. Focusing fully on outputs, such as reducing fear of crime, might make it clear that more resources are needed. To reduce the fear of crime, we need high-visibility policing, including, at least in some areas, more bobbies on the beat.

I have read the Metropolitan police's policing and efficiency plans for 1999–2000, which were published yesterday, and I saw how Government and the police plans are evolving towards output budgeting. A start has certainly been made. Building on inherited performance targets and indicators, the plans attempt to set out what the Government are trying to achieve with the police and to set out intermediate targets to measure and attain those objectives.

However, detailed consideration of the efficiency plan makes it clear that the Government's approach remains input budgeting. They have set out the outputs that they want, but those outputs are not driving efficiency plans. Instead, those plans are clearly driven by the desperate need to plug the gap in the Met's budget left by Government underfunding rather than by a more strategic analysis of roles, responsibilities and processes.

That is not to say that the efficiency plan is not excellent and might not achieve results similar to those of pure output budgeting: it is, and it might. It is right, for example, to tackle absenteeism and sickness rates, and to reduce them. If that is done, the police officers lost to budget cuts may, at least partially, be offset by the fact that at any one time, fewer officers will be off sick.

It is right to reduce the cost of buildings, to be more efficient in procurement and to use technology to cut costs. However, because the efficiency plan has had to come up with very large figures for savings, over a short period, setting very ambitious targets, one is left with the concern not only that the targets will not be met, but that something is being lost under this approach. What is being lost might be services or features of the Met police that ought to be retained, such as the police stations mentioned by my hon. Friend the Member for Richmond Park (Dr. Tonge).

Let me illustrate the problems with examples from my constituency. Kingston division has been hit hard in recent times. We lost more than 40 officers under the Tories in just the two years before the election. Last year, we were threatened by another round of major cuts, and only by hard lobbying of New Scotland Yard did the police community and consultative group and I manage to bring about a rethink.

Mr. John Greenway (Ryedale): How many of the 40 officers were in senior ranks?

Mr. Davey: A few of them were in senior ranks, but many others were ordinary beat officers who have been lost to the Metropolitan police or transferred to inner London. They are certainly not on the streets of Kingston.

Instead of our losing officers, New Malden police station was closed. This year, the Metropolitan police commissioners are back with proposed cuts of 14 officers next year, and eight more from April 2000. All the cuts are the direct result of Government cuts to the Metropolitan police budget.

Kingston is doing its bit towards efficiency drives. In February 1998, Kingston division lost 702 police staff days to sickness. A year later, that had been cut in half to just 328 days, which is excellent. Also excellent is the fact that, with intelligent policing, the burglary rate in Kingston fell last year by 33 per cent.—the fastest fall in any London division. That is brilliant work by the police officers of Kingston division, and I thank and praise them for it.

These efficiency savings and good performances have not prevented the budget shortfall creating other real problems. To start with, New Malden police station remains closed, which is very bad news for an area in which the police presence was appreciated and had a deterrence value. People must go into Kingston to report crime, which may even have distorted crime figures. There is no doubt that closure represents a significant worsening in the police service to New Malden. The sooner the station is reopened, the better.

A second major issue is response times, particularly to areas on the perimeter of the division. The Metropolitan police's policing plan acknowledges how budget cuts are affecting performance:

> "In recognition of the increasing demands for police services, and the resource constraints on the Service, the MPS Charter target for responding to emergency calls within 12 minutes has been adjusted from an 85 per cent target to an 80 per cent target".

That is an admission that services are being downgraded.

In Kingston, we have felt the reality of that. Constituents tell me that when there are problems in Chessington, say from a gang of youths on Hook parade, or problems in Worcester park around the station with vandals and graffiti, the police response time has dropped. That is borne out by figures supplied to me by our excellent new chief superintendent, Alan Given, showing that Kingston police

arrived at emergency calls within the 12 minutes target more than 90 per cent. of the time last year, but performance has dropped this year to 85 per cent.

A third issue is concern about recent upsurges in youth crime and petty crime in general. Local people see a direct link between this upsurge and the reduction in the number of permanent beat officers in the division. Gerald Lambert, a local neighbourhood watch co-ordinator, told me this week:

"More and more I hear neighbours and colleagues telling me that they do not bother to report petty crimes because they are so common, and they know the police do not have the resources to deal with them."

The reality of the cuts is a loss of officers, and no amount of efficiency savings can hide that. It is all very well for the Government to talk about community policing, zero tolerance and tackling persistent youth offenders, but in Kingston, despite superb and improving efforts by the local police, such talk is treated with derision.

In Kingston, and probably elsewhere in the Metropolitan police area, there is a feeling that when the local police do well, they are punished. There are perverse incentives in the police formula for London. If that formula were fully applied to Kingston, we would lose many, many more police officers. Why? Because crime statistics suggest that we have relatively little crime by comparison with central London, and that there has been a great deal of success in recent years.

Where would such reductions take us? As Roland Kerr, of Kingston Vale neighbourhood watch puts it:

"I am appalled not just by the reductions but by the continued reductions, year after year. At the "nth" degree we will have no police".

We must recognise that places such as Kingston are not over-staffed, whatever the formula says. I urge Ministers to revisit the London police resourcing formula to make sure that success in reducing crime in areas such as Kingston is not punished.

Other places in London are being hit by the cuts. That is why the main focus of this debate is the Londonwide budget. Indeed, my constituents want the whole of London's police to be better resourced. Mr. Higson of the Cambridge Road estate residents association in Kingston put it very well when he wrote:

"We feel at times government concentrates too much on the cost of fighting crime to the extent they ignore the cost of crime to the citizen."

That brings me back to what are probably the core issues for this debate: whether efficiency savings can make up for real-terms budget cuts facing the Metropolitan police, and whether, when crime is reduced, we should cut back on resources. Efficiency savings ought to be a bonus to a local police force, so that it can develop services, not a continual requirement that must be met if wholesale redundancies are to be avoided. Efficiency savings are difficult to make when total budgets are pared back so much. When will anyone judge that the scale of year-on-year efficiency savings has become impossible to meet? Surely Ministers do not think that that model can continue in perpetuity.

Nor should Ministers be complacent when crime is falling. Falls can surely be explained by a number of factors, from under-reporting of crime to the relatively low level of unemployment. I am sure that the falls are also to do with improved policing, but they are not simply a result of that. Even if crime is falling, surely we do not accept the levels with which we are left. Crime is still far too high. If the police are more successful at reducing crime, we should invest in them and their efforts.

I hope that the Minister will at least acknowledge that the Metropolitan police budget is creating difficulties across London. Officers are being lost and communities feel that they are losing their beat officers. I hope that she will take this opportunity not simply to defend the Government's policy but to show that Ministers are ready to think again.

11.21 am

Mr. John Horam (Orpington): I am delighted that the hon. Member for Kingston and Surbiton (Mr. Davey) has raised this topic this morning. It is undoubtedly important, and I am sad that so few hon. Members are in the Chamber to hear what he said. It was worth listening to. I join the hon. Gentleman in saying some nice things about the Met. I believe that they have been traduced recently. They do an excellent job in Bromley. Their record in reducing crime there is good, but, as the hon. Gentleman said, that is not an excuse for reducing the number of police. The fact is that crime is too high and always need to be fought.

The position in Bromley is serious. It is no doubt brought about by the underfunding of the Metropolitan police in London as a whole. As the hon. Gentleman said, there has been a reduction in real terms in the funding for the Met and the consequences are spread around the whole Metropolitan area. It is apparent that the underfunding will be spread over the next three years. That is the problem. The comprehensive spending review locks in funding for three years so there is no likelihood of any change in the present position, which is extremely unsatisfactory.

As the hon. Gentleman also said, the problem is compounded by early retirement, the pensions problem and the exceptional problems of the millennium. We face a bleak future of inadequate funding. What underfunding means in an area such as Bromley is simple. At present, we have seven police stations in the borough, which as the House will know is large in London terms. Two of the stations—Biggin Hill in my constituency and Chislehurst in the constituency of my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth)—will certainly close this summer. The alarming thing is that it is rumoured that the station in Chislehurst will be turned into a large themed pub. Hon. Members will be able to imagine the concerns of local residents that a police station, which they look to as a source of security and quietness, may become a large themed pub, with all that goes on inside and outside such places. However, that is merely a rumour.

So two police stations out of seven will certainly go. There are also rumours about two other police stations. The one in St. Mary Cray opened only in 1992 under the Conservative Administration. It was campaigned for long and hard by me, by local councillors of all parties and by local residents. We got it built only after a great deal of trouble. It is necessary because the area is a crime hotspot. It has done a good job since it opened. Crime has been reduced in the area. It has had a wholly good effect.

[Mr. John Horam]

I am sure that the hon. Member for Kingston and Surbiton agrees that the existence of a police station in an area has a beneficial effect and reduces crime in an area. That has been proved year in and year out by the evidence from St. Mary Cray since 1992. Now, it, too, is under threat.

I am told by the local police that the latest position is that they intend to keep the police station at St. Mary Cray. I am very glad to hear it. They also intend for the moment to keep the station in Penge, which is also under threat, but it is likely that, eventually, those two stations will go. Then we will be left with only three police stations.

It can be argued that we should not put too much money into bricks and mortar; that it does not necessarily produce better policing and that it is better to spend the available money on front-line policemen. That argument has been advanced by the Labour party since the general election. However, that is not how the policing works out in reality. As the hon. Gentleman said, there is a perverse incentive. If police stations are closed in Bromley, the area will not be able to keep the money in Bromley and put it into extra policemen. The money will disappear into a pot somewhere in London and will be dealt out to some other area. So Bromley suffers a double whammy. It loses two police stations and also loses front-line policemen. That is the problem on the ground.

In the current financial year, the number of policemen went down by 10 in the Bromley division and it will fall by an unknown number—the figures have not yet been worked out—in the next financial year, but the local chief superintendent tells me that it will not be by fewer than 10. So numbers are declining and police stations are closing. Not only that, but, with the new system for rotating police officers, home beat officers are disappearing after two or three years on the beat. The new people know little about what is going on in important crime hotspots. That is a further dilution of the professionalism and effort put into local policing. It is a great tragedy.

The three things that I have mentioned—reduction in the number of police stations, reductions in front-line police numbers and the increased turnround of police officers as a result of the new system—are leading to serious consequences for the further reduction of crime in a typical London borough such as Bromley.

I have more examples of the strains that reductions are causing for the local police. One constituent wrote to me the other day that her partner's tools had been stolen from his car when it was parked outside the house. There were fingerprints and mess everywhere. When she telephoned the local police, they said that they could not send an officer to take fingerprints because no one was available. So, although obvious evidence was there which could help secure a conviction, it was not possible to collect it because the resources were not available.

In my part of London there is a great deal of what another constituent has referred to as youth vandalism and terrorism. Other hon. Members will be familiar with the problem. Areas are troubled by youths who have had too much to drink and have too much time on their hands and the result is bricks through windows, graffiti on walls, cars sprayed and frightening behaviour. That has occurred in a number of areas, and in one particular area recently.

Dr. Tonge: Does the hon. Gentleman agree that youth vandalism is increasing because of a lack of bobbies on the beat? I know that the police are keen to respond when a crime occurs, although he has given us an example of when they did not, but the visibility of police on our streets is surely a big factor in prevention—

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. The hon. Lady should not make a little speech on an intervention.

Mr. Horam: She may be making a speech, Mr. Deputy Speaker, but the hon. Lady is right. Although the police at Biggin Hill station responded rapidly to the problem of youth vandalism and were able to clear it up, there was huge concern. There was a meeting of ratepayers in the local church hall to which 200 people turned out because they were so concerned about the general atmosphere, the mindless vandalism and the fear that had been generated in one area. The police were able to cope and sent a force along and the problem has been cleared up temporarily—but it may well recur. A grateful constituent wrote to me:

"However, we are sorry to learn that the resources of the police are being further reduced and that the Biggin Hill Police Station is most likely to close. This, surely, will only make the local problems worse and it will be only a matter of time before the perpetrators of this vandalism realise that they can resume their reign of terror."

Exactly my point. The closure of a police station will lead local youths to realise that they can get away with things once again and another reign of terror will be promulgated in the area.

Mr. Jim Fitzpatrick (Poplar and Canning Town): Surely the hon. Gentleman highlights the anomaly between foot patrols and mobile patrols in cars. In a car, officers can attend two or three incidents in a short space of time, whereas on foot they can attend only one. Visibility is one thing, but we need to make sure that officers in cars have a rota to make sure that down time is spent not sitting in side streets but attending the very hotspots that the hon. Gentleman mentions.

Mr. Horam: I agree with the hon. Gentleman, but policing cannot be satisfactory if there are not enough policemen. I am complaining about the reduction in the number of front-line policemen, whether they patrol on foot or in cars. That reduction is the problem; fewer and fewer policemen cannot do more.

A further consequence of the funding cuts is the effect on the confidence of local institutions. In Bromley, as in other areas, there is a police-community consultative group, which has been extremely effective. It is well attended—I go to its meetings whenever my parliamentary duties permit—and is a useful source of information to the police, the local authority and residents; it offers opportunities for people to ventilate their complaints. One of my constituents—a man in whom I have great trust—wrote to me about a recent meeting of the consultative group:

"The chairman allowed me to read out a paper which I had prepared prior to the meeting and members of the public present agreed with my views."

His views were:

"Overall the members of the public are not happy with the way the Group runs. While the police listen to what is said, there is seldom any sort of positive response which we like . . . It seems that all we can look forward to is a continually diminishing police force even less able to enforce all the laws and discharge matters which they, and no one else, currently have responsibility for."

That is the problem. He told me privately that people were attending the consultative group less, because they did not see the point of going to meetings at which the police said sensible things and appeared to be trying to do their best, but simply did not have the resources to deliver what the local community wanted. That is worrying.

As the hon. Member for Kingston and Surbiton said, the Government's only answer to these problems is efficiency savings. That imposes far too great a burden from one possible course of action, and, as the hon. Gentleman pointed out, it should be a bonus and an incentive for the police to be more efficient, not a necessary criterion of their keeping even their current resources. Indeed, resources in areas such as Bromley are actually diminishing.

We face a bleak future, if we continue down the path on which the Government are set; it is totally at variance with the promises Labour made on the crime front at the general election.

11.32 am

Dr. Vincent Cable (Twickenham): I am grateful to be able to speak in support of my hon. Friend the Member for Kingston and Surbiton (Mr. Davey). I apologise to the House because I shall have to leave shortly after my speech. I have to speak in my constituency on the Government's new deal; I think that that is a sufficiently worthwhile reason for making a rapid exit.

My motives in speaking are similar to those of my hon. Friend. We can all see that cuts are taking place. I campaigned against the cuts in police funding that took place under the previous Government. Since 1997, that process has not merely continued but accelerated; in the Twickenham-Richmond area, we have lost 29 officers—more than 10 per cent. of the establishment—and the effects are felt every day. I echo the comments of the hon. Member for Orpington (Mr. Horam): although the police have received some bad publicity recently, they are an extremely popular and respected public service. The message is simple: people want more police officers, not fewer.

There are two essential levels at which we must analyse the economic problems of the police budget. The first relates to overall public financing and the familiar debates, which we do not need to go into, on such matters as Government public allocation and the role of taxation. In that context, the police service has seen a real reduction in expenditure. Although we have touched on those matters, they are not the essence of this debate.

My hon. Friend has already mentioned the one-off requirements, but he did not mention others; for example, if the Lawrence report is implemented in full, considerable additional costs will be required of the police service for training, additional effort in recruiting and compliance procedures. That will require additional budgets of millions of pounds, for which there is currently no provision.

In respect of national funding, I reinforce the points made about pensions. The hon. Member for Poplar and Canning Town (Mr. Fitzpatrick) is in the Chamber; he is the leading authority on public service pensions, especially in the fire service where there is an analogous problem. I appeal to the Minister to consider that matter carefully. The fire service and the police have a uniquely difficult problem with unfunded pensions; pension obligations are now eating up well over 10 per cent. of their budgets, and that percentage increases every year. They have to make a trade-off every year between service provision and pension obligations. In the fire service, that has already led to a virtual breakdown in the service; in three to five years' time, the police service will be in a similar position. That needs to be anticipated and a radical solution found that does not merely start new pension arrangements, but deals with the outstanding stock of pension obligations. The Government have the opportunity and the obligation fundamentally to address that problem.

There is a process by which national funding is allocated between different police authorities. I confess that I do not fully understand it, but I hope that the Minister and others can help me to achieve a better understanding of how the funding formula works. Who sets the weighting between different police forces? As I understand it, the weighting is established by a committee of chief police officers who are not properly representative of the weighting of different forces, in that small police forces have equal weight with the Metropolitan police. That is wholly inappropriate.

I hope that the Government will consider carefully not so much the sums of money as the structure within which the formula is set, because it seems to be inequitable and unsatisfactory. It does not fully capture London's genuinely distinct problems. Some of those problems are acknowledged—for example, the obligation of the Metropolitan police to deal with the problems of terrorism or to cover the royal palaces. Some of those problems are more subtle: the fact that London is a centre for organised crime and is at the centre of the big end of the drug business. I am not sure how much those problems are reflected in the formula, either.

An even more subtle problem, but one that totally disrupts the funding of the Metropolitan police, is the labour market that prevails in London. It is exceptionally difficult to recruit high-quality police officers on current pay and conditions. The Commissioner of Police of the Metropolis has made it clear that he is exceedingly disturbed by the way in which current pay and conditions affect the influx of new police officers. He has to recruit people with extremely low educational qualifications, or even no qualifications at all. He cannot recruit from those people who would be available if pay and conditions were substantially improved; he cannot recruit enough women, or enough people to achieve the correct ethnic mix. That is partly because the formula, set nationally by the committee of chief constables, does not fully recognise the distinctive problems. I hope that that factor will be taken into account.

There are some other relevant issues. The first is priorities; most of us want to talk about our own areas and the way in which they have been affected by the cuts, but broader service sectors in the Metropolitan police have been especially badly hit. The traffic police are severely affected; they have a relatively low priority within Metropolitan police objectives. Many traffic police officers have been redeployed and their posts are no longer filled. The traffic police admit freely that

[Dr. Vincent Cable]

enforcement of serious traffic offences is no longer being carried out with the necessary thoroughness. The dog service is another relatively low-profile police service which has just, rather precariously, been saved from extinction. Such low-priority areas tend to suffer in a tough budgetary environment.

We shall always argue for more money; given the pressures on public services, that is inevitable. But there are ways in which the Government could encourage the Metropolitan police and other police forces to be more imaginative in raising funding. There are two particular methods of doing so. The traffic police could become almost self-financing if they were allowed to retain revenues from funds; hypothecation might be productive in that instance.

A matter more parochial to Twickenham, and one that I have raised with the Home Secretary, is the completely inexplicable practice of large commercial organisations, such as the Rugby Football Union, that organise public events charging the costs of policing the event outside the ground to the public through the Metropolitan police. A major rugby international costs the Metropolitan police about £40,000 in overtime for extra police officers to police traffic and pedestrian movements outside the ground; those costs add up to about £500,000 a year. The number of events organised by such large commercial organisations is growing.

With other events and activities taken into account, each year several million pounds that should properly accrue as revenue to the public sector are being spent on providing services free. The Home Secretary should consider that matter. I realise that there may be technical difficulties: ring-fencing the problem areas; deciding whether to charge in respect of, for example, Chelsea flower show or only big sporting events; and drawing the dividing line between a big event and a small one. However, the issue remains important.

I thank my hon. Friend the Member for Kingston and Surbiton for raising these issues, and I regret that more hon. Members are not here to participate in the debate.

11.41 am

Mr. Simon Hughes (Southwark, North and Bermondsey): I shall be brief, as I am conscious that the hon. Member for Ryedale (Mr. Greenway) speaking for the Conservatives and the Minister should have the opportunity to respond fully to my hon. Friend the Member for Kingston and Surbiton (Mr. Davey).

I hope that I betray no secrets in saying that my hon. Friends and I tried to organise an opportunity for this debate, and that my hon. Friend the Member for Kingston and Surbiton struck lucky. We wanted to have it before the end of this month and before the beginning of the financial year to which the debate is addressed. Like the Minister, I am conscious that this is the third policing debate that we have had within about a week. We had a sometimes fairly aggressive and heated debate in the Standing Committee on the Greater London Authority Bill, which was attended by the Minister in her capacity both as a Home Office Minister and a London Member of Parliament. Also present were the hon. Members for Poplar and Canning Town (Mr. Fitzpatrick) and for Upminster (Mr. Darvill), and my hon. Friend the Member for Kingston and Surbiton.

In that debate, we considered the whole range of policing issues as they stand and how they will be affected by the new arrangements for London. We are aware that the enactment of that Bill—which we strongly support on the question of police arrangements and in other respects—will mean that, from next year, the London police will have their own police authority, independent of the Home Office, which in years to come will allow the force to speak more boldly to the Home Office as the responsible Department.

Mr. Fitzpatrick: Does the hon. Gentleman agree that it is appropriate to acknowledge the establishment of the all-party group on police, and the role of the hon. Member for Twickenham (Dr. Cable), who chairs the group, as a measure of how much more attention police matters now receive in the House?

Mr. Hughes: I certainly do. I am grateful for the acknowledgement of the work of my hon. Friend the Member for Twickenham (Dr. Cable), who, as a member of our London team of Liberal Democrat Members of Parliament, has led for us on police and fire services matters since the general election, in establishing that all-party group. It is important that the police should know that parliamentarians support them, want to work with them and are well informed about some of the difficult issues affecting them.

Let me reinforce and add to the point made by my hon. Friend the Member for Kingston and Surbiton about the need for the Home Office not to be governed in its formula for allocating resources by the European Union-style, non-weighted voting system, whereby each police force has one vote, which results in the Met, because of that voting system and because of the common perception of the Met as a big, well-funded force, not being able to win the votes required to get them the money that they need. Of course the Met is a big force—it polices the biggest area and the largest number of people. Of course that force is numerically large, with 26,000 officers, which is more police officers than almost everywhere else; but no one has ever argued that capital cities do not need that intensity of policing. There should not be a simple formulaic response which states that police forces throughout the country must have the same ratio of police officers to population, and that is the end of the argument.

We must take into consideration the intensity of effort and work that London requires. I hope that the formula and its workings will properly reflect the fact that, like other London services such as fire, education and social services, London's police services have to cater for the demands of a highly complex and diverse community in terms of ethnicity, language, and so on. London police have to deal with people who speak no English and so have to call in interpreters far more often than police in other parts of the country. In the interests of solidarity and understanding, the London police need officers who come from the various communities. The issues are extremely complex, so to say that we must have the same ratio of police officers to people in London as in, say, Herefordshire—an area I know well—simply does not work. Each case must be judged on its merits.

As a capital city, London, by definition, has an intensity of demand for complex policing that requires a particular concentration of resources. My hon. Friend the Member

for Kingston and Surbiton argued that the number of personnel should not be cut. London, sadly but inevitably, has more serious crimes than places elsewhere in the country; there are more murders, homicides, manslaughters and killings. As I told the Standing Committee, I have been involved, to a greater extent than I would have liked, in working with the police to tackle such crimes in my area over the past few years. I can testify to the time and effort, the plain hours of work, required to discover who has committed such a crime.

It is no good saying that police must seek greater efficiency savings. Police officers trying to discover who killed Jamie Robe on the streets of Rotherhithe nearly two years ago have spent days tracing all the possible witnesses, talking to them, trying to persuade them to give evidence, dealing with their concern that if they give evidence they will be at risk themselves, protecting witnesses, and negotiating to ensure that people will be moved if they give evidence. Such an effort cannot produce efficiency savings in simple mathematical or formulaic terms, because the job must be done and more than one officer is needed to do it. A murder inquiry requires many officers, or a few officers dedicated to the task for the vast majority of their time.

Many of those officers work overtime and weekends, or come back from their holidays, to get the job done: they are willing to serve far beyond the hours for which they are paid, and far beyond the pay that they receive. Anyone who thinks that the police are slack and that officers often have idle time in which they sit and do nothing should realise that many officers work many hours more than the time for which they are paid and that they are never recompensed for that. There is very little slack in the service as a whole, and in some areas there is none.

In all the time that I have been a Member of Parliament, no Londoner or constituent has ever said to me that he or she wants the precept for the Metropolitan police to be reduced because it is too high. That has never once happened. Londoners say funding should be reduced for some public services, but not for the police. They know that the force may not be entirely brilliant, that not every police officer is wonderful, and that sometimes things go wrong. Londoners know that there may be some rotten eggs in the basket, but we need a decent police service and we are willing to pay for it.

Mr. Greenway: I am extremely interested in the hon. Gentleman's speech; my remarks will be in a similar vein. However, does he agree that people want to be told the truth about why they are having to pay such a large increase in the police precept?

Mr. Hughes: I agree. That is why I told the Standing Committee that reports such as those of the Audit Commission are extremely valuable, because they force comparisons between police services and make police services face up to which of their traditional, often conservative, practices need reform. In Committee, I gave the example of the nonsense that, for years—even until recently—police officers had to do clerical jobs, such as typing charge sheets, that took them hours to complete, which was frustrating for them and a waste of their time, because a competent audio-typist could have done the job in five minutes.

I know of estates off the Old Kent road that have experienced a lot of youth crime, violence and vandalism, where the presence of regular police patrols makes a difference. Initially they may only displace the crime, but, at the end of the day, such policing does make a difference. If gangs of kids hang around and no one stops them or says anything and the residents are afraid, it is sometimes only the police who can effectively intervene. Only they have the authority, the back-up and security in intervening. Residents cannot do it. Sometimes they will not do it because they are intimidated.

Even though the front-line police officers on the beat are extremely important, we must not think that they are the only important people. There is also a need for back-up officers. We need police officers and those in the youth and community services to work with disturbed families and delinquent kids and to go into the schools. These are not front-line services, but if they do, not do the job, much of the other work will not be done effectively, with the result that we shall be fighting the fire rather than preventing the fire in the first place.

We need to ensure that there are efficiencies made to reduce the time that the police spend in court or waiting to go into court. The situation is better than it was, and the Crown Prosecution Service is a great advance, but the police still spend a lot of time hanging around in seeing the process through. The police do not want to do that any more than anyone else.

My hon. Friends and I have been briefed very clearly by senior Met officers about the recruitment crisis, and there is also the wastage of those recruited who fall away. That is a bad use of resources. We need to ensure that the police are valued.

We also need to ensure that we increase the number of specials, which is a linked issue. The specials do not cost nothing, but they are relatively cheap. Many police officers have been nervous about specials, but they can do jobs that complement the regular police service.

Lastly, in the context of the valid points of my hon. Friend the Member for Kingston and Surbiton, we must ask Ministers, to consider the issue of pensions nationally but particularly as it applies to the Met. My hon. Friends and I know that that cannot be done for the coming financial year which starts in a week's time. If as my hon. Friend says, we are to continue funding 1 per cent. more every year for the pensions of an ever-increasing number of retired officers—we are told that a quarter of the Met's officers are likely to retire in the next five years, which means that there will be a hugely escalating and continuing bill—money will not be available for front-line policing or for any other police services.

In common with all our constituents, we all value the police hugely. We are willing to work with them to ensure that they deliver their service more efficiently. However, there comes a time when the choice between having a service or not depends on whether there is sufficient cash in the budget. Our case is that however efficient we are and however much crime is reduced if we continue cutting the Met's budget in real terms, we shall cross the threshold between a city where policing is able to contain crime and disorder and a city where it is not. Once we have crossed that threshold, we shall be in severe trouble.

11.53 am

Mr. John Greenway (Ryedale): We always welcome the opportunity to debate police issues. I congratulate the hon. Member for Kingston and Surbiton (Mr. Davey) on his success in securing the debate. I am always particularly pleased to debate Metropolitan police issues because the House will know that, like the hon. Member for Poplar and Canning Town (Mr. Fitzpatrick), I have some experience of active service, albeit a long time ago between 1965 and 1969. It is from that prospective that I join those who have again paid tribute to the excellent job done by the vast majority of serving police officers in London. As we are debating the Metropolitan police budget, we should not forget the policing that the force's officers undertake round and about this Palace.

The subject of the debate is very narrow. As hon. Members have said, the Metropolitan police budget is a cause for concern. However, many other forces face similar problems. Indeed, the situation is worse in some forces than in the Met. That is why the Conservative party used part of a Supply day last Thursday to debate the problems of police funding throughout the country. It was extraordinary, especially given what we have heard during the past 50 minutes or so, that by my count at least 16 Liberal Democrat Members voted with the Government against the Conservative motion, which criticised the very cuts in police manpower and in police services that Liberal Democrat Members have complained about today.

Last Tuesday, the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) made an excellent speech in the Committee that is considering the Greater London Authority Bill. I pay tribute to the excellent overview that he presented. I read his speech with great interest, particularly in preparation for the Bill's imminent return to the Floor of the House. The hon. Gentleman rightly drew attention to the problems that London police are facing because of Labour policies. It is astonishing that he voted with the Government against the Conservative motion only two days later.

Mr. Edward Davey: Will the hon. Gentleman confirm that the Conservative motion praised the previous Government's record of investment in the police? Liberal Democrats were unable to support the Conservative party and voted with Labour in the Lobby because we could not endorse the Conservative party's record in government.

Mr. Greenway: That is an extraordinary admission, given that the motion merely referred to 15,000 extra police officers being recruited during the 18 years of Conservative rule, which is a matter of record. Today, the hon. Gentleman and his hon. Friends have referred to what they consider was the situation between 1992 and 1997. However, I suggest that they revisit the issue of resources and get some of their facts right. Metropolitan police statistics show that from 1979–80 to 1996–97—the 18 years of the previous Conservative Government—expenditure on policing in London grew every year except in 1980–81 to an accumulated 70 per cent. The hon. Gentleman can check the figures.

The statistics of the personnel department of the Metropolitan police show that in the five years after July 1992 the number of constables in the Metropolitan police increased from 20,999 to 21,541. Of course, the total number of officers fell slightly. If the hon. Gentleman wants to find out why that happened—this is partly why I intervened on him—he should consult the Metropolitan police committee's annual reports. The report for 1995–96 shows that throughout the whole country, in the three years from 1994 to 1996, the number of chief inspectors and those in higher ranks reduced by 255. Liberal Democrat Members should examine carefully where things stood when the Conservative party left office. It may have been a useful device at the general election to criticise the Conservative Government's record—it must be acknowledged that it was employed with some success in London seats—but this debate is about criticising the present Government's record. As my hon. Friend the Member for Orpington (Mr. Horam) has said, over the next three years the situation will become progressively worse as a result of the Government's comprehensive spending review. That will apply not only in London but throughout the country and particularly in rural areas, including those represented by Liberal Democrat Members. If the hon. Gentleman and his hon. Friends want to succeed in making contrasts, they should be a little more accurate in what they say about the position that the present Government inherited.

Mr. Simon Hughes: I understand the hon. Gentleman's point, and if last week's motion about policing in the country had concerned what has happened since the election, we would have voted with him and his colleagues. However, the figures—which are the Audit Commission's, not mine—demonstrate that, for the last three years of the Conservative Administration, from 1994–95 to 1997–98, the Met experienced a real-terms budget reduction of about 2.5 per cent. As the hon. Gentleman said, the numbers of police were also considerably reduced in the last years of the Tory Administration.

Mr. Greenway: If the hon. Gentleman reads the Audit Commission's reports and my remarks in the debate last Thursday, he will find that the Audit Commission refers to year-on-year real increases in expenditure. *[Interruption.]* I shall come on to the Met in a moment. In December 1997, when the Home Secretary announced the first Labour police grant settlement, for 1998-99, he said in his press release that the police were the only part of local government or public services to have had real increases in expenditure in each of the previous four years.

Any meaningful and accurate study of the past two or three years will demonstrate that there is a debate, as the hon. Member for Twickenham (Dr. Cable) said, about how the national cake should be divided up and what proportion should be allocated to the Met. We must sympathise with Ministers on that point, whichever party is in government. For several years, rural forces campaigned for redistribution of money from the Met to the rest of the United Kingdom.

The Association of Police Authorities, which is served by several Liberal Democrat councillors—including its vice chairman, Angela Harris, who is chair of the North Yorkshire police authority—has pressed for, and welcomed, the move towards a needs-based formula, which worked against the Metropolitan police in 1997–98. That is the reason for the budget reduction mentioned by the hon. Member for Southwark, North and Bermondsey.

It is right that hon. Members should be able to come to the House and argue their constituency corner, and I make no criticism of Liberal Democrat London Members for using this debate to argue for the Metropolitan police. However, the House must take a more considered and comprehensive view of the situation throughout the country. The Association of Police Authorities continues to campaign for further reform and has criticised the level of the Metropolitan police special payment, which increased by 16 per cent. this year. We have to accept that Ministers of whatever party have difficulty in apportioning the overall cake to different parts of the country, whichever public service they are dealing with.

The hon. Member for Kingston and Surbiton, who initiated the debate, and his colleagues might have done better to concentrate on the fact that the overall cake for the country is being reduced, not only London's share. The country is experiencing the problem of reduced resources. For all those reasons, Conservative Members will keep up the pressure for a policy change.

Several hon. Members referred to the problem of police pensions. The age profile of the Metropolitan police shows that 25 per cent. of officers have more than 25 years' service. I elicited that fact from a written answer to which the hon. Member for Southwark, North and Bermondsey referred in the Standing Committee on the Greater London Authority Bill, and to which he has referred in this debate. When the Bill returns to the Floor of the House, we hope to tackle the issue of the cost of funding pensions in the Metropolitan police. It would be entirely wrong for the Government to shift on to a newly created Metropolitan police authority a serious burden that is entirely within the Home Secretary's purview.

I must, however, point out to the hon. Member for Southwark, North and Bermondsey that the problem in London is by no means the worst. Staffordshire spends about 18 per cent. of its budget on pension costs, and in my force, North Yorkshire, that figure is 16 per cent.

Other hon. Members referred to the implementation of the Macpherson report, which the House is due to debate on Monday. There are huge resource implications for implementing Sir William Macpherson's recommendations, and the Home Secretary has embraced those in his response to the report which was published and laid before the House yesterday.

My hon. Friend the Member for Orpington and the hon. Member for Kingston and Surbiton referred to the closure of police stations and the problems that that creates for policing in their areas. Other hon. Members referred to the problems of recruitment. That growing problem will be made worse if the Government implement their proposed changes to police pension entitlements for new recruits. That is an extensive subject to which we need to return on another day.

The central issue that the House ought to be concerned about in this debate is the effect on council tax payers of the Government's policy on the allocation of police grant to the Metropolitan police this year. The Government grant has increased by 1.7 per cent. The Metropolitan police budget and precept report, published in February, directly refers to the fact that the Home Secretary has informed the Commissioner and the receiver that he considers it reasonable for the service to raise additional funds from the precept to fund an increase in our spending limit of about 2.7 per cent. compared with last year.

I intervened on the hon. Member for Southwark, North and Bermondsey because it would have been better if there had been a little more honesty about the fact that the Met police can spend 2.7 per cent. more, but 1 per cent. of it—almost half of the money—is to come from council tax payers through a 9.5 per cent. increase in their precept. London is already the highest precepting area for police budgets. The figure is about 50 per cent. higher than the national average, and it will now be higher still.

The simple political message is that in the year ahead, Londoners will pay more for less in their police service. They will pay higher precepts for fewer police officers and for police stations that, such as the one in Orpington, are due to close. That is a scandalous state of affairs. It is typical of the Government's approach of increasing taxes by stealth, instead of being open and honest with the people.

There is also concern that about £20 million has come from reserves to provide the 2.7 per cent. increase. One or two hon. Members referred to the likelihood of unforeseen demands on what is already a £2 billion budget. There is a need for adequate reserves, but they are being depleted.

Throughout the debate, hon. Members have spoken about the effect of all that on falling police numbers. There are severe consequences for operational duties. Liberal Democrat Members and my hon. Friend the Member for Orpington referred to the problems of vandalism and rowdy behaviour. All that contributes to the fear of crime and lawlessness within our communities, which, whatever arguments one has about the most effective deployment of officers, can be tackled only by the public seeing the police on their streets.

There is no better illustration of the problems facing the Metropolitan police than the policing of the forthcoming millennium celebrations, which will impose vast demands on the police service, particularly in London, where a large part of the celebrations will be concentrated. Can the Minister tell us where there is provision for all that in the budget? Where is the resource to ensure that, towards the end of the financial year, there will be adequate money to pay for adequate policing?

Overall, we can conclude from the debate that Londoners are getting a good deal from the Metropolitan police service, but not from the Government. In our debate on Thursday, my right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler) referred to what the Police Federation said when the budget for policing in the year ahead was first announced. Let me share with the House one or two other comments by the federation, which sum up what we feel about the budget for policing in this country.

The Police Federation's press notice, under the signature of its chairman, Fred Broughton, stated:

"The public deserve a police service which is properly maintained but, with this budget, they are being short changed."

It continued:

"Maintaining proper levels of police cover is not a luxury, it is a necessity, and the public have a right to be served better".

We agree. Although that was said about the police service across the country, it is especially true of policing in London. Londoners will rightly feel let down. They will gleefully take the opportunity to show how they feel when the Greater London Assembly elections are held in just over a year.

12.12 pm

The Parliamentary Under-Secretary of State for the Home Department (Kate Hoey): I congratulate the hon. Member for Kingston and Surbiton (Mr. Davey) not just on winning the chance to hold the debate, but on winning it this week, which is an important week for the Metropolitan police.

I am sure that the House will join me in sending our best wishes to the Commissioner who, as hon. Members probably know, is in hospital. We hope that he is recovering well.

I congratulate the hon. Member for Kingston and Surbiton on the measured way in which he opened the debate. The subject sometimes raises emotions, but I hope that we can deal with it in a constructive and sensible way. We share the desire for our police service in London to operate effectively and to meet the needs of Londoners.

Expenditure on the Metropolitan police is substantial public expenditure. It is important to all of us who live and work in London, because the money spent represents a huge investment in the safety of us all. As hon. Members have mentioned, London has unique capital city requirements which place special policing demands on the Met, who also have national functions that make them a special police service.

It is worth reminding ourselves, as the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) did, of the size of the area for which the Metropolitan police are responsible, and their numbers: 20 per cent. of police officers in the whole of England and Wales are in London. The force is unique in the country, which brings further demands in terms of resources and the nature of policing.

Yesterday, the Commissioner's annual policing plan was published, together with the efficiency plan. This is the first time that an efficiency plan has been produced. Ambitious targets are set out. It is important that the two plans are seen together, because efficiency gains will contribute to more effective policing.

The Government are committed to providing the right level of financial support to ensure that the Metropolitan police can deliver their policing objectives. The House will recall that, in December 1998, the Home Secretary announced a £28.8 million cash boost for the force. That increase means that the funding available to the police for tackling crime and disorder across the capital will rise by 1.7 per cent, from £1.715 billion in 1998–99 to £1.744 billion in 1999–2000. I therefore do not accept that there is a budget shortfall.

Mr. Simon Hughes: The Minister is, of course, right about the figures, but a 1.7 per cent. increase is clearly below the rate of inflation. To avoid further debate on matters of fact, can she put it on the record, first, that in the coming year there will be a real-terms cut in the budget of the Met, and secondly, as the hon. Member for Ryedale (Mr. Greenway) correctly pointed out, that the proportion of the budget coming from the precepted London ratepayers is going up, at the same time as, in real terms, the subsidy from the Government is going down?

Kate Hoey: I shall go on to deal with the precept, as hon. Members need some accurate information. I do not accept that there is a budget shortfall. As I said, the 1.7 per cent. increase for this year brings the total to £1.744 billion. In addition to that, there is the money from the precept. If we deal with that, hon. Members will see that the overall increase for the Met is larger than for forces in some other parts of the country. There is not a cut, as the hon. Member for Southwark, North and Bermondsey suggests. I shall develop the point further, and he can respond later.

The hon. Member for Kingston and Surbiton spoke about the problems associated with the millennium. We recognise the special needs of London, and we allocate the special grant each year. As the hon. Member for Ryedale (Mr. Greenway) said—he is, I think, the only Member present who is from outside London—some people outside London do not like that. The special payment was raised last year, and this year it has been raised again from £151 million to £176 million, specifically to deal with the Met's national and Londonwide functions.

We must retain public confidence in policing. Even with the special payment, the overall spending increase for the Met is in line with the rest of the country. They have not received preferential treatment, but they have not been penalised, taking into account their extra tasks. The special payment is 100 per cent. Home Office grant. It is not charged to London taxpayers or the taxpayers of Kingston.

The council tax payer in London is not paying for the extra services that the Metropolitan police must provide, such as anti-terrorist duties, protection for royalty, VIPs, and the policing of special events such as lobbies of Parliament, pickets and rallies. Within the special grant this year, there should be sufficient funding for the millennium celebrations to be adequately policed.

The new funding that we have given the Met is the first instalment of the extra £1.24 billion pledged to the police over the next three years in the comprehensive spending review. It takes into account a 2 per cent. year-on-year efficiency improvement target, which we set as part of the CSR settlement.

As has been said, funding for the Met is not just a matter of central Government funding. The receiver for the Metropolitan police has estimated that net revenue expenditure, which includes the precepted amount, for 1999–2000, will be £1.88 billion. That produces an increase of about 3 per cent. in the Met's budget over 1998–99, and brings it broadly in line with the national increase. The budget balances the Commissioner's need for increased resources with the interests of council tax payers in containing their contributions.

The hon. Member for Kingston and Surbiton mentioned the precept. It is important to consider what London council tax payers will pay for policing next year. For band D properties, the cost will be £77.44 for the year, which is an increase of less than 60p a month over 1998-99, and the total annual charge is less than the cost of a television licence or a road fund licence for a car.

I appreciate that Opposition Members in particular usually point out figures to make things look disadvantageous to the Government, but the hon. Member for Southwark, North and Bermondsey should ask people whether they are prepared to pay that extra 60p a month. He said that people never tell him that they want local

police stations to close and police numbers to be reduced. I am absolutely certain that, when those figures were spelt out, they would say that they would pay the extra money.

Mr. Hughes: As I said in my speech, I am sure that the people of London are happy to make a contribution; I have never heard a protest.

The Minister has helpfully given the figures. First, if she can, will she tell us how the 1.7 per cent. increase from the Government to the Met for the coming year compares with the percentages for other police services? Is the Met at the bottom of the league table, in the middle or at the top? Secondly, what percentage increase in the precept can Londoners expect and how does it compare with increases for other police service precept payers around England?

Kate Hoey: I shall try to give those figures before the end of my speech, but I should add that, in the Metropolitan police district, the proportion of policing spending raised from estimated council tax in 1998–99 is 12.5 per cent. That is the ninth lowest proportion across all police authorities in England and well below the English average of 14.5 per cent. We are not being unreasonable by asking London council tax payers to contribute a little more for policing next year.

To look at the Metropolitan police in a different context, according to the latest figures from the Audit Commission, expenditure on policing per head of population in the Met area is £218.30, which is double the national average of slightly more than £114. Clearly a great deal of money is going into the police per head of population. We have to be sure that it is being spent in the best possible way on reducing crime and the fear of crime, which is what the police are for and which makes people feel much safer.

I want to answer a couple of points before I go on to discuss efficiency. The hon. Members for Orpington (Mr. Horam) and for Kingston and Surbiton raised the potential closure of police stations, which arouses great emotions, especially in the immediate vicinity of such stations. Police stations are a visible form of reassurance for the public, but last week's Audit Commission report on the police estate found that changes in crime patterns and the increasing use of problem-solving and intelligence-led policing methods, rather than random policing, mean that some police stations are unsuitable for policing in the 1990s. We must accept that. Police forces must review their estate, because, ultimately, better estate management can serve the public better.

When police stations are being threatened with closure, it is essential that the reasons why such a step might be taken are discussed fully, not only with community policing consultative groups, but with the local people. The police must be able to justify a closure, not only for operational reasons, but for reasons that will reassure people that taking such a step will help to make policing better. I know that it is extremely difficult to make those arguments because I have had such cases in my constituency, but Members of Parliament sometimes have to face the fact that difficult steps must be taken in their own constituency and that it is right, although not easy, to argue for them to be taken.

The hon. Members for Twickenham (Dr. Cable) and for Southwark, North and Bermondsey mentioned the national police funding formula. The hon. Member for Twickenham, who has had to leave—to support the new deal in his constituency, I hope—said that he was not sure whether he understood the formula. It would be very dishonest of me to stand at the Dispatch Box and say that I understand it completely, but one or two people in the Home Office truly understand this difficult and complicated way of working out how much money police forces throughout the country receive.

We inherited the formula from the previous Government. We have refined it, as did the previous Government, but it is not perfect. We have commissioned some independent research to examine whether there are additional costs in policing inner-city urban areas that are not reflected in the formula. All hon. Members who represent inner-city areas well know the particular difficulties with policing those areas. We hope that the research will come up with conclusions that we can use constructively. Although there will never be a formula that satisfies everyone, we have to try continually to make improvements.

Recruitment and retention are clearly important because the Met are an ageing force—we must attract new, younger people. In 1998, for the first time in five years, the Met advertised nationally for recruits and Hendon is being used to capacity. I urge all London Members of Parliament to visit Hendon to see the enormous changes that are taking place in police training; a lot of what came out of the Macpherson report is being worked on at Hendon and such a visit would be useful.

We are trying to do more about retention. We want to retain officers, because it is a pity to train them up only for them to leave the force early. Retention has a lot to do with morale and the police feeling that they have the support of the community, and we have to work on that quickly.

Pensions are a problem which faced the previous Government and face this Government. No Government would want to face up to the huge long-term costs of the pensions shortfall, but a consultation document was published last March and firm proposals will be introduced soon. We are considering the costs and benefits of introducing a funded pensions scheme for new entrants, but that will not be a panacea. We need to get this right and look ahead, although Governments always tend to look at the present rather than the future. This year, however, we recognised the increased burden of police pensions and increased, to 14.5 per cent. the proportion of police revenue funding allocated on the basis of police pension commitments.

Setting budgets is not about consistently looking for increases in cash; it is also about achieving more and better with available resources, and 1999–2000 is the first year in which we have required forces to produce efficiency plans. I recommend that all hon. Members read the Met's efficiency plan. Hon. Members may have pressed for more cash to be injected into policing, but we have taken positive action to make sure that everything we invest in our police delivers more efficient and effective police services.

Perhaps it is time to treat our police as a public service. In common with any other public service, policing is about service delivery. We are asking no more of the police than the previous Administration sought from other

[Kate Hoey]

public services, such as the health service. We intend to introduce best value and to ensure that everything that the Met do—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. I must tell the Minister that time is up.

Noise Levels (Work)

12.30 pm

Mr. Michael Clapham (Barnsley, West and Penistone): I am pleased to have secured the debate because, although this may not be the sexiest of subjects, tens of thousands of workers are exposed to excessive noise levels every day. I am also pleased that the Under-Secretary of State for the Environment, Transport and the Regions, my hon. Friend the Member for Mansfield (Mr. Meale), is to respond. I know that before becoming a Member of Parliament he worked in industry, and that at one point he was a workers safety representative. He would have been appointed under the Safety Representatives and Safety Committees Regulations 1977, which were introduced by a Labour Government. In the ensuing years, the safety of British workers improved, but evidence suggests that in the late 1980s and 1990s the working environment deteriorated in many establishments.

According to the current Health and Safety Executive estimates, 1.3 million workers are exposed to noise levels in excess of 85 decibels. That is the threshold—any increase will affect hearing. The connection between noise and hearing loss is well documented. According to an earlier HSE study of self-reported working conditions, 170,000 workers suffered from some form of deafness, such as dullness of hearing or tinnitus—ringing in the ears.

I think that anyone would find those figures alarming, and they prompted the Royal National Institute for Deaf people and the Trades Union Congress to act. They concluded that there had been insufficient compliance with the regulations, and that the regulations had not been applied properly, perhaps because of a lack of awareness among employers. The guidance accompanying the Noise at Work Regulations 1989 makes it clear that all hearing loss caused by exposure to noise is preventable.

When the all-party parliamentary occupational safety and health group, which I chair, met on 16 March, it heard evidence from manufacturers of personal protective equipment, and some interesting statistics were given. For instance, 300 million earplugs are used each year in the European Union. In Germany the figure is 85 million, and in the UK it is 65 million. Interestingly, although Sweden has a much smaller population, it uses 2.5 times as many earplugs as the UK. The man who made the presentation said that he thought that that was due to an increasing awareness resulting from teaching in Swedish schools, which motivated young people to protect their hearing with earplugs and similar equipment rather than merely complying with the law.

The RNID and the TUC decided to join forces and conduct a survey of UK industry. They issued 6,000 questionnaires, and the replies resulted in a report entitled "Indecent Exposure". The findings confirmed the worst fears of both bodies. Nearly a quarter of respondents reported listening to uncomfortably loud sounds for more than four hours a day. Nearly one in five construction workers, more than one in 10 manufacturing workers, and a number of oil rig workers said that they were exposed to such sounds for more than eight hours a day. A third of respondents said that their tasks left them with dull hearing, and 16 per cent. of those said that the dullness of

hearing continued after work. Twenty per cent. of respondents reported that their tasks left them with ringing or rushing noises in their ears or heads for at least five minutes. I hope that my hon. Friend the Minister will take those findings seriously.

The survey also found that new workers, as well as those in the traditional industries, risked hearing loss. That confirmed earlier research—which my hon. Friend may well have seen—by the Labour Research Department, which found that workers in call centres, couriers and workers in restaurants were at risk. The police are also at risk, as they now use phonac devices that fit into the ear canal and pipe noise directly into the ear. The noise to which those newer workers are exposed comes from a different source: it is not the ambient noise with which the 1989 regulations were intended to deal.

Alarmingly, the RNID and the TUC found that people working in call centres were given no advice about the risk to their hearing, and that none had been given any hearing tests—although, as things stand, tens of thousands of people are likely to become deaf in their 20s.

"Indecent Exposure" is not just about statistics. Its aim was to show the impact that deafness has on people's lives, and, to that end, a number of case studies were conducted. I shall refer to a couple of those, but the Minister and his officials can examine them at their leisure. One is the case of a young woman working in a call centre. Most names are published in the studies, but this person wanted to remain anonymous. She does a 40-hour week at a centre, working eight hours per day.

Every aspect of that lady's job was monitored, from her toilet breaks to the time it was taking to deal with calls coming in. The one thing that was not monitored was her hearing. She talked of being subjected to a high-pitched bleep through her headphones whenever new calls came in; it told her that someone was in the stack waiting to be put through. There was much background noise: 80 to 100 people were working in the call centre. Consequently, the sound coming through the headphones needed to be turned up, so that she could understand the message.

After a while, that lady began to notice that she had hearing loss. She went for a hearing test and it was diagnosed that she had a 10 decibel hearing loss. She went back to work and, within five years, she found that her hearing was deteriorating further and that she was having trouble understanding some of the messages, so she went to her medical adviser for further diagnosis and was found to have a 20 decibel hearing loss. That young lady is 29 years old and has been told that she will have to wear a hearing aid.

The name of the person involved in the other case is in the study "Indecent Exposure". She is a 48-year-old retired police officer. She had to retire because of hearing loss that was later ascertained to have been caused by the phonac device that she used in her ear. Although it was agreed that she was incapacitated to work in the police force, she had to fight in the courts to establish that her incapacity was the result of an injury at work. When the phonac device was tested for the court case, it was found to emit noise levels of 100 decibels.

One theme runs throughout all the case studies: people were afraid to raise the matter with their employer. That says a lot about the need for robust fairness at work legislation. People were afraid for their jobs and afraid to raise the fact that they were working in conditions that were endangering their hearing.

What can be done? I ask my hon. Friend the Minister to bear in mind five points. First, the 1989 regulations, which deal with ambient noise, but are nevertheless important, need to be enforced. We need to ensure that the Health and Safety Executive takes on board the need to enforce them. Secondly, will my hon. Friend request that the Health and Safety Executive provides guidance on the use of earphones and other devices that pipe noise directly into the ear?

Thirdly, will the Minister call for more research to find out the ways in which noise that is piped directly into the ear affects hearing loss? I think that if noise is piped directly into the ear, hearing loss occurs more quickly. Fourthly, such research could uncover an engineering solution to the problem. It is an issue which needs to be looked at. If he asks the Health and Safety Executive to undertake research, will he ask it to look particularly for an engineering solution to the problem?

Finally, the disease is prescribed, but the prescription is not wide enough to cover new industries. It needs widening. We need to involve the Industrial Injuries Advisory Council. I realise that that is not within the Minister's remit, but I hope that he will bring the matter to the attention of his colleagues in the Department of Social Security because there is a need to look at that aspect.

Although much of traditional industry has disappeared or radically changed, as was shown by the figures that were produced by the Health and Safety Executive, and particularly by the findings of the report "Indecent Exposure", noise at work is still a big problem. Thousands of call centre workers in their 20s could lose their hearing, as could many police officers and couriers, another group of workers who use earphones. They were also referred to in the report.

The message that needs to go from the debate is that employers should comply with their duties to protect their staff, that the Health and Safety Executive needs to enforce the Noise at Work Regulations 1989 and that it needs to undertake more research into the matter.

12.45 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Alan Meale): I congratulate my hon. Friend the Member for Barnsley, West and Pontefract (Mr. Clapham) on securing the debate, which is aimed at raising awareness of the risks associated with exposure to loud noise at work. He has campaigned on health and safety matters since the first day he was in this place. It is always a pleasure to listen to him. Before coming here, he spent most of his working life doing exactly the same. His is a voice worth listening to in every respect.

It is timely to discuss health and safety issues such as noise at work, particularly as we approach the 25th anniversary of the Health and Safety Executive, which was established following the Robens report. I am familiar with the RNID-TUC report entitled "Indecent Exposure". It contains much with which I agree, so I add my support to the report and to the RNID campaign on noise at work. I am sure that many other hon. Members will support the report, including my hon. Friend the

[Mr. Alan Meale]

Member for Peterborough (Mrs. Brinton), who is also deeply involved in investigating noise issues. I apologise sincerely for not being able to attend a recent event—I think that it was last week—to highlight all the problems concerning deafness and to launch the report. That was because of a prior engagement.

Hearing loss is a terrible thing. Deafness or partial hearing has a major effect on the quality of life of those affected by it. Some people lose their hearing as they grow older, but the hearing of far too many people becomes impaired due to a working environment that is plainly too noisy.

Many people do not understand how big the problem is, but last night, yet again, I experienced the problems that are caused by deafness. Not many people in this place know that my hearing is below 50 per cent. in both ears. I go through life with people around me becoming slightly amused because I do not seem to have heard, or noted something that they have said. That is a dilemma. It is a problem which many people experience. Having said that, in my profession such an ailment can sometimes be an advantage. It is probably the only profession where that is so.

Noise-induced hearing loss that is caused at work is a serious and significant occupational health problem. Although many cases result from exposure before current legal controls were in place, too many people at work are still potentially at risk. Exposure levels for many workers remain considerable. Research by the Health and Safety Executive in "Self-reported work-related illness in 1995: results of a household survey", which was published in 1998, suggests that as many as 170,000 people in Great Britain consider that they suffer from a hearing or ear problem that is caused or made worse by their work.

The Health and Safety Executive estimates that about 1.3 million people, in 88,000 workplaces, continue to be exposed to damaging noise levels. The "2 m rule" is simple—if people less than 2 m away find it difficult to hear one speaking, there may be a noise problem. Exposure to loud noise at work is covered by legal controls and guidance. I believe that there is no excuse for anyone's hearing to be impaired because of loud noise at work. A range of legislation deals with noise at work and with making noisy machinery quieter.

As my hon. Friend said, the Noise at Work Regulations 1989 are the mainstay in tackling noise problems at work. The regulations implement a European Union directive, so that legal controls on noise are common across the European Union. The regulations require employers to reduce noise risk to the lowest reasonable and practical level, and to take specific actions at certain noise levels. The actions include reducing noise, conducting noise assessments, providing information and training for employees, and providing personal ear protection when appropriate. The action levels have been determined on the basis of dealing with practical risk and cost.

The regulations apply also to all people at work in Great Britain who are exposed to loud noise, except on ships at sea and on aircraft that are taxiing or in flight. Last year, the regulations were extended to cover the offshore industry. Therefore, the regulations cover all the industries that we associate with noise, such as foundries or engineering businesses. Unfortunately, as yet they do not cover this place or places like it, although such places are covered by other protection.

The regulations also cover the noisiest workplaces, such as call centres and those in the leisure industry. All employees in those industries are protected by the legislation, and it is the job of employers in those industries to ensure that the legislation is properly applied. There are legal duties also on manufacturers and suppliers of noisy equipment to reduce noise levels and to provide the information to buyers.

The Supply of Machinery (Safety) Regulations 1992 specifically require manufacturers to reduce noise from new machinery and to provide noise data. Such action is important, as one of the main ways—undoubtedly the best way—of reducing exposure to noise is to reduce the noise at source. As one might expect, design safety is good safety. I note my hon. Friend's point that engineering solutions to noise are the best way forward. I shall inquire into whether work should be done on the matters that he mentioned.

Rest breaks from noisy areas are, as my hon. Friend said, an important part of dealing with noise. The Health and Safety Executive recommends rest breaks, which can be good in helping employees to recuperate and in providing a rest from wearing ear protection.

Noise levels have to be averaged over an eight-hour period. The longer people have to work, the lower are the levels of noise to which they are allowed to be exposed. The legal requirements, if followed, would substantially reduce the risk of hearing loss. I reiterate that it is for employers to apply the regulations, and that the Health and Safety Executive will take appropriate action to ensure that they do just that.

We all, however, have a responsibility to recognise noisy workplaces and to work together to protect people's hearing. We have to be aware particularly of people with hearing difficulties, who may be more vulnerable in the workplace and have to be managed with additional care.

My hon. Friend will know that, shortly after the Government took office, we asked the Health and Safety Commission to re-examine the issue of occupational deafness and to devise new ways of minimising the incidence of hearing loss. I tell my hon. Friend that the Health and Safety Executive will continue to target noise at work as one of its priorities, and that it has developed a long-term strategy to tackle the problem. The Government support that strategy—which is to increase awareness of the risks to health; to ensure compliance with current requirements, and to prosecute when appropriate; to offer practical advice on ways of reducing noise levels; and to control exposure at the place of work.

The Health and Safety Executive has been pursuing that strategy since 1995, as part of its "Good Health is Good Business" campaign. The campaign now has renewed impetus, aided by the significant new resources that the Government have invested in the Health and Safety Executive. I assure my hon. Friend that noise will continue to be highlighted in the planned next phase of the campaign.

My hon. Friend also mentioned health and safety guidance. HSE guidance on noise includes revised guidance on legislation, entitled "Reducing Noise at Work", which was published last year. A Health and Safety Executive book, entitled "Sound Solutions",

includes 60 case studies of real examples from industry of how successful noise-reduction methods have been introduced. A range of free leaflets on noise, for both employers and employees, is available.

Securing compliance with the law is crucial. The HSE's long-term strategy aims to improve the quality of risk assessment of noise by employers. Risk assessment will be stressed by inspectors. As my hon. Friend will know, the Government have made more resources available to the Health and Safety Executive—so that there will be more inspectors to enforce health and safety law, such as that on noise, and so that inspectors promote more effective control of exposure to noise by encouraging the introduction of quieter machines or processes and by improving compliance with the supply-side legislation. Inspectors will also promote the effective use of purchasing policies and application of control measures. The correct use of ear protection is vital. Employees, too, have responsibilities to protect themselves by complying with notices and wearing ear protectors.

The aim of my reply to the debate has been to reassure the House of the Government's commitment to tackle noise at work. I hope that I have given my hon. Friend some comfort on the concerns that he expressed. Three specific matters seemed to trouble him—in what he has described as the new sectors of the economy—and I should like to say a little about each of them.

First, the "Indecent Exposure" report, which my hon. Friend mentioned, rightly emphasises the worries of those who are employed in call centres about the risk to their hearing. A study is in hand to identify the health and safety aspects, including noise hazards, of working in call centres. The results of the study will inform decisions by the Health and Safety Executive on what action has to be taken.

Secondly, the problems encountered by motorcycle couriers are similar to those of people working in call centres, as both jobs involve using communication headsets or ear pieces. Previous Health and Safety Executive research has drawn attention to the problem, and, in its "Reducing Noise at Work" guidance, there is general advice on measuring noise exposure to workers wearing headsets or ear pieces. There is also the prospect of a new international standard on such exposure.

My hon. Friend's third concern was the effect of excessive noise on employees working in pubs and clubs. He will be aware that I take a personal interest in the issue, particularly as it affects those working in areas in which large numbers of people gather. The Health and Safety Executive has completed some research on the matter, and plans are well advanced for a study of the leisure industry to discover more about real noise levels for those working in pubs and clubs. That research, too, will inform the HSE on what action has to be taken to combat the problem. Such initiatives are important.

I make it clear that the Government are not complacent about noisy workplaces. There is legislation to tackle the problem of noise at work, and there will be more inspectors to enforce health and safety law. The Government and the Health and Safety Executive will do all that we can to reduce noise-induced hearing loss, and we intend to work closely with the RNID and the TUC to that end.

I give my hon. Friend the assurance that he asked for on the three or four matters on which he asked for further information and research. I should like again to pay tribute to him. His history of dealing with an important subject should be a lesson to us all—and one which hon. Members, both old and new, should follow if they can.

Teenage Pregnancy

1 pm

Dr. Jenny Tonge (Richmond Park): I want to address a problem that I consider to be a national scandal—teenage pregnancy. Many hon. Members will have heard on Radio 4 this morning about the Childline report which states that more 14 and 15-year-old girls call in about pregnancy and the fear of pregnancy than about any other issue. I am well aware that the Government have promised a review on the subject. It was promised last October, but it has not yet been produced. I am sure that we shall now be told that it will be published very soon, but I applied for today's debate none the less because I am sick of promises. I want some firm commitments. Twelve or 18 months is long enough to wait. How much longer will it be?

In 1997—the last year for which I have figures—95,000 teenagers became pregnant. Of those, 8,300 were under 16. A total of 33,381 of those girls had abortions. It is a huge tragedy that 95,000 young lives were ruined in some way and 62,000 babies were born to mothers most of whom were still at school and unable to support them.

It is even more shaming that the United Kingdom is top of the league in Europe for teenage pregnancies. In the most recent population trends published by the Office for National Statistics, the United Kingdom was top in respect of births per 1,000 women aged between 15 and 19. Our current rate is 30 per 1,000 girls. In Denmark, the figure is only eight per 1,000 girls and in the Netherlands only four girls in 1,000 become pregnant.

Thirty years ago, there were 50 pregnancies per 1,000 girls, so the figure has fallen. But in Denmark 30 years ago the figure was also 50 per 1,000, and that country has managed to reduce teenage pregnancies to eight per 1,000 girls. As I said, the incidence of teenage pregnancy is a national scandal and I am ashamed that it is happening in my country.

Let us look at the reasons. There is no doubt that we live in a society that flaunts sex at every available opportunity. Cars, chocolate bars, deodorants—you name it—are frequently sold using sexual images. Newspapers, magazines and television programmes are full of the antics of Presidents, royalty, pop stars and, dare I say it, some hon. Members. Films, plays and television shows all contain sexual activity. It is everywhere. Even Cardinal Hume has noticed. At the weekend he declared that

"society is obsessed with sex and falling apart because of it."

I am inclined to agree with him, but there is no turning the clock back. We are approaching the 21st century. Society has changed. The genie is out of the bottle and cannot be put back.

Is it any wonder that, surrounded by sexual images, young people join in? They do not want to be left out of the excitement. Nobody on television is worried about contraception, sexually transmitted diseases or AIDS, so why should they worry? When they add to the brew copious amounts of alcohol on Friday and Saturday nights, they are away.

All that is common to other European countries. So why do so many more teenagers get pregnant in the United Kingdom? Are parental attitudes or education to blame? Unless we provide proper sex education and services that give teenagers a balanced message and counteract the excitement factor, things will never change.

Let us get rid of one myth before we progress any further. I have heard it said so often—it was said again on the radio this morning—that young girls get pregnant so that they can claim benefit and get council flats. In fact, the majority of teenage mothers have no idea about housing or benefits before they get pregnant. There is no need to take my word for it; the Policy Studies Institute has conducted several studies on the subject. Once a teenage mother has a baby or two, however, we have to do something about her housing, looking after her babies and giving her benefit.

Let us dispel another myth—that teenagers get pregnant because of sex education, contraception and abortion advice. The right hon. Member for Maidstone and The Weald (Miss Widdecombe), who I hoped would be here today said during last Sunday's "On the Record" that

"the rise in teenage pregnancies in this country has gone hand-in-hand with increased sex education and family planning advice."

I respect the right hon. Lady. She is honest and resolute in her views, but she is wrong on this issue.

Despite the best efforts of me and my colleagues in the national health service, the Conservatives cut family planning clinics by half countrywide. We all know that general practitioners became overburdened and the number of school nurses was severely reduced. I cannot find the national figure, but in Cambridge, for example, not only are there no school nurses, but there are no health visitors either. What does the Minister intend to do about Cambridge?

According to Childline, the majority of the 7,000 youngsters who had rung in about pregnancy-related issues said that they were not aware of having received any sex education at school.

Sex education still remains at the whim of school governors. Some education authorities and schools do their best, but, countrywide, sex education is scanty, rarely repeated and hardly ever linked to the essential advice to teenagers about where to go for advice on sexual matters, contraception, abortion and sexually transmitted diseases. The link between education and advice on where to find services has been highlighted in many studies on the issue.

Mrs. Teresa Gorman (Billericay): I agree with the hon. Lady that family planning units are a vital part of our services to the community and I deplore the fact that they were run down. Does she agree that the Government should encourage initiatives such as that between Boots the chemist and the local health authority in Glasgow, whereby youngsters can go into Boots and get advice?

Dr. Tonge: I thank the hon. Lady for her intervention and I entirely agree. In fact, I was about to mention the experiment that Boots conducted in Glasgow. Incidentally, it has been very successful and many young people have used the service. We need more such projects.

Other European countries provide more than adequate family planning and sexual health services and take a refreshingly frank and objective approach to the issue. Rates of teenage pregnancy in the Netherlands and

Denmark are a fraction of ours. Proper sex education and services are provided free of charge and advertised. People discuss matters more frankly.

In the United Kingdom, we are still bound by Victorian values such as, "Do as I say, not as I do" and, "These things must not be discussed with young people." We must educate ourselves to talk to children and encourage peer group speak-easy projects—a concept of which the Minister is aware—for children and for parents who find it difficult to talk to their children about such matters.

Today, I am calling on the Government to include several measures in their review, whenever it is published. First, there should be a compulsion on schools to deliver sex education from the beginning of primary school to school leaving age as part of the national curriculum. Sex education needs to be repeated. It is no good having a one-off lesson from the shy biology mistress or the local doctor; the message must be repeated and changed appropriately as children get older. It must be regularly assessed by the Department of Health or the Department for Education and Employment. That must be linked with proper provision of family planning, abortion and STD services for young people, via local family planning services and perhaps school nurses.

The irony is that when we need those services the most, they have been cut. Responsibility for them will lie with primary care groups. That is another concern. Who will ensure the provision of adequate family planning and youth counselling services if the primary care groups are to be so overstretched? In the absence of such services, trained pharmacists and the high street outlets that the hon. Member for Billericay (Mrs. Gorman) mentioned need to come into the equation.

To improve accessibility, we must deregulate some methods of contraception. Emergency contraception, which I spoke about in the House some months ago, must be made available when it is needed. It is needed in emergencies and should be as readily available as condoms. It should not be necessary to make an appointment to see a general practitioner to get emergency contraception.

Will the Minister assure us that she will support people such as Viv Crouch, the school nurse in Bath who has set up an advisory service in her school and directs young people to the right provision of services? The Minister should also support the Boots clinic in Glasgow. Those are examples of people and businesses taking the initiative. That must become more widespread. Such initiatives are needed in every city.

Young people need readily available, confidential, anonymous and non-judgmental advice from the time of their first sexual experiences. Let us stop pretending that young people do not or should not have sex. They do. As I have said, times have changed. I am sorry about that in many ways, but that is the way it is. People do not have to start so young, however. In the Netherlands, the average age at which young people start having sex is much older than in the United Kingdom and the provision of services there is much better. From 30 years' experience, I know that the more education—general and sexual—and the more advice and medical help teenagers can get, the more likely they are to delay their first sexual intercourse and the less likely they are to become pregnant.

Education is probably the main reason why the UK compares so badly with its European counterparts. We have a higher proportion of badly educated young people from unstable backgrounds. That situation is repeated from generation to generation. Putting teenage mothers into hostels and preaching at them will not help, but if we give them opportunities to return to education by providing creche facilities—incidentally, when are we going to get creche facilities for all the mothers in the House of Commons?—and proper support for their babies, we may prevent those babies from making the same mistakes when they grow up and stop them repeating the cycle.

Let us use the media to sell the messages that we want young people to hear. We see and hear about sex every day on our televisions, but when did any of us last see an advertisement on the box for emergency contraception, condoms or an abortion service? They never appear. It happens elsewhere in Europe; why not here?

Finally, will the Government tackle the anti lobby head-on, for the sake of our young people? Will they refuse to let uninformed media headlines and organisations such as the Society for the Protection of Unborn Children, and Life, preach, dictate and utter their hypocrisies? Will the Government spin for the benefit of young people?

Mrs. Maria Fyfe (Glasgow, Maryhill): Is the hon. Lady aware that SPUC campaigns outside Boots in Glasgow every week, giving out grossly misleading leaflets that accuse Boots of breaking the law? That is true neither of Boots nor of the community and mental health service, which has been co-operating with it.

Dr. Tonge: I thank the hon. Lady for that intervention. I am well aware of what is happening at Boots in Glasgow. I hope to go there in April to see for myself. Organisations such as SPUC are disgraceful. They produce inaccurate and misleading information, and I have been the target of some of their campaigns.

The Government must tackle that lobby head-on and spin on behalf of our young people. Better, more honest sex education and contraception provision will bring down the teenage pregnancy rate, as it has in other European countries. While the Government have been thinking about the issue, tens of thousands of teenagers have had unwanted pregnancies. About 100,000 pregnancies have occurred, with perhaps 60,000 or 70,000 babies being born as a result. That represents a huge number of broken lives and an awful lot of misery, unhappiness and potential trouble for the future.

When will we have the review? Can the Minister assure us that it will contain the action for which so many agencies are calling? We have heard in recent months from the Family Planning Association, the Brooke Advisory Centre, the Health Education Authority and the Sex Education Forum. This morning, Childline produced a report that has aptly highlighted the issue for us. Those organisations have the experience. Have the Government listened? They know what must be done.

1.16 pm

The Minister for Public Health (Ms Tessa Jowell): I congratulate the hon. Member, for Richmond Park (Dr. Tonge) on securing the debate, on her speech and on her record as a campaigner for what is right on this issue.

[Ms Tessa Jowell]

We do not do well by our teenage parents. As the hon. Lady has said, our rates are four times higher than in France, twice as high as in Germany and seven times as high as in the Netherlands. More teenagers become pregnant in this country than anywhere else in western Europe. That is why the Prime Minister asked the social exclusion unit to report to him on ways to reduce teenage conceptions and support vulnerable teenage parents to break the cycle of exclusion that the situation almost inevitably brings for them and their babies.

I assure the hon. Lady that the report of the social exclusion unit will be submitted to the Prime Minister shortly and will be published within the next two months or so. The exercise has been exhaustive, involving wide consultation, with the clear purpose of seeking practical solutions and building a consensus for the action that the Government must lead. Action must be guided not by myth or prejudice, but by fact and the best available evidence of what works.

Let us look briefly at what happens to young women who become teenage mothers. Half the under-16s who become pregnant will have an abortion. Teenage mothers are more likely to suffer trouble with their pregnancy and birth and are much more likely to experience post-natal depression than older mothers. The infant mortality rate for babies of teenage mothers is more than 50 per cent. higher than the national average. The prospects in later life are poor, too. Teenage mothers and their children are more likely to live on benefits and to live on them for longer than their peers. As the hon. Lady made clear, there is no evidence beyond anecdote—which is easily deployed—that the benefit system acts as a direct incentive to any young woman to become pregnant.

The social exclusion unit's forthcoming report will look at the prevention of teenage pregnancy and the support necessary for teenage parents and their children. We already have a good idea of which young women are most at risk of becoming pregnant too early. Often, they have low educational attainment; their families have had financial problems; they have had emotional problems; their mothers were probably teenage mothers; and they wanted to be a young mother. Young women with those characteristics are 19 times more likely to become teenage mothers than young women with none of them.

Mr. Alan Johnson (Hull, West and Hessle): My right hon. Friend will be aware that the city of Hull has the highest rate of pregnancies among 13 to 15-year-olds in the country, and one of the highest rates in western Europe. However, we managed to get a multi-agency approach to the problem only when we were allocated a health action zone. Will she ensure that the lessons learned in Hull are looked at closely and spread to other areas?

Ms Jowell: We will be delighted to learn from my hon. Friend's experience of tackling the problem in Hull. I hope that the implementing action following the social exclusion unit report will build on best practice and will make sure that that is spread as widely as possible.

Dr. Tonge: So far, the Minister has dealt with teenage mothers and their babies, and with what the Government plan to do in future. I respect that, but will she refer to the measures that are necessary to prevent teenagers from getting pregnant in the first place?

Ms Jowell: I will deal with those points in the short time remaining.

Social exclusion is not only associated with teenage parenthood for young women: like teenage mothers, teenage fathers are likely to share characteristics such as low educational achievement, lack of qualifications and a family background of financial problems. Teenage boys and girls who have been in trouble with the police are more likely than their peers to become teenage parents. It was recently estimated that 25 per cent. of young offenders were also fathers.

Teenage pregnancy is a problem simply because teenage parents have to look after a baby when they are little more than children themselves. They are expected to cope with one of the most difficult things that any adult is asked to do—to raise and nurture a child—without the emotional and financial stability that come as part of adulthood. In many cases, teenage mothers are also lone mothers. That puts extra pressure on them in terms of child care, returning to education and future employment prospects—all issues which I hope that the social exclusion unit report will address.

Mrs. Gorman: Is the Minister aware that the Childline report said that more than half of the 7,800 young girls who called over the past two years were worried and wanted emergency help? Is she aware that it is difficult for them to find that help, and that many accident and emergency units refuse to give emergency contraception? Does she agree that the Government should do more to examine the opportunities so that young, terrified girls can get a friendly helping hand and emergency contraception?

Ms Jowell: Clearly, in an ideal world, young girls who are little more than children would not be having sexual relations. They have sexual relations for some of the reasons that I have outlined. Given that about one in five girls under 16 are sexually active, it is important that they have access to advice and information. Where that does not come from their parents at home, it is important to have accessible agencies for young people to turn to for help—often in the kind of crisis identified by the Childline research.

Teenage pregnancy is both a cause and a consequence of social exclusion. Many teenage mothers are care leavers, or have been excluded from school. For them, life was never going to be easy, and having a child too young makes it all the more difficult.

To have a long-term answer to the problem—and long-term success in reducing our rates of teenage pregnancy—we have to understand why the rates are so high in the first place. The short answer is that too many teenagers are having sex too young, and too many are having sex that is unprotected. That is one of the key reasons for our much higher rate of teenage pregnancy, and that marks us out from many European countries where the rate is lower.

Contraception rates for young people here are half the rates in the United States or in a number of European countries. The Childline research may shed some light on precisely the kind of problems that we must address.

Mrs. Gorman: Will the Minister give way?

Ms Jowell: No, I will not. If I do, I will not have a chance to finish dealing with the points that have been raised.

We know that young people believe that they are immortal, and that is why there is such a clear link between the risks that young people take in terms of unprotected sex, smoking, alcohol, drugs and even dangerous driving. More than 90,000 teenagers become pregnant every year, and nearly 500,000 sexually transmitted infections in teenagers are diagnosed every year.

The bottom line for our approach to teenage sex must be to ensure that teenagers are more aware of the risks attached to sex too early, and that they have the tools necessary to wait until they are adult and ready. It is important that those who do have sex have access to reliable contraception and advice to prevent pregnancy and sexually transmitted infection.

The Childline survey clearly revealed the pitiful ignorance among young people. No young person ever got pregnant just by knowing about sex, but young people are calling for the opportunity to be told not just about the biology of sex, but about relationships, responsibility and feelings. Young people have sex because of peer-group pressure; because they cannot think of a reason not to; because the future seems irrelevant. These are the real reasons that young people give for having under-age sex, with pregnancy as a consequence.

That is why looking at personal, social and health education in schools is important. School nurses have an important part to play, and we have seen a substantial increase in school nursing over the past three years.

Mrs. Gorman: On a point of order, Mr. Deputy Speaker. Are not these debates designed so that Back Benchers can put their points of view across? Is it right for the Minister to take up so much time—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. I understand the hon. Lady's point, but these are half-hour Adjournment debates, initiated by one hon. Member exclusively for the benefit of that Member to gain a ministerial reply. It is only by convention that anyone else can intervene in them. These debates are quite different from the one-and-a-half hour debates.

Ms Jowell: Thank you, Mr. Deputy Speaker.

I have sought to answer the points raised in the debate, and I am trying to convey some of the complexity of tackling the problem so as to reduce not only rates of teenage pregnancy but the accompanying social exclusion. We are determined to put in place a practical programme, based on the evidence of what works, to build a consensus of support. We will lead that support from the House, engaging parents, teachers and young people up and down the country. That is where the solution lies.

Al Shifa Factory

1.29 pm

Mr. Tam Dalyell (Linlithgow): On 20 August 1998, the United States launched a cruise missile attack on the Al Shifa plant in Khartoum. If what the factory made was so awful, why were there no air-locked doors, no guards and no night watchman? Why not accept the Sudanese request for an inspection team? After all, we are bombing Iraq in the cause of establishing inspection teams. Why no inspection for Sudan, which has asked for it?

The Americans, endorsed by Britain, made a serious error when they bombed and destroyed the factory. *Chemical and Engineering News* of 15 February said:

"No trace of nerve gas precursor found at bombed Sudan plant".

The *International Herald Tribune* of 10 February gives details of negative tests by American scientists on soil and effluent at the factory site, and the Boston university soil analysis, under the direction of Thomas Tullius, one of the most distinguished men in the field, found nothing.

The New Yorker of October 1998 revealed that the Defence Intelligence Agency, the American joint chiefs of staff and even the Federal Bureau of Investigation were kept out of the picture by the Clinton White House on what was essentially a political decision to bomb Sudan.

As soon as I secured this debate, I drew the attention of the Foreign Office to the report of the Monterey institute of international studies. It says:

"On August 14, CIA Director George Tenet reported that there was conclusive evidence justifying retaliatory attack against bin Laden. Cohen and Shelton briefed Clinton on a general plan for attacks and the President reportedly approved their plans that same day, including the strike on al Shifa. The four chiefs of staff of the armed forces, Attorney General Janet Reno and Federal Bureau of Investigation Director Louis J. Freeh were not informed of the plan until one day prior to the scheduled attack."

Crucially, the report continues:

"Reno reportedly urged delay to enable the FBI to compile more convincing evidence linking bin Laden both to the embassy bombings and to the facilities targeted for attack. Reno was apparently concerned that the available evidence was insufficient to meet standards of international law, but she was overruled."

To overrule one's own Attorney-General is a serious matter. The report continues:

"Neither the Defence Intelligence Agency nor the FBI was involved in evaluating the data that led US officials to attack Shifa."

Sir Harold Kroto of the Royal Society of Chemistry, who has been rightly lauded by the Prime Minister, said to me that Bob Williams knows more about Empta—o-ethyl-methyl phosphonoic acid—than anyone else in Europe, and Professor R. J. P. Williams, of Oxford university, has been my friend in this matter from the very beginning.

Professor Williams said:

"In view of the fact that there is to be a debate in the House of Commons next Wednesday I wish to impress upon all Members of the House that there is now an opportunity for them to make sure that the government is open with us all concerning the attack on the pharmaceutical factory in the Sudan by U. S. missiles. While it was excusable for the Prime Minister to respond last August by supporting U. S. officials, accepting claims from them which have never been made public, all subsequent and very detailed investigations of these claims have shown that none of them stand up to inspection."

I quoted earlier from the serious American press and from an American institute.

[Mr. Tam Dalyell]

Professor Williams continued:

"No chemicals of any kind which can be linked to nerve gas production have been found by new analyses of the soil around the factory. The factory was incapable of producing any such chemicals. The factory is owned by an innocent man, a Mr Idris. There are no links between the factory and any terrorist activities. All this evidence is readily available to Members of the House in leading American and British publications. While we all regret the deaths of over one hundred people in terrorist attacks on U. S. property in Africa it is not for the U. S. or us to take revenge by bombing a source of medical supplies for the sick in the Sudan. How many Sudanese have died as a consequence? Every time questions are asked in Parliament on these points the Prime Minister has replied evasively by reference to the early remarks of U. S. officials which everyone I know believes to have been mistaken. Now he is aware of the facts can not the Prime Minister apologise and attempt to persuade the U. S. government to do the same? Surely even politicians must be wise enough to realise that repeated dodging at Question Time in Parliament only reduces their stature while an apology for a mistake will be greeted as an act of statesmanship. Would it not be even better to send to the Sudan replacement medical supplies?"

I, too, believe that people should apologise for mistakes when they know that they are mistakes.

Tom Carnaffin, the British engineer involved, wrote to the Prime Minister. He said:

"I was the Technical Manager for Baaboud Trading and Shipping the main funders and builders of the . . . factory.

I am very distressed and angry at the persistent untruths and innuendoes levelled at the past and present owners of the factory and the true function and purpose of the said facility.

At my age and with my background as an engineer having worked in many countries throughout the world, I only believe what I can see with my own eyes, touch, measure or do the calculations for myself. Having worked on the Al Shifa factory from the digging of the foundations to the commissioning, living with the Baaboud family and being very closely associated with them even till now, I can say with my hand on my heart you do not know what you are talking about when you speak about this factory."

The capability of Sudan to provide simple medicines for its people has been damaged by this act of war. It is not sufficient for me to say please apologise. We must be constructive, and the Government should consider all the following moves.

The Government should apologise to the Government and people of Sudan for their endorsement of the destruction of a factory so vital to humanitarian development in Sudan. They should provide the affected communities in Sudan with emergency humanitarian relief in the form of drugs and medicines until the factory is rebuilt and recommences the manufacture of affordable pharmaceuticals.

The Government should support a United Nations weapons inspection of the Al Shifa factory and must take a prominent role in pushing for it at the United Nations Security Council. Should the United States Government continue to block international calls for a UN inspection of the site, the British Government should send a team from the Porton Down chemical and biological weapons establishment to conduct British tests.

The Government must rethink and reassess their attitude towards Sudan in the light of this and other American intelligence failures regarding Sudan. If the most powerful country in the world, with all the intelligence assets and technology at its disposal, cannot get it right on this vital issue, how many other American claims, similarly echoed and supported, I fear, by the British Government, are flawed if not totally inaccurate?

The Government must bring pressure to bear on President Clinton to compensate the families of the dead and injured workers, to rebuild the factory and, in the meantime, to provide Sudan with humanitarian relief by replacing the vital drugs and medicines that were destroyed in the attack or whose supply has been interrupted by it. The Government should press the Clinton Administration to adopt a more constructive and less confrontational role in Sudan.

I am glad that my hon. Friend the Minister is here to reply to this debate, because he has a record of being deeply concerned about and doing good work towards improving relations with Sudan. I hope that those relations can be mended.

1.39 pm

The Minister of State, Foreign and Commonwealth Office (Mr. Derek Fatchett): I know of the long interest that my hon. Friend the Member for Linlithgow (Mr. Dalyell) has in this matter, and I also appreciate his final comments and the way in which he has addressed the issues. The context of the attack on Al Shifa is important to the House and it is right that we are reminded of it. It is important that we take every opportunity in the House unanimously to express our strong opposition to all acts of terrorism, wherever they occur. While my hon. Friend did not do that in his speech, I take it as read that he is a keen and active opponent of all terrorism and all sources of terrorism.

It is worth while reminding ourselves of the newspaper reports on the day after the attack on the Nairobi office block, which was the act of terrorism that led to the Al Shifa reaction. Those reports remind us of the horror of terrorism and the way in which it picks out wholly innocent individuals. More than 250 people were killed in Kenya on that occasion and not one of them had a political manifesto or grievance. They were innocent individuals, going about their business, leaving their homes in the morning and expecting to return in the evening. They were victims of a senseless, evil terrorist attack.

The Daily Telegraph, for example, carried a report on the office block next door to the building in which the bomb exploded. It said that it

"took the brunt of the blast. It was reduced to rubble."

It continues by describing the victims:

"Most of the victims were Kenyan office workers or passers-by, including the passengers of a bus, some of whom were decapitated by flying debris."

That was the nature of the attack, which was designed to injure, maim and kill innocent people. That was its sole purpose. The victims were people going about their everyday business, and there can be no possible political explanation to support such an attack. I know that every hon. Member would wish to condemn that act of terrorism, as is the case with every other act of terrorism. My hon. Friend the Member for Linlithgow makes a

particular point about Al Shifa, but it is important to see that event in the context of our condemnation of terrorism, of bin Laden and all such activities.

Mr. Harry Cohen (Leyton and Wanstead): I agree with the condemnation of terrorism that my right hon. Friend the Minister makes, but did Al Shifa have anything to do with the attack?

Mr. Fatchett: I am delighted that I took that intervention. I agree with my hon. Friend's condemnation of terrorism and I shall come on to his other point. He has a very good record on human rights and of opposition to terrorism, and it is right that should go on record. In the United Kingdom and Northern Ireland, we know about the evil of terrorism and it is right that the House should take every opportunity to remind others throughout the world that we condemn terrorism, and will take action to ensure that we can stand up against terrorists and those who organise and finance terrorism.

My hon. Friend the Member for Linlithgow has raised questions about Al Shifa on many occasions. He had an exchange with my right hon. Friend the Prime Minister only a week or so ago. I shall take this opportunity to remind my hon. Friend what the Prime Minister said on that occasion, because he repeated answers that he has given since August last year. He said:

"Last August, I gave my support to the United States action. It was action against international terrorists. The US told us at the time of the strike on Al Shifa that it had compelling evidence that the plant was being used for the production of chemical weapons materials."

My hon. Friend then asked the Prime Minister whether there was any hard evidence that VX precursors or any other chemical weapons-related compounds were manufactured at the Al Shifa plant. I shall remind the House of my right hon. Friend's reply:

"The US was quite clear: it had compelling evidence that Al Shifa was involved in chemical weapons production. Terrorist organisations operating out of those places caused the death of more than 100 totally innocent people by acts of terrorism in Africa. The assault on Al Shifa was retaliation for that: no one was killed in it, but we gave a very clear signal—and I think the right one—to those who engage in international terrorism that we are prepared if necessary to take action in retaliation."—[*Official Report*, 10 March 1999; Vol. 327, c. 364-5.]

Mr. Dalyell: If the Americans said that they had compelling evidence, why did their Attorney-General, Janet Reno, ask for a delay because she was not convinced? A country whose Attorney-General is not convinced would not appear to have compelling evidence. The truth is that there was deception by the Americans.

Mr. Fatchett: My hon. Friend's final accusation is a very strong one. The point he made about the Attorney-General comes, of course, from newspaper stories that are not founded on any evidence. The American Administration's position is that there was compelling evidence. If my hon. Friend reads the newspapers assiduously, he will recognise that the reporting is not always wholly accurate, especially in contexts in which it might be useful to establish differences between individual personalities within a Government. The American Administration's view is that they had compelling evidence.

Mr. Dalyell: That point did not come from newspaper reports. It is contained in the detailed report by the Monterey institute of international studies, to which I referred the Foreign and Commonwealth Office at the very moment that I knew that I had secured this Adjournment debate. That report is a serious document.

Mr. Fatchett: I will, almost on cue, refer to my hon. Friend's remarks about that document. It makes a number of telling comments that point in the contrary direction to those that my hon. Friend has used as evidence. For example, the document concludes that the eye witnesses are not chemical weapons specialists and

"it is possible that their knowledge is incomplete."

My hon. Friend relied on a number of eye witnesses, including the British engineer who was involved in the construction of the plant, but that balanced report states that we cannot rely on the eye witnesses for evidence on technical details, because they are not chemical weapons specialists. The engineer has knowledge of engineering, but he does not necessarily have any knowledge of chemical weapons systems.

The report also mentions EMPTA and states:

"There are several possible reasons why such a soil sample might test positive for EMPTA."

We should not forget that a positive test result was obtained. The Monterey report offers three possible reasons for that, although my hon. Friend the Member for Linlithgow did not refer to them during his comments. The report states:

"U.S. officials may be correct in their allegation that the VX precursor was produced at Shifa."

My hon. Friend has said that it is incumbent on the American Government to produce evidence for its conclusions, but he should be careful in putting his evidence together, because the report accepts that it is possible that US officials were right in thinking that the allegations that the VX precursor was produced at Al Shifa were well based. That could be one of the scientific conclusions from the soil samples and—although one has to be careful when reading a balanced report to recognise that it puts arguments in both directions—that is a telling counter allegation to the one that my hon. Friend makes.

Mr. Dalyell: As the engineer involved is sitting in the Strangers Gallery—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. The hon. Gentleman should know by now that no reference can be made to anyone who is not in the Chamber.

Mr. Dalyell: Would my hon. Friend or the science advisers to the Foreign Office be prepared to see the engineer, who set up the factory, in order to gain some idea of its capability, chemical or otherwise?

Mr. Fatchett: We should be happy to meet that individual. However, I return to the document's remarks on eyewitnesses to which I have just referred. With the best will in the world, I do not expect that the engineer would set himself up as a chemical weapons expert. However, we should be willing to talk to him about the engineering involved in the factory.

[Mr. Fatchett]

I refer my hon. Friend to the report's conclusion, on page 26, which says:

"It remains possible that Al-Shifa Pharmaceutical Factory may have been involved in some way in producing or storing the chemical compound EMPTA, which can be used in the production of VX nerve gas."

The evidence produced by my hon. Friend is, at best, chequered. It is certainly partial, and it is worth pausing to think about the conclusion drawn by the eminent people who wrote the report.

I am grateful to my hon. Friend for bringing the matter before the House, but the three crucial conclusions that I have outlined—the nature of eyewitness expertise, the fact that EMPTA was found there, meaning the American evidence and conclusions could be correct, and the fact that the report cannot conclude that Al Shifa was not used for storing or producing chemical weapons—seem to undermine his allegations.

Mr. Michael Trend (Windsor): The Minister has outlined several qualifications from academic papers with which we are familiar. However, the essence of the question is a single soil sample that the Americans claim to have analysed, although some people have cast doubt on both the chemical analysis and the origin of the sample. The hon. Member for Linlithgow (Mr. Dalyell) asked whether the British Government were satisfied that sample was genuine, and that the work done on it was properly conducted. Are the British Government simply taking the word of the American Administration? The Opposition believe that the action was almost certainly right, but that the factory was almost certainly the wrong one. It would be shameful if the Government have been led down a cul-de-sac by the American Government.

Mr. Fatchett: I am intrigued by the line that the hon. Gentleman is taking. The shadow Foreign Secretary supported the action taken by the United States. Does the hon. Gentleman dissociate himself from the position taken by the right hon. and learned Member for Folkestone and Hythe (Mr. Howard)? If he is announcing a new departure in Conservative policy, he would be wiser not to do so during an Adjournment debate, and it would have been sensible of him to tell his right hon. and learned Friend. I know that the shadow Foreign Secretary is shortly to leave the Conservative Front Bench, and that the hon. Gentleman may be making a bid for the job, but he would be wiser not to announce his candidacy this way.

Mr. Trend: Rather than continuing the badinage, I shall repeat my important question. Are the British Government satisfied that the chemical analysis of the soil sample—the only bit of genuine evidence that justifies the bombing—adds up?

Mr. Fatchett: We are satisfied that the United States had conclusive evidence, and we have said so many times. I need to know whether the hon. Gentleman is dissociating the Conservative party from an attack on the causes of terrorism. Our debate is telling us a great deal about the Conservative party, whose spokesman is showing himself to be soft on terrorism. I am sure that the shadow Foreign Secretary will read the debate with great interest. It is about time that the Conservative party offered support rather than reneging on its traditional position. I should be happy to give the hon. Gentleman another opportunity to clarify his position if he wishes one.

Mr. Dalyell *rose—*

Mr. Deputy Speaker: Order. I am sorry to interrupt the hon. Member for Linlithgow (Mr. Dalyell), but I wanted to remind the House that this is his Adjournment debate. Interventions by Front-Bench Members are not customary in such a debate.

Mr. Dalyell: The obvious next step would be for the engineer to meet the Minister's advisers. On the question of what will be done about the Sudan, I meant what I said about the Minister's good record in trying to improve relations with that country. Whatever the arguments about Al Shifa, is there any way in which to give help to the Sudan, which has the most appalling malnutrition problems?

Mr. Fatchett: My points about the Monterey institute report have been fully made. I shall go on to the two further points that my hon. Friend has raised.

The next step is for Sudan to sign up to the chemical weapons convention, the verification regime of which would allow us to find out what is going on in Sudan and whether there is any truth in the allegation that there has been, and continues to be, production of chemical weapons. If Sudan has nothing to hide, it should sign in its own interests, in the interests of its neighbours and in the interests of the international community. We should all urge Sudan to take that step.

My hon. Friend referred kindly to my role in Sudan. During 1998, the UK Government was the second largest contributor to Sudan, with more than $40 million. There is absolutely no evidence that the attack on the Al Shifa factory or the fact that it is no longer able to produce have made any difference to the supply of medicines and pharmaceuticals. On the contrary, we can say with confidence that our work through the United Nations and through bilateral aid has had a substantial impact on the well-being of people in Sudan.

Mr. Crispin Blunt (Reigate): Will the Minister give way?

Mr. Fatchett: I had better not give way again.

My hon. Friend is right to say that there is more to be done. I have tried to move the peace process forward and have engaged with the partners of the intergovernmental authority on development to see whether we can give greater momentum to that process. The United States is very much signed up to a new approach that will help us to move the process forward.

I was closely involved in a UK initiative that allowed us to negotiate, with both the Government of Sudan and the Sudanese People's Liberation Army, corridors of tranquillity in Bahr el Ghazal that have enabled international aid relief to go to poor people in that area. The UK's record in helping the people of Sudan both with resources and politically is substantial, and I am proud of it.

We have also sought ways in which to rebuild and restore our relations with Sudan. My right hon. Friend the Foreign Secretary was keen to meet the Sudanese Foreign Minister last September. I hope that issues relating to restoration of our ambassador to Khartoum may be resolved in the near future. That is in our interest, and in Sudan's interest. We are keen that it should happen.

My hon. Friend produced evidence that was not the soundest that I have heard him use. The report used as his main piece of evidence contains contradictory evidence. The Government will continue to rely on the statements of the United States Administration that they had compelling evidence for their action. We are united in the fight against terrorism—at least I thought we were before the debate. Labour Members speak with one voice against terrorism. We shall continue to act against it, and we shall stand up against it every time we can. That is the only way in which the voices of democracy and free will can continue to be heard in the world.

It being Two o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Sitting suspended, pursuant to Standing Order No. 10 (Wednesday sittings), till half-past Two o'clock.

Oral Answers to Questions

NORTHERN IRELAND

The Secretary of State was asked—

Enterprise Support

1. **Mr. Lawrie Quinn** (Scarborough and Whitby): What measures she is taking to support enterprise in Northern Ireland. [76679]

The Minister of State, Northern Ireland Office (Mr. Adam Ingram): Government support for promoting enterprise in Northern Ireland was enhanced by the innovative measures worth £100 million announced in my right hon. Friend the Chancellor's initiative of last May. The Budget provided a further boost for enterprise, with a reduction in corporation tax for small businesses, tax credit for research and development, and new corporate venturing measures. All that is good news for Northern Ireland.

Mr. Quinn: Does my right hon. Friend agree that the opportunities provided for business in Northern Ireland by the Chancellor's Budget can be built upon so that we build not only peace in Northern Ireland but lasting prosperity for that community, and so that we get the correct frameworks across the community in which everyone can prosper?

Mr. Ingram: I agree wholeheartedly with those sentiments. Yesterday, I launched a major economic strategy review document entitled "Strategy 2010", which was part of the Good Friday agreement requirements placed on the Government. It is a comprehensive study on how we can ensure that peace and prosperity can go hand in hand into the new millennium.

Mr. Peter Brooke (Cities of London and Westminster): Why have no Northern Ireland Ministers or any relevant Treasury Ministers been prepared to see the Petrol Retailers Association to discuss the widely acknowledged fuel smuggling across the border with the Republic?

Mr. Ingram: I cannot answer for Treasury Ministers. I do not know what applications have been made to them. The matter falls within my remit in one sense, but excise duties are a matter for the Treasury, not for the Northern Ireland Office. My understanding is that my right hon. Friend the Secretary of State has met representatives on the issue, and we continue to meet at official level. It is not that we are unconcerned about what has happened, but we want to ensure that any measures that we take to stop the illegal activity have maximum impact. We also want to examine the disparities between the pricing structures north and south of the border.

Mr. Roger Stott (Wigan): May I congratulate my right hon. Friend on his efforts to promote business and employment opportunities in Northern Ireland? Can he give any figures on the number of young people in Northern Ireland who are taking advantage of Labour's new deal?

Mr. Ingram: That responsibility does not rest directly with me. It rests with my hon. Friend the Under-Secretary. I understand that about 40,000 young people have taken advantage of the new deal initiative. It is an important initiative in Northern Ireland, as it is for the rest of the country. It has given an opportunity to young people, and it has now been extended into other age groups. It ensures that everyone can make a valuable contribution to the economic health and wealth of their community.

Mr. Jeffrey Donaldson (Lagan Valley): The Minister will be aware of the problems facing the road haulage industry in Northern Ireland, and of the importance of that industry to our economy. Is he aware that a number of Northern Ireland road haulage companies have relocated their headquarters in the Republic of Ireland? One company calculates that it could save more than £250,000 a year by doing so. What measures does the Minister intend to take to assist the Northern Ireland road haulage industry which faces very high costs indeed?

Mr. Ingram: I have not received any direct representations on the issue, although I have asked my officials to keep a watching brief over the direct impact in view of recent comments made by road hauliers. I ask the hon. Gentleman to suggest to those with whom he is in contact to write to me. I will pass on their concerns to the Minister responsible, who has already taken initiatives to deal with some of the concerns that have been raised.

Equality Commission

2. **Mrs. Maria Fyfe** (Glasgow, Maryhill): When the Equality Commission in Northern Ireland will be established. [76680]

The Secretary of State for Northern Ireland (Marjorie Mowlam): The Northern Ireland Equality Commission will be established as early in April as possible. The posts have been advertised and at present we are considering applications.

Mrs. Fyfe: My right hon. Friend's answer will be most welcome in Northern Ireland. Will she join me in welcoming the commitment expressed earlier this month by both the First Minister and the Deputy First Minister to the equality agenda in Northern Ireland, especially in relation to jobs? Does she share my hope that the commission will get off to the best possible start?

Marjorie Mowlam: I join my hon. Friend in wishing the Equality Commission the best of luck during the process of devolution when that takes place. I am sure that the First Minister and the Deputy First Minister are as committed as anyone to making it work.

Mr. Roy Beggs (East Antrim): When those in the Northern Ireland community look at the composition and membership of public bodies in Northern Ireland, they find it almost impossible to identify a Unionist, or someone who at least has an acceptable Unionist pedigree. Does the Secretary of State agree that all future

appointments to public bodies in Northern Ireland should enjoy the confidence of the whole community? Will she ensure that, when the Equality Commission is established, Unionists will at least have equal preferment on that body, given the perceived evidence in the past of preferential treatment being given to nationalists and to the do-gooder brigade?

Marjorie Mowlam: I assure the hon. Gentleman that, in terms of the make-up of bodies such as the commission and others, the Peach criteria for public appointments are applied rigorously by the Government. Such appointments are all advertised in the newspapers, on the internet and in Braille. That was done for the Equality Commission and, where needed, there is an independent element in the interviewing process. I can assure the hon. Gentleman that, in my view, the representation of communities required by the legislation has taken place.

Mr. Kevin McNamara (Hull, North): Will the Equality Commission also deal with such matters as equality before the law? Given the report by the Independent Commission for Police Complaints for Northern Ireland on harassment of the late Rosemary Nelson by the Royal Ulster Constabulary, can we have confidence in the RUC continuing the investigation into the causes of her death? In the first place, the Metropolitan police had to be brought in, to achieve a degree of impartiality. How can we be certain that that will be the case in the inquiry into her death, when there is only one outside officer and only one with any sort of supervisory duty?

Marjorie Mowlam: In terms of the role of the Equality Commission, I assure my hon. Friend that there is an equality of opportunity duty, which I hope will be in force as a statutory duty by the summer. That equality of opportunity obligation on the public sector will be an important element in the working of the Equality Commission.

In relation to the sad death of Rosemary Nelson, the ICPC has just received back from the independent Metropolitan police commander, Commander Mulvihill, the accusations raised by Rosemary Nelson that it had passed to him. I understand that those matters will be passed to the Director of Public Prosecutions for Northern Ireland. I can assure my hon. Friend that all efforts are being made on that front and when the evidence comes back to me, I shall examine it very carefully and in detail. I assure him of my on-going attention to the outcome of the Mulvihill investigation.

In respect of my hon. Friend's final point about the murder of Rosemary Nelson, the Chief Constable reacted speedily by calling in outside supervision of the investigation, as well as external assistance from the Federal Bureau of Investigation. I believe that that will give us a solid investigation, but I shall keep the matter under review.

Accident and Emergency Services

3. **Mr. Tony McWalter** (Hemel Hempstead): If each hospital providing accident and emergency services in Northern Ireland will receive accident and emergency targeted funding as announced by the Chancellor of the Exchequer in his budget; and if she will make a statement. [76681]

The Parliamentary Under-Secretary of State for Northern Ireland (Mr. John McFall): All accident and emergency departments will be eligible to benefit from the funding announced by my right hon. Friend the Chancellor. Details of how that additional money will be used are still being finalised. I would expect developments to be consistent with the Government's vision for the future development of Northern Ireland's hospital service set out in the document, "Putting it Right", which I published in November last year.

Mr. McWalter: I thank my hon. Friend for that answer, but there is fear in Northern Ireland that the benefits of the additional funding will be somewhat selectively applied and that some A and E departments might be closed. Will my hon. Friend give an assurance that the extra pressures on the ambulance service resulting from the changes will be met by additional resources, so that the new swish A and E departments will be accessible from all parts of the Province?

Mr. McFall: My hon. Friend can be assured that the £3 million available next year for upgrading A and E departments will be channelled to those who put a good case for upgrading. He makes an important point about the ambulance services; in "Putting it Right", I stated that an extra £15 million would be invested in the ambulance service to ensure that there is coverage throughout Northern Ireland and that people living in rural areas are not disadvantaged. It is important that there is a good ambulance service—one that is ready and fit for the 21st century—and the Government have addressed that in "Putting it Right".

Rev. Martin Smyth (Belfast, South): The Minister will agree that there have been some decided improvements in the ambulance service, which we welcome. However, do his plans envisage the retention of the casualty and emergency department at Belfast City hospital, bearing in mind the fact that the golden mile and the student population in the area pose a tremendous challenge these days? Will Shaftesbury Square hospital continue regularly to be retained for weekend use for emergency purposes?

Mr. McFall: The hon. Gentleman will be aware of the document I published a month ago, "Fit for the Future", in which I set out the position on acute services provision by hospitals in Belfast, including Belfast City hospital. I recognise the need for good-quality and efficient services in Belfast. The hon. Gentleman will also be aware of the £4 million I gave for the fractures unit only a few months ago. We recognise the current deficiencies, but, together, we are building a modern accident and emergency service that is fit for the population of Belfast and its environs.

Mr. Eddie McGrady (South Down): I am sure that the Minister is aware of the concern about accident and emergency provision; indeed, there is fear in many of the outlying areas of Northern Ireland—especially in my own constituency about Downe hospital, Downpatrick—as the district hospitals fear a downturn in the emergency

services that they can provide. What progress is being made on the implementation of the new accident and emergency regime required by the royal colleges in places such as Downe hospital? The £15 million the Minister mentioned will not be spent until April 2000, so will he tell me what progress has been made in respect of the provision in Down of a new hospital that can offer an appropriate level of services to the entire community of Down and Mourne?

Mr. McFall: The hon. Gentleman and I have been in regular communication and often hold opposing views, but I acknowledge the fight that he has put up on behalf of his constituency, especially in respect of Downe hospital. He and I are as one on that issue, because we recognise the need to get services provided in the right place, at the right time, by the right person, irrespective of where people live. He knows that a business case for a new hospital in Down is currently being devised; it should arrive on my desk shortly. If the case is soundly made and the proposals have broad community support, I shall be willing to give the plan consideration in the near future.

Regarding accident and emergency services, I pointed out in one of the documents that I published that 75 per cent. of people referred to accident and emergency departments should not be there. That means that three out of four people admitted are blocking the best treatment being given in the quickest possible time to the one in four people who should be there. That needs to change. We need to upgrade accident and emergency units' diagnostic equipment, ensure that they have telemedicine facilities and consider the best way of linking ambulances and A and E units to serve people in rural areas such as the hon. Gentleman's constituency.

Peace Process

6. **Mr. Michael Connarty** (Falkirk, East): What progress is being made with the Northern Ireland political parties to implement the Good Friday agreement. [76684]

The Secretary of State for Northern Ireland (Marjorie Mowlam): We have come a long way in implementing the Good Friday agreement. We must now move quickly to overcome the remaining difficulties if the transfer of powers is to happen next week. All of us have a collective responsibility to do all that we can to achieve this. Intensive discussions with the political parties have been taking place and will continue. In fact, my right hon. Friend the Minister of State, Northern Ireland is in discussions at this very moment.

Mr. Connarty: I thank my right hon. Friend for that reply. Can she give the House an assurance that this Government will not become like the previous Government, who were transfixed and immobilised, on the question of decommissioning in the peace process? Surely the deaths of Rosemary Nelson and Frank Curry underline the fact that 1,000 silent guns and 1 tonne of Semtex buried and not used are not a problem when there are people who are willing to use one gunshot and 1 lb of explosive, which can derail us unless we face the issue.

Can my right hon. Friend give the House an assurance that, having missed the deadline of 10 March, she will call a meeting of the Assembly on 29 March and will set up the Executive in Northern Ireland?

Marjorie Mowlam: The deaths of Rosemary Nelson and Mr. Curry are sad and difficult occasions for their families but a stark reminder to everybody else involved in this process of what can happen if we do not make progress and instead go back down the road to the violence of the past.

On decommissioning and the formation of the Executive, I have made it clear on many occasions, as has my right hon. Friend the Prime Minister, that we expect both things to happen. Both are crucial for the Good Friday agreement to work.

Finally, my hon. Friend asked about the deadline of 29 March. I have said on numerous occasions that we missed the target of 10 March. We set that as a goal because that is when we would have got all the necessary legislation through the House to make it possible for the transfer or devolution of powers to take place. I think that we are now looking at next week for the simple reason that it is a natural target a year after the agreement. I have said that I will call a meeting of the Assembly, which will automatically trigger the d'Hondt process. It is essential that that happens if progress is to be made.

I have made it clear that I will do that. Therefore, it is up to all the parties collectively, including us and the Irish Government, to do everything that we can to ensure that differences are resolved in the next week.

Mr. David Trimble (Upper Bann): As the Secretary of State knows, we have now done all that we can in terms of the implementation of the agreement and that the obstacle to further progress now remains the sort of intransigence that I encountered yesterday afternoon when I met the gentlemen who should be serving as Members for Belfast, West and Mid-Ulster but refuse to do so.

Does the Secretary of State agree, dealing with the decommissioning issue, that the loyalist who planted the hand grenade in Castlewellan that went off yesterday, the loyalist responsible for the death of Rosemary Nelson and the loyalist who earlier this week declared that he would never decommission are all, objectively speaking, supporting the IRA in its refusal to decommission, and that the best thing that all three of those gentlemen could do to ensure that we have progress and achieve the success of peace would be to follow the example given by the leadership of the Loyalist Volunteer Force when it began the process of decommissioning?

Marjorie Mowlam: I certainly agree with the right hon. Gentleman that decommissioning—*[Interruption.]* I have to agree with the right hon. Gentleman that decommissioning is a crucial part of the agreement. Like me, he would like to see the weapons discovered, taken care of and out of politics. We agree with that and the position that he has just set out.

As everybody knows, however, all parts of the agreement have to be implemented. We must find a way of getting the Executive in place so that other parts of the agreement can be implemented in full. We have both those things to focus on in the next week. The important aspect of what the right hon. Gentleman has just said is that which everybody in the process needs to do, which is to focus on the big picture and make sure that progress is made.

Mr. Dale Campbell-Savours (Workington): My right hon. Friend says that decommissioning is a crucial part of the agreement. If that is so, why cannot the Government

purchase arms held by the paramilitary groups as part of an attempt to oil the wheels of the decommissioning process? I remind her that I have asked that question before, and I did not get a knock back, so I understand that the option remains open.

Marjorie Mowlam: Every option is open to make progress and every one will be considered. To reassure my hon. Friend that his point has been heard, I can tell him that the decommissioning body, under General de Chastelain, will be well aware of my hon. Friend's suggestion by teatime today, and I am sure that the General, whose duty it is to consider decommissioning schemes, will take it into account.

Mr. Lembit Öpik (Montgomeryshire): If progress is not made on setting up the Executive by Good Friday, what will happen next?

Marjorie Mowlam: As I said in answer to an earlier question, the position is that some time during the week beginning 29 March—the earlier, the better—I shall ensure that I call a meeting of the Assembly so that the d'Hondt process will operate. Everybody knows that an inexorable course will then be followed. I want to ensure that the parties understand that if d'Hondt operates and an Executive of only one party is formed, rather than a cross-community Executive, powers cannot be devolved or transferred. Without those communities being included, the Executive would be dysfunctional and could not make decisions.

I make it clear, as I have done on other occasions, that we are meeting the Irish, the parties are talking and everybody is doing their best to make progress in a difficult, serious situation.

Mr. Andrew MacKay (Bracknell): May I take the Secretary of State back to last Friday and the disgraceful scenes in a Belfast courtroom when Bernard Maginn, the evil IRA murderer of Lance Bombardier Stephen Restorick, who was sentenced to more than 400 years in prison for his evil murders, laughed at the judge and said, "I'll be out in 16 months." Will the right hon. Lady take this opportunity to state clearly to the House that, if the IRA has not completed all its decommissioning of illegally held arms and explosives by next July, that evil man and his colleagues will not be released back on to the streets?

Marjorie Mowlam: I have communicated with Mrs. Restorick on numerous occasions, and I want to put on record yet again my sympathy and understanding for the pain that she and many others have gone through. [HON. MEMBERS: "Answer."] I shall answer the question, but I have the right to put on record my concern, which I am sure is shared by the Conservative Members who are shouting at me.

I say to the right hon. Member for Bracknell (Mr. MacKay) that all parts of the Good Friday agreement have to operate if it is to succeed. One cannot cherry-pick or start rewriting part of the agreement because it suits at a particular time. We shall implement the agreement along with the parties as far as that is possible. It is up to us, as a Government, to implement the agreement that the parties and the people voted on. That is what we are doing and that is what 29 March is about. If anything needs to be changed after that, it will be done in consultation with the parties.

Mr. MacKay: I do not wish the Secretary of State to cherry-pick parts of the Belfast agreement. She will be aware, as the House is aware, that, under the agreement, decommissioning must be completed by next May and she must release all terrorist prisoners by next July. At that time, three months will have passed since the date when all decommissioning should have taken place. I am asking the right hon. Lady a simple, straightforward question, to which Mrs. Restorick and everybody else would like an answer: will she promise me and the House that if there is not complete decommissioning by the IRA of illegally held arms and explosives by the due date in May, those evil murderers will not be released back on to the streets in July?

Marjorie Mowlam: As the right hon. Gentleman well knows, I have the power to vary that end date. However, I have made it clear to him on many occasions that speaking as he does and answering such questions now, when we are desperately trying to make progress in the last week that we have, does not help anybody. We have made it clear that decommissioning must happen. That is a crucial part of the agreement. To use the language of defeat and to ask for statements now about events a year down the road is not helpful. Of course those questions must be answered in the future, but, for goodness' sake, in a week such as this, when we are building up to 29 March, cannot the Opposition try to look on the positive side, rather than create problems?

Crime

7. **Ms Joan Ryan** (Enfield, North): What measures she is taking to tackle crime in Northern Ireland. [76685]

The Minister of State, Northern Ireland Office (Mr. Adam Ingram): Apart from doing everything possible to tackle and deter terrorist and paramilitary-related criminal acts, the Government are promoting a range of crime prevention measures in conjunction with the Royal Ulster Constabulary and other statutory and voluntary agencies. Those measures include funding for the community safety centre, promoting public awareness campaigns and supporting projects to help reduce the incidence and fear of crime. A contribution from the modernisation fund will be used to boost crime prevention initiatives in Northern Ireland. My right hon. Friend the Secretary of State today laid in Parliament the policing objectives for the RUC in Northern Ireland for the year ahead.

Ms Ryan: I thank my right hon. Friend for that answer. We are all aware that the police in Northern Ireland have been in the front line in dealing with terrorism and the appalling atrocities that have occurred. What steps are being taken to ensure that the RUC is prepared and able to cope effectively with the rest of its policing role and activities—what we might call a more usual policing role, serving the community in Northern Ireland?

Mr. Ingram: I thank my hon. Friend for her comments about the role performed by the RUC on behalf of

everyone in defending our freedoms in Northern Ireland and elsewhere. On the RUC's role in relation to other types of criminal activity, I pointed out in my earlier response some of the initiatives that have been taken. The allocation from the modernisation fund will be used for the introduction of closed circuit television schemes throughout Northern Ireland. I announced an early CCTV initiative for Portadown. It is hoped that that will assist the RUC to tackle the difficult problems that it faces in Portadown and elsewhere.

Mr. William Ross (East Londonderry): Does the Minister recognise that, although we welcome the measures that have been taken to combat ordinary crime in Northern Ireland, the main concern of the people of Northern Ireland is still the large hoard of illegal weapons held by terrorist organisations? Does the Minister therefore recall that the hon. Member for Foyle (Mr. Hume) has consistently said that terrorist hoards of weapons should be given up? Does he welcome the statement that the hon. Gentleman made yesterday, to the effect that semtex should be dumped for General de Chastelain to pick up?

Does the Minister accept that my right hon. Friend the Member for Upper Bann (Mr. Trimble) has made endless concessions in an effort to get the IRA to live up to the obligations that it took upon itself last year, and that the Unionist people have nothing left to give? Does he agree that it is long past time for the IRA to live up to its obligations to surrender the weapons? When the Government consider the matter of crime, will they ensure that the punishment fits the crime?

Mr. Ingram: Of course I recognise the contribution made by the hon. Member for Foyle (Mr. Hume). He has made a significant contribution to efforts to move the process forward, as indeed has the right hon. Member for Upper Bann (Mr. Trimble). That is why they were recognised internationally and awarded the Nobel peace prize for their efforts. In her earlier comments, my right hon. Friend the Secretary of State dealt with the main thrust of the hon. Gentleman's question about the need for decommissioning. All our attention is on that and on ensuring that all parts of the Good Friday agreement are implemented in full. That is the only way in which we can achieve genuine peace in Northern Ireland.

Mr. Malcolm Moss (North-East Cambridgeshire): After the Home Secretary's embarrassing, incompetent and bungled intervention earlier this week over the release of prisoners under the Northern Ireland (Sentences) Act 1998, will the Minister tell the House whether the Secretary of State knew about that intervention beforehand? If she did, was she in full agreement?

Mr. Ingram: It is a bit rich for the hon. Gentleman to accuse the Government of bungling. I remind the House that he was a Northern Ireland Minister before the election and we inherited a blank sheet in whole range of areas over which he had responsibility, such as victims and economic development.

Of course there were discussions on that particular issue within the Government, and a detailed answer has been given in relation to the way in which it has been handled by the Home Office and the way in which the Northern Ireland Office deals with matters of law relating to the release of prisoners.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [76709] **Mr. Andrew George** (St. Ives): If he will list his official engagements for Wednesday 24 March.

The Deputy Prime Minister (Mr. John Prescott): I have been asked to reply. As the House knows, the Prime Minister is in Berlin today, attending the special European Council. I have spoken to him this morning about the situation in Kosovo. We agreed that we should take this military action with total resolve. This is a difficult decision and we have to see it through all the way.

Mr. George: Constituents are anxious that the Prime Minister should be successful in securing objective 1 status for Cornwall and the Isles of Scilly in Berlin this week. Does the Deputy Prime Minister agree that if the Prime Minister returns victorious, that will also be a personal triumph for Cornwall's MEP, Robin Teverson, who has fought so long and hard for such an outcome? Does he also accept that local partners in Cornwall should be given every encouragement to get on with the important tasks in hand, without unnecessary European or United Kingdom Government interference?

The Deputy Prime Minister: The actions of everyone involved will bring about the achievement of objective 1 status and recognition of the special problems of Cornwall, and my right hon. Friend is dealing with those matters in Berlin. The establishment of development agencies, introduced by my right hon. Friend the Member for Sheffield, Central (Mr. Caborn), has also played an important part. We all look forward to developments in Cornwall and to the improvement of prosperity there, brought about by a Labour Government.

Q2. [76710] **Mr. Jim Cousins** (Newcastle upon Tyne, Central): As you know, Madam Speaker, many hon. Members, not least those from the north-east of England, give a high priority to regional issues, but this morning our Prime Minister asked the British people to be ready to make sacrifices so that the Albanian Muslims of Kosovo can take their proper and rightful place in our common European home. Will my right hon. Friend assure the House that, at the first indication that the Government of the Yugoslav Federation are willing to accept the deal accepted by the representatives of the Albanian Muslim majority in Kosovo, the hostilities that are about to commence will be instantly terminated?

The Deputy Prime Minister: My right hon. Friend made it absolutely clear yesterday that NATO is united and stands ready to take military action if Milosevic does not change his position and the repression continues. If, in those circumstances, he does not stop creating terror among the people in Kosovo—whole villages continue to be burnt and no fewer than 25,000 people have been displaced in the four days since the peace talks broke

down—President Milosevic should be in no doubt that we will take whatever action is necessary to avert a humanitarian tragedy. He has his part to play.

Mr. Peter Lilley (Hitchin and Harpenden): The Deputy Prime Minister will know from our joint visit to Omagh after the tragic bombing there that I recognise his abhorrence of terrorism and share his determination to make the Good Friday agreement work. I know that he will share my disgust at the sight of the murderer of Lance Bombardier Stephen Restorick laughing in court after he received three life sentences and boasting to his friends that he would be out in 16 months. Will the Deputy Prime Minister convey to the Prime Minister the strong feeling registered earlier in this House that the Secretary of State for Northern Ireland should give an assurance that that evil man will not be released until Sinn Fein/IRA have given in their arsenal of weapons?

The Deputy Prime Minister: As my right hon. Friend the Secretary of State for Northern Ireland made clear a few moments ago, we will observe the Good Friday agreement. The exchange of prisoners, and the freeing of prisoners, is in line—[HON. MEMBERS: "Exchange?"] I withdraw the word "exchange". I apologise; I made a slip.

The freeing of prisoners is part of the Good Friday agreement, and we will observe it. Notwithstanding all the difficulties, and all the disgust that may be felt at the time, that is what we agreed to and what we intend to implement.

Mr. Lilley: I had hoped that the Government would be clearer than they have been about the obligation of Sinn Fein/IRA to hand in weapons. This week, the Home Secretary has sent unclear and confused signals about the Government's willingness to delay the release of prisoners. Is it not time that the Government sent the clear signal that the Good Friday agreement must be implemented in full? That means not releasing any more murderers while the terrorists on both sides refuse to give up their guns and bombs. Why do the terrorists want to keep their weapons, other than to use them or threaten to use them?

The Deputy Prime Minister: I find it difficult to accept that the right hon. Gentleman's aim is to secure agreement in Northern Ireland, given the language that he uses. We all know that the next few days will be critical to establishing a settlement on the Good Friday agreement. Assent to certain actions will have to be secured, and my right hon. Friends the Prime Minister and the Secretary of State for Northern Ireland are very much involved in that.

The whole House has made it clear that we want agreement in Northern Ireland, and we are nearer to achieving that agreement than we have ever been. There are fewer murders, and there is more eagerness to secure agreement. We should place more emphasis on the words that encourage people to come together in agreement and dialogue, rather than using the language used by the right hon. Gentleman.

Q3. [76711] **Mr. Alan Johnson** (Hull, West and Hessle): I agree very much with what my right hon. Friend has said, but may I change the subject? Does my right hon. Friend agree that the introduction of a national minimum wage next week will be supported around kitchen tables throughout the United Kingdom—not least in the magnificent and historic city of Kingston upon Hull?

The Deputy Prime Minister: As a former commis chef who once spent most of his time around a kitchen table, let me say that I was protected by the wages councils that the previous Administration abolished, driving millions into poverty pay. I am particularly proud to be a member of a Labour Government who are introducing a statutory minimum wage from which millions will benefit from next week.

Let me be helpful to the Opposition. We intend to advertise to the people of this country, informing them of their rights in relation to the statutory minimum wage. In the interests of impartial advertising, I invite Opposition Members to suggest a form of words making it clear that the Tories fought the minimum wage tooth and nail, and would still abolish it if they ever got the chance to do so.

Mr. Paddy Ashdown (Yeovil): As the Deputy Prime Minister well knows, there is widespread support on all sides for the action that, regrettably, now appears to be imminent in Kosovo. Does he agree that, precisely because British troops are going to be committed, it is necessary to have a clear, definable, achievable political end that will show what we are trying to secure, and will tell us when we should stop? Will the right hon. Gentleman take this opportunity to define explicitly the aims that we seek to achieve through the actions that we shall take in Kosovo during the next hours and days?

The Deputy Prime Minister: The Prime Minister told the House yesterday that the minimum objective of NATO action would be to curb continued Serbian repression in Kosovo, in order to avert a continuation of the humanitarian disaster that we all agree is taking place. NATO action would therefore target the military capability of the Serb dictatorship.

Mr. Ashdown: With great respect to the Deputy Prime Minister, what he has told us is the legal justification, not the political aim. A political aim gives an outcome which is stable and durable. While it might be desirable that we reduce President Milosevic's capacity to kill Albanians, that will not produce a stable Kosovo. May I suggest that the aims of the action should be these: in the first instance, to persuade President Milosevic to sign up to the Rambouillet agreement; and if, as I anticipate, that fails, to ensure that this is seen as the first step in the establishment of an international protectorate in Kosovo?

The Deputy Prime Minister: With the greatest respect, if the right hon. Gentleman had been here yesterday, he would have heard the Prime Minister address himself to that matter. As he made clear yesterday, Milosevic must do what he promised to do last October, and these are the objectives of the action: end the repression, as the House has been calling for; withdraw his troops to barracks; get them down to the levels that he agreed in that agreement; and withdraw from Kosovo the tanks, the heavy artillery and other weapons that he brought to Kosovo last January. That is the minimum condition to end the repression in Kosovo.

Mr. Derek Foster (Bishop Auckland): Will my right hon. Friend please urgently inquire into the disastrous

developments in Vaux Breweries, which has its headquarters in Sunderland, my home town? Is he aware that some of the shareholders have pulled the plug on a management buy-out, against the wishes of the chairman, Sir Paul Nicholson? Is he aware that those shareholders are Mercury Asset Management Ltd., led by Carol Galley, who was born in Newcastle upon Tyne, the Bankers Trust and Hermes Pensions Management Ltd., which was the former Post Office pension fund and is led by Alastair Ross Goobey? Will he call those shareholders in to explain why they are prepared to sacrifice 700 jobs in Sunderland and Sheffield for the sake of only £2.5 million of extra shareholder value?

The Deputy Prime Minister: I am aware of that concern. It has also been expressed to me by my hon. Friend the Member for Newcastle upon Tyne, Central (Mr. Cousins). I believe that Members have made it clear to the Secretary of State for Trade and Industry. We are concerned about the matter. The Secretary of State and his Ministers are prepared to discuss the issue and will make the necessary arrangements.

Q4. [76712] **Mr. Crispin Blunt** (Reigate): If NATO air strikes indirectly cause the situation of innocent people in Kosovo to get worse, rather than better, what then?

The Deputy Prime Minister: We are confident, of course, that the strategy that we are embarked on now will have the effect of reducing the Serbians' capability of continuing to repress the people in Kosovo. I believe that that will happen and that the strategy will achieve the ends that we have set out.

Q5. [76713] **Angela Smith** (Basildon): Many of us find it very difficult to understand the mentality of those who abuse and inflict cruelty on children. The National Society for the Prevention of Cruelty to Children has estimated that one child a week dies from cruelty. Will the Deputy Prime Minister give his support, as many hon. Members on both sides of the House already have, to the NSPCC's full stop campaign to end cruelty to children within a generation? Will he give his personal support to the pledge, sign it and do what he can to stop such cruelty?

The Deputy Prime Minister: The Government welcome the NSPCC's initiative of this week. Indeed, many of the plans that the NSPCC is proposing are in line with the Government's strategy to help more children to be protected from harm and to be given the best possible start in life. I am sure that every hon. Member feels exactly the same about that and that there is common agreement between us.

As for my personal support, I am pleased to say that, at the end of January, I helped to launch the NSPCC's vision for children campaign and signed the petition that my hon. Friend talked of. I did it with the director of the society. I am sure that all hon. Members would like to express full support for all the society does.

Mr. Lilley: This week saw a mass demonstration by lorry drivers who face ruin after the Budget. The Confederation of British Industry, the chambers of commerce and road transport unions all say that 50,000 jobs will go. Was the Deputy Prime Minister consulted by the Chancellor of the Exchequer about the job-destroying fuel tax increases; if so, did he argue against them?

The Deputy Prime Minister: Yes, I did hold discussions with my right hon. Friend the Chancellor. We are agreed that we desire to achieve a better environment in the United Kingdom, with increasing economic prosperity. In our debates on the lorry industry, it has become clear that—although there is much talk of travelling and transferring abroad—operating costs for the United Kingdom industry are about £600,000 less than in places such as France, Germany or Belgium. Costs for UK operators are therefore considerably different from those of their competitors abroad. That has been confirmed by an international consultant's report stating that costs for UK operators are two thirds those of some of their major competitors.

If there is concern about jobs, I should say that the boom-and-bust cycle under the previous Administration—of whom the right hon. Gentleman was a member, helping to develop the Treasury's boom-and-bust policy—directly caused hundreds of thousands of hauliers to go to the wall. So we have no reason whatsoever to be apologetic for ensuring that the road industry has a proper part to play—and that the haulage industry has an essential part to play—in an integrated transport policy, which we are now developing.

Mr. Lilley: So the right hon. Gentleman was consulted, he did agree—and he apparently believes that all those truckers came to London to thank him for the benign regime that he has put in place for them! Is he aware of the case of Shaun Neal, of Harwich, who says in today's newspapers:

"We were struggling before the Budget . . . Now we haven't got a chance. . . . Every corner we turn we have been hit by another"—

Government—"tax"?

The bogus figures that the Deputy Prime Minister mentioned will not convince Shaun Neal or hauliers in Labour Members' constituencies. Since the Government have now been forced into crisis talks with the road haulage industry, will the Deputy Prime Minister tell the House whether he is prepared to discuss withdrawing the Budget fuel tax rise?

The Deputy Prime Minister: I think it is a bit much when someone from the previous Administration, who introduced the fuel tax escalator—which has created much of the cost that the right hon. Gentleman is talking about—asks us to remove it. We will not. The Budget is set. We believe that it is a fair Budget, and that it deals with the type of economic problems that we inherited from the previous Administration. All the signs show that it is successful: lower interest rates, increasing growth—those facts show a successful economy.

Perhaps I should give the right hon. Gentleman a quote from the previous Chancellor, who—when talking of those who are critical of the fuel escalator—said:

"Any critic of the Government's"—

the previous Government's—

"tax plans who claims also to support the international agreement to curb carbon dioxide emissions will be sailing dangerously near to hypocrisy".—[*Official Report*, 30 November 1993; Vol. 233, c. 939.]

That is precisely what the right hon. Gentleman is doing.

Mr. Lilley: Is the Deputy Prime Minister aware that his refusal to give a clear promise to discuss the withdrawal or reduction of those tax rises will come as a bitter blow to the Road Haulage Association—which has said that without those issues on the table, the talks are worthless? Is it not typical of the Government that they offer no real help? Is it not shameful that he, as Secretary of State for Transport, was off playing Jacques Cousteau when the Government decided to introduce the measures? Is not his refusal today the final proof that they are a tax-raising Government who do not care about British truckers, British business and British jobs?

The Deputy Prime Minister: It is quite clear from what the right hon. Gentleman says that he does not concern himself with the British environment. Ours is a balanced judgment between economic prosperity and the best environmental solution. We think that we have achieved that balance in the Budget. I tell him that, yes, we are holding discussions with the industry—more than were held by the previous Administration—in a forum that my right hon. Friend has convened. Of course we shall discuss in that forum the concerns of the road haulage industry.

As for the cheap jibe on diving, the people of the United Kingdom can make a judgment on whether— *[Interruption.]* They can. Whether it is on saving the tiger or on diving among the reefs, we have to make a judgment. I shall, as Secretary of State for the Environment, try to do that. I can however tell the right hon. Gentleman that although I dived to 80 ft, I did not dive deep enough to reach the low Tory poll rating.

Mr. Tom Clarke (Coatbridge and Chryston): Will my right hon. Friend join me in congratulating most warmly those Brits who received magnificent awards at the Oscars this year? Does he accept that, from day one, the Government were determined to build the foundations for even greater success in future? When the film action report is published next month, will it ensure that at least 20 per cent. of the films projected in British cinemas will be British, thereby illuminating the British genius to which Richard Attenborough frequently refers?

The Deputy Prime Minister: The whole House would want to join my right hon. Friend in congratulating the British film industry on its tremendous achievements. However, it was sad that some of them were based on American rather than British money. We feel that that could be improved and the proposals by my right hon. Friend the Chancellor in the Budget are a step towards making it a totally British operation.

Q6. [76714] **Mr. Peter Luff** (Mid-Worcestershire): On the subject of stealth taxes, who does the Deputy Prime Minister think is to blame for the fact that the Labour and Liberal Democrat councillors who run Worcestershire county council have raised the council tax by more than four times the rate of inflation? Is it them, is it him or is it all of them?

The Deputy Prime Minister: It has become clear since various authorities have announced their proposed council taxes that the average council tax increase under Tory councils is something like 9.8 per cent. whereas under Labour councils it is something like 6.7 per cent. So we are witnessing better value under Labour councils than under Tory councils.

Mr. Robin Corbett (Birmingham, Erdington): May I tell the Deputy Prime Minister of the concern of a large number of car component manufacturers in my constituency and in the rest of Birmingham and the west midlands about the time that the Government are taking to decide how much investment they want to make in the future success of Rover? Will he contact his ministerial colleagues today and ask them to reach a quick decision, to allow Rover to build on the success that its management and work force have achieved over the past few years?

The Deputy Prime Minister: The House will understand the concerns that have just been expressed. Indeed, the Government are actively involved in the matter. I shall certainly pass on my hon. Friend's views to my ministerial colleagues, particularly the Secretary of State for Trade and Industry.

Q7. [76715] **Mr. Desmond Swayne** (New Forest, West): Is the House Library's arithmetic accurate when it reveals that next year taxation will rise by £7.1 billion as a result of the Chancellor's three Budgets? How does the Deputy Prime Minister explain the contrast between those figures and the spin that the Chancellor placed on the Budget?

The Deputy Prime Minister: The hon. Gentleman can refer to page 14 of the Red Book. I am not aware that the actual figures are disputed. The total amounts are disputed and how they are allocated has been a matter of argument, but there is no doubt about the overall tax benefits to many thousands of people. If the hon. Gentleman is so concerned about tax, is he not also concerned about Hampshire county council, which has increased council tax by 9.4 per cent. despite receiving one of the highest settlements?

Mr. Ivan Henderson (Harwich): One of the main reasons for long-term unemployment in my constituency is the previous Government's lack of interest in the British shipping industry. At one time there were 1,800 shipworkers in my constituency; now there are 58. Will my hon. Friend assure me that the Government will take measures to halt any further decline in the industry?

The Deputy Prime Minister: I agree very much with what my hon. Friend says. My right hon. Friend the Chancellor has made it clear that he is concerned about the decline of the shipping industry. He has appointed Lord Alexander to look into financial policies that could reverse that decline. We have heard a lot from the Conservatives about lorry companies flagging out abroad to a flag of convenience. They presided over a fall in the British merchant fleet from 1,400 ships to fewer than 200 under flags of convenience. Whenever I protested,

I was told that it was all about competition. What a different attitude they have to the lorry hauliers' flag of convenience argument.

Q8. [76716] **Mr. Christopher Fraser** (Mid-Dorset and North Poole): Is the Deputy Prime Minister in favour of parental choice and selection in education? *[Interruption.]*

The Deputy Prime Minister: I am sorry, I did not hear that.

Madam Speaker: If hon. Members were less noisy, we would hear the questions.

Mr. Fraser: I am prepared to give the Deputy Prime Minister enough time to try to answer the question. Is he in favour of parental choice and selection in education?

The Deputy Prime Minister: I am sorry that I did not hear the question. The selection system, and the 11-plus particularly, worked against me. I believe in a comprehensive education system. We should be able to meet the demands of all children, however gifted, in a comprehensive system. That is what we are trying to do with our "education, education, education" policies.

Q9. [76717] **Mr. Andrew Mackinlay** (Thurrock): Did my right hon. Friend share my satisfaction when he read page 16 of our White Paper setting out our proposals for freedom of information legislation, which makes it clear that we intend to set a test for those who wish to stop disclosure of information? They will have to demonstrate that substantial harm would ensue. Has my right hon. Friend also noted that recommendation 9 of Sir William Macpherson's report says that the police should be brought under freedom of information legislation and that the substantial harm test should apply? Will he tell the House that we stand by our commitment set out in our White Paper and that we accept the unambiguous recommendation of Sir William Macpherson?

The Deputy Prime Minister *rose—*

Mr. Mackinlay: And if not, why not?

The Deputy Prime Minister: I am pleased to answer my hon. Friend the Member for Sketch Writer, East. We have made clear the important principle in the White Paper. We hope that the Bill will be published in early May and it will address that point.

Mr. Eric Forth (Bromley and Chislehurst): In view of the ruling of the Law Lords a short time ago and their comments on the substantial reduction in the number of extraditable charges, when will we get a decision from the Home Secretary on the Pinochet case?

The Deputy Prime Minister: The legal arguments on the state of immunity have been given the most careful and thorough consideration. Our highest court, sitting with seven Law Lords, has today given its judgment. The case remains sub judice and my right hon. Friend the Home Secretary will consider the judgment.

Q10. [76718] **Mr. Jim Fitzpatrick** (Poplar and Canning Town): My right hon. Friend will be aware of the importance of transport infrastructure to the regeneration of east London. His commitment to the channel tunnel rail link and its benefits not only to east London but to the whole country are well documented. Will he advise us of the progress that is being made on the Jubilee line extension, which, with the docklands light railway, is a key element to drive forward the regeneration of east London? What success is he achieving in rescuing the scheme from the chaos left by the Conservatives?

The Deputy Prime Minister: We are confident that London Transport will open the Jubilee line extension in time for the millennium. We are in regular contact with London Transport and we are monitoring the situation closely. The House will be aware that I had to renegotiate the channel tunnel rail link agreement. The original agreement was disastrous for the taxpayer. The project was bankrupt, and we had to regenerate it. By a new form of financing, we were able to rebuild the channel tunnel rail link, which has now been started. The investment of more than £5 billion has been very important in the rebuilding of the Thames gateway area.

Q11. [76719] **Mr. Nigel Evans** (Ribble Valley): Will the Deputy Prime Minister confine his remarks to the Ribble valley? The council tax in the Ribble valley is rising by 7.5 per cent.—more than three times the rate of inflation. We have a Liberal Democrat borough council and a Labour-run county council. Many of my constituents have had wage increases at the rate of inflation, and many are farmers whose wages have actually decreased. What does the right hon. Gentleman consider an excessive rise in the council tax? What protection can he give to the people of the Ribble valley from being clobbered by an increase of three times the rate of inflation?

The Deputy Prime Minister: The House will expect me to give my considered judgment on the council tax increases in all local authorities shortly. I have to report my judgment to the House. That is the normal practice, and I hope that the hon. Gentleman will await that statement.

As for the hon. Gentleman's constituents being clobbered by the Budget, let me tell him that 11,400 families, 17,000 pensioners and 1,700 small and large businesses in Ribble Valley benefited from the Budget. More than £25 million extra was provided for education in his constituency, and £222 million for health. How can he talk about his constituents being clobbered? It is about time he talked to them about a successful Labour Government beginning to repair the damage done by the previous Administration.

Points of Order

3.32 pm

Sir Norman Fowler (Sutton Coldfield): On a point of order, Madam Speaker. At 2 o'clock this afternoon, the House of Lords announced its decision in the case of Senator Pinochet. According to Lord Browne-Wilkinson:

"The result of this decision is to eliminate the majority of the charges levelled against Senator Pinochet by the Government of Spain and relied upon as the basis for extraditing him."

The charges have been drastically reduced, and only very limited charges remain. In giving judgment, their lordships said that the whole matter should be reconsidered by the Home Secretary.

As you know, Madam Speaker, it has been the consistent view of the Opposition that this matter should be settled in Chile, and not here. What I would like to ask for goes further than what the Deputy Prime Minister has just said. I would like to ask the Home Secretary to review the case with the utmost urgency, and to make a statement to the House as soon as possible—preferably in the next few days.

Madam Speaker: The right hon. Gentleman and the House will have heard what the Deputy Prime Minister has had to say. I am sure that most Members will know that the House of Lords has decided that Senator Pinochet does not have immunity from prosecution in respect of some charges in the warrants against him. Extradition proceedings against the senator are still pending. The courts will have to decide whether the evidence against the senator is sufficient to warrant his trial in Spain.

The remaining charges relate to events that have occurred since 1988 and I cannot, under our sub judice rule, allow a reference to them. Following what I have said, it will be obvious to hon. Members that I have not had an application from the Home Secretary to make a statement on those matters. The Home Secretary is on the Front Bench and will have heard the exchanges.

Mr. David Wilshire (Spelthorne): On a point of order, Madam Speaker. At the beginning of this month, I asked you what a Government Minister should do with a leaked document. Subsequently, you kindly wrote to me to explain that you were referring the matter to the Select Committee on Standards and Privileges. Are you now in a position to report any progress?

Madam Speaker: Yes, I am. When the hon. Gentleman raised the matter with me—quite rightly—I undertook to look into it and to reflect on it. I am sorry that he has not been able to follow what has happened since then. Subsequently, I asked the Select Committee on Standards and Privileges to take the issue under consideration. Its views were communicated to me in a letter, which was placed in the Library.

In essence, the Committee's view is that the fundamental responsibility of Members who receive leaked copies of Select Committee reports before publication must be to act in a way that does not impede the Select Committee in the discharge of its responsibilities to the House. In the judgment of the Standards and Privileges Committee, the Member should not make use of leaked Select Committee papers and should return them without delay to the Clerk of the Select Committee.

The Standards and Privileges Committee may have more to say on the subject once it has completed its inquiry into the leak from the Foreign Affairs Committee.

Mr. Tony Benn (Chesterfield): On a point of order, Madam Speaker. Yesterday, the Leader of the House made it plain that it would be possible for tomorrow's debate to relate to the situation in Kosovo, which the House would otherwise have no opportunity to discuss. On an Adjournment debate, there is not normally a vote, although it is possible to register an opinion on the Adjournment. That has been done; I have done it myself. Ought not the Government, in view of the gravity of the decision announced yesterday, to replace the Adjournment debate with a debate inviting the House to endorse a motion, so that those who agree with it can support it and those with a contrary view can register that view in the Lobby?

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): Further to that point of order, Madam Speaker. It may be of assistance to the House if I make two brief observations. First, the Government are conscious of the fact that the debate announced for tomorrow is likely to be dominated by Kosovo and recognise that the House will not want to lose the time for a general debate on defence. Secondly, there are hardly any precedents for a debate on such a matter, at a time of conflict, other than on the Adjournment. That was true throughout the Falklands war and almost throughout the Gulf war.

Mr. Benn *rose—*

Madam Speaker: Order. I cannot allow a debate on a point of order. I think that the Leader of the House has made the Government's position absolutely clear. I understand the wide range of views on the issue, and I shall certainly see that there is an opportunity for that wide rainbow spectrum of views to be heard in tomorrow's debate.

Mr. Benn: Further to that point of order. I am not debating your ruling, Madam Speaker, merely clarifying the point that, in view of what the Leader of the House has just said, there is a precedent, when no motion is tabled, for the House to register its opinion on a vote on the Adjournment, and I want to be sure that my recollection of that is correct.

Mr. Michael Jack (Fylde): On a point of order, Madam Speaker. Item 4 of our business today, "Reform of the Structural and Cohesion Funds", was referred to in Prime Minister's questions by the hon. Member for St. Ives (Mr. George), who drew our attention to his wish for Cornwall to have objective 1 status. The matter was discussed at length yesterday in European Standing Committee C. May I seek your assurance that the *Hansard* report of those proceedings will properly reflect the fact that no Liberal Democrat Member attended that Committee to raise the matter?

Madam Speaker: That is a good try, but not a matter for me, I fear.

BILL PRESENTED

WILDLIFE AND COUNTRYSIDE (AMENDMENT)

Mr. James Wallace, supported by Mr. Roy Beggs, Mr. Norman Baker, Mr. Peter Bottomley, Mr. Lindsay Hoyle and Mr. Alasdair Morgan, presented a Bill to amend the Wildlife and Countryside Act 1981 with respect to acts of recklessness, time limits for bringing proceedings and penalties: And the same was read the First time; and ordered to be read a Second time on Friday 21 May, and to be printed [Bill 71].

Pensions (Amendment)

3.39 pm

Mr. Andrew Mackinlay (Thurrock) *rose—[Interruption.]*

Madam Speaker: Order. I cannot hear the hon. Gentleman for all the hon. Members chatting around him. He is so popular that I can hardly see him.

Mr. Mackinlay: I beg to move,

That leave be given to bring in a Bill to require the Secretary of State to report annually on service pensions, war pensions and war widows' pensions.

The Bill would require the Government to present an annual report to Parliament on the value of service pensions, war pensions and war widows pensions, and related issues. It would also require the disclosure of details on the number of pensioners and the degree of sufficiency afforded by the various benefits, allowances and pensions, as well as details of the Government's plans to improve such benefits and pensions. The Secretary of State would be obliged to consider representations from both individuals and organisations involved with ex-service people and to consult them before presenting such a report to Parliament.

Such legislation is timely, because there is a growing body of opinion among all our constituents that the voice of those who made considerable sacrifices on behalf of the United Kingdom in the armed forces is not sufficiently reflected in our deliberations. I remind the House that the last time that we had a debate on veterans' issues was on 1 July 1996, when I won the ballot for a Friday morning debate—an opportunity now denied to Back Benchers. It is many years since a Prime Minister met in summit with the representatives of ex-service organisations. In other countries, such a situation would not endure. In the United States of America, all ex-service organisation have regular access to the highest levels of the Administration and to the President himself.

We need to create a culture whereby Government is much more sensitive to the needs of ex-service people. An identical Bill to my measure passed through all its stages after it was introduced in the House of Lords by Lord Morris of Manchester. If this Bill had been on the statute book and placed its duties on Government, the interests of those suffering from what we know as Gulf war syndrome, and related illnesses, might be substantially more advanced than they are. The indefensible anomaly whereby war widows pensions and war disablement pensions have different values in different local authority areas, would probably also have been resolved.

There is also the scandal of the "pensions trough". Often, the recommendations of the armed forces pay review body are implemented in stages and that disadvantages those retiring at certain times of the year, compared to their colleagues with identical service who retire at a different stage of the calendar year. If the Government were forced to make an annual report to the House, followed by a debate, on the state of war pensions, it would force us to address that issue.

I also wish to flag up the continuing disagreement between the ex-service organisations and the Government on the issue of noise-induced hearing loss. I believe that it

is proven that many ex-service men and, I suppose, some women have suffered a loss of hearing because of their war service. However, that is not sufficiently recognised by the Ministry of Defence and the Department of Social Security.

Before 1973, war widows campaigned for an improvement in their pensions. They achieved something for their successors in that the spouses of ex-service men and women retiring after 1973 were entitled to receive half the "spouses" pension on being widowed. Those who were widowed before 1973 still receive only one third of their spouses' retirement pension. I remind the House that that group includes the second world war generation and we are the beneficiaries of their sacrifice. Their number is diminishing and they are growing more frail. We have a duty and obligation to discriminate in their favour.

The Royal British Legion, the Officers Pension Society—which, despite its name, represents the interests of all ranks—and all the other ex-service organisations feel strongly that the Bill should be placed on the statute book as a discipline on Governments, of whatever political complexion, so that those issues are automatically addressed every year by the House of Commons. Another illustration of my case is the position of the spouses of ex-service men—and some women—who married their spouses after they had retired from the armed forces. There is appalling discrimination against them. Those who fall into that category, after 1978, may receive a war widows pension, but those who were in that category before 1978 do not. That discriminates badly against the older generation.

I do not want to detain the House, which has much to address itself to this afternoon. However, I did not realise a couple of weeks ago, when I decided to introduce the Bill, that I would do so on such a poignant day. In a few hours, the men and women of our armed forces may be required by Her Majesty's Government to put themselves in peril. Whenever forces are deployed, particularly in a war, accidents happen and there are injuries under enemy fire.

We hope and pray that casualties will be kept to a minimum if engagement in Kosovo proves inevitable. Throughout history, the House of Commons has rather glibly expected the men and women of our armed forces to put themselves in danger. We owe them a great debt, and I do not think that we repay it sufficiently. I hope that the men and women who will be deployed today and the men and women who have given service in the past will find favour with the Bill. I ask the House to endorse it.

Question put and agreed to.

Bill ordered to be brought in by Mr. Andrew Mackinlay, Mr. Syd Rapson, Mr. Ronnie Campbell, Mr. Michael Fabricant, Mr. Martin Bell, Mr. Roy Beggs, Mr. Paul Flynn, Mr. Jim Dobbin, Dr. David Clark, Mr. Rhodri Morgan, Mr. Bob Russell and Mr. David Crausby.

PENSIONS (AMENDMENT)

Mr. Andrew Mackinlay accordingly presented a Bill to require the Secretary of State to report annually on service pensions, war pensions and war widows' pensions: And the same was read the First time; and ordered to be read a Second time on Friday 26 March, and to be printed [Bill 72].

REFORM OF THE STRUCTURAL AND COHESION FUNDS

Resolved,

That this House takes note of the unnumbered Explanatory Memorandum submitted by the Department of Trade and Industry on 17th April 1998 relating to reform of the Structural Funds, the unnumbered Explanatory Memorandum submitted by the Department of Trade and Industry on 17th April 1998 relating to Agenda 2000, reform of the Cohesion Fund, and European Union Document No. 5480/99, an amended draft Council Regulation on the European Regional Fund; and supports the Government's view that reform of the European Structural and Cohesion Funds is essential in preparation for enlargement and should be concluded by a fair, affordable and durable outcome for all Member States; agrees that the Cohesion Fund is no longer justified where Member States have been admitted to Stage 3 of EMU, and should be phased out as soon as possible, and that the European Development Fund Regulation provides a suitable basis for the use of that Fund.—*[Mr. Dowd.]*

Orders of the Day

Local Government Bill (Allocation of Time)

3.47 pm

The Minister for Local Government and Housing (Ms Hilary Armstrong): I beg to move,

That the following provisions shall apply to remaining proceedings on the Local Government Bill:

Timetable

1. Proceedings on Consideration and on Third Reading shall be completed at the sitting this day and shall be brought to a conclusion, if not previously concluded, five hours after the commencement of proceedings on this Motion.

Questions to be put

2. For the purpose of bringing proceedings to a conclusion in accordance with paragraph 1 the Speaker shall forthwith put the following Questions (but no others)—

(a) any Question already proposed from the Chair;

(b) any Question necessary to bring to a decision a Question so proposed;

(c) the Question on any amendment moved or Motion made by a Minister of the Crown;

(d) any other Question necessary for the disposal of the business to be concluded.

3. On a Motion made for a new Clause or a new Schedule, the Speaker shall put only the Question that the Clause or Schedule be added to the Bill.

Miscellaneous

4. Standing Order No. 15(1) (Exempted business) shall apply to proceedings on the Bill at the sitting this day; and the proceedings shall not be interrupted under any Standing Order relating to the sittings of the House.

5. The proceedings on any Motion made by a Minister of the Crown for varying or supplementing the provisions of this Order shall, if not previously concluded, be brought to a conclusion one hour after commencement; and Standing Order No. 15(1) shall apply to those proceedings.

6. Standing Order No. 82 (Business Committee) shall not apply in relation to proceedings on the Bill.

7. No Motion shall be made, except by a Minister of the Crown, to alter the order in which proceedings on the Bill are taken or to recommit the Bill; and if a Minister makes a Motion to alter the order of proceedings or to recommit the Bill, the Question shall be put forthwith.

8. No dilatory Motion shall be made in relation to the Bill except by a Minister of the Crown.

9. If at the sitting this day a Motion for the Adjournment of the House under Standing Order No. 24 stands over to Seven o'clock and proceedings on this Motion have begun before that time, the Motion for the Adjournment shall stand over until the conclusion of proceedings on the Bill.

10. If the House is adjourned at the sitting this day, or the sitting is suspended, before the conclusion of proceedings on the Bill, no notice shall be required of a Motion made at the next sitting by a Minister of the Crown for varying or supplementing the provisions of this Order.

The Local Government Bill was in Committee for more than 36 hours, over 15 sittings. Detailed scrutiny of more than 200 amendments and nine new clauses took place. Debate was conducted in good spirit: it was overwhelmingly constructive, and there was a general intention to improve the Bill, not to wreck it. An informal timetable was agreed, and it was used effectively and without curtailment of debate on any point raised by the Opposition. There was no complaint, from either side of the House, about insufficient time having been allocated for debate. In fact, the Bill finished earlier than the timetable allowed. We spent an average of 37.5 minutes on each group of amendments. Last night, in five hours—six if we include the money resolution—we managed to consider just two groups of amendments.

Today, we will complete Report stage and Third Reading of the Bill. It has received widespread support from local government, the public and private sectors as well as the Trades Union Congress and the Confederation of British Industry. It is a measure of the isolation of the official Opposition that, despite widespread support urging us to enact the Bill, they sought last night to make a mockery of debate on the Bill. We saw their tactics in the Chamber last night. More importantly, we know that they had briefed journalists that they intended to use those tactics. I was told that they intended to disrupt proceedings.

All the huffing and puffing of Opposition Members—we saw much of it last night—is only so much hot air when we recall their enthusiasm for guillotining debate on the poll tax and the abolition of the Greater London council. That legislation was passed in the face of bitter opposition from local government, let alone the people of this country, in contrast to the support that this Bill has received. Their protests are exposed for the sham that they really are when we recall the use of 12 guillotine motions in one Session of Parliament when the Conservative party was in government.

Let us now stop the childish bickering and get on with debating the Bill. It is a serious matter and it deserves serious consideration. So far, it has not been treated seriously on the Floor of the House on Report by the Conservative party. We look forward to a constructive debate today.

3.51 pm

Mr. Bernard Jenkin (North Essex): I detect a marked change of tone between the Minister today and the Leader of the House last night. The Minister expresses some regret at having to move the guillotine motion. There was no sense of regret from the Government last night. The guillotine was announced with glee and joy by the Government. They exulted in curbing discussion and debate in the House last night.

We are constantly reminded that the Labour party claims to be a people's party, but the Government behave more like the only party that rules the People's Republic of China than a party in a democratic state. I am sure that the Minister agrees that there must be a better way of conducting these affairs. Why, then, was no approach made to any Conservative Member about the slow progress made yesterday afternoon? No formal approach was made. If concerns had been raised, they would no doubt have been heeded.

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Alan Meale): I beg to differ with the hon. Gentleman. I had contact with his Whip on the Bill. I said that progress was slow and asked whether we were expected to go through the night and whether that was sensible.

Mr. Jenkin: At no point did the Minister suggest that his patience was as short as it was or that he was so

looking forward to his early bed. It would have been better if the Government had engaged in some proper discussion rather than acting precipitately and with triumph in their eyes to crush discussion and debate.

There remain many substantive issues to discuss. Many of the issues will have to be raised in the other place. However, we know what will happen if the other place takes a different view from that of the Government—it will be treated with scorn and derision too, and set aside as though it had no right to any discussion. It has become characteristic of the Government that proper discussion and debate are stifled. I want to take only a little time on the motion, because we want to devote the time available to the substantive issues raised by the amendments rather than to the motion.

The motion is the worst kind of guillotine. At no point was there any discussion about how the time might be allocated to different parts of the Bill. Worse than that, the motion sets a limit of five hours on the conclusion of all the proceedings on the Bill, including on the guillotine. So this discussion on the guillotine comes out of the time available for discussion on the Bill.

Mr. Dennis Skinner (Bolsover): It has happened before.

Mr. Jenkin: I give way to the hon. Gentleman.

Mr. Skinner: Not only has it happened before, but when the Tory Government were in power it happened quite regularly. Many of us on the Opposition Benches then used to curb whatever we had to say on the guillotine motion in order to spend more time on the principle of the debate. It is a bit rich for the hon. Gentleman to talk about autocratic regimes and all the rest of it. I was in the House when the Tory Government, who had 18 years, introduced guillotines on most of the privatisation legislation. They introduced a guillotine on the Single European Act. They introduced guillotines every single year. We had them coming out of our earholes. We have had only one guillotine since 1 May 1997. Who are the autocrats now?

Mr. Jenkin: It might be necessary to put guillotines on the hon. Gentleman's interventions; they are becoming so long now that he is in his dotage. On the substantial point he made, the Conservative party's attitude is changing. *[Interruption.]* Goodness me, the Labour party has changed its attitude on a large number of matters and have adopted Conservative views. It seems strange for the hon. Gentleman to justify joining in with what happened last night on the basis that he loathed it when we were doing it to him. We should all agree that there is a better way.

One of the ideas that the Select Committee on Procedure came up with was the timetabling of Bills. At no point did the Government ask us to consider a more constructive timetable for the Bill. We ended up with the least satisfactory kind of guillotine, which may suit the despots in the Whips Office, but does not suit democratic discussion in this country.

3.56 pm

Mr. Douglas Hogg (Sleaford and North Hykeham): I rise to express my concern at the decision to move a timetable motion. It is typical of the Government that, on the day when British service men might be going into action in Kosovo, the Government should be doing two things: first, they are truncating the vote on an important local government measure; and secondly, they are denying hon. Members an opportunity—even though pressure was exerted last night—to discuss Kosovo today on the rearranged business. It is typical of the Labour Government that they have done both those things.

The Bill is important, but we have been granted only five hours to discuss the remaining parts of it. We should remember that the Report stage is when hon. Members who were not members of the Committee have an opportunity to influence thinking. We have a substantial number of amendments and new clauses to discuss—there are 10 groups, containing more than 70 amendments. We know full well that if we divide on any one of those amendments, that time will come out of the allocated timetable.

Ms Armstrong *rose—*

Mr. Hogg: I shall give way in a moment.

The time for this debate will also come out of that timetable, as, no doubt, will the right hon. Lady's intervention.

Ms Armstrong: I welcome the right hon. and learned Member to local government debates. It is a pity that he did not show his face yesterday.

Mr. Hogg: I was here yesterday, listening in a despairing frame of mind because Labour Back Benchers did not participate at all. That was one of the points to which I wanted to draw your attention, Madam Speaker. The right hon. Member for Birkenhead (Mr. Field) made the point that the Government will get their way in any case. That is true, but participation in debate is an opportunity to highlight, and focus on, errors in a Bill. The Bill is important and its errors are not going to be addressed. When the Bill goes to another place, I hope that it will be debated extensively, as it should be, because their lordships will know that it has not been properly debated in this place.

One or two provisions in the Bill raise issues of fundamental importance. The Henry VIII clause—clause 15—is a scandal; it enables the Government to disapply legislation and to give powers to local authorities as they think fit. The only statutory mechanism that the Government are obliged to employ is the affirmative resolution procedure. However, as you will know better than most people, Madam Speaker, that procedure is unamendable. The Government are giving themselves powers to disapply legislation or to create new powers and obligations, subject only to the affirmative resolution procedure. I regard that as an absolute scandal. That matter, along with many others, should be the subject of extensive debate. To allow only five hours in which to debate 10 groups of amendments and the timetable motion, and to have such Divisions as the House might think appropriate, is in no sense an appropriate way to treat a democratic assembly.

4 pm

Mr. Adrian Sanders (Torbay): I do not want to take too much time, as I think that we should be spending our time debating the Bill. However, I hope that when the

[Mr. Adrian Sanders]

Minister replies she dissociates the Liberal Democrats from her remarks about Opposition Members wasting time. Yesterday evening, only one Liberal Democrat Member spoke, and that for only about 10 minutes.

4.1 pm

Mr. Richard Shepherd (Aldridge-Brownhills): I congratulate the Minister for Local Government and Housing on the way in which she moved the guillotine motion. The right hon. Lady addressed one of the issues that the House traditionally has to weigh, which is whether there is any question of delay in the conduct of the Report stage. However, she addressed little else: for example, she did not tell us that an unconscionable length of time had originally been spent on the Bill. Library notes used to advise us on guillotines, telling us how many hours had been spent on each stage of a Bill before a guillotine had been judged to be appropriate.

My right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) pointed out the historic reasons as to why it is appropriate that, on Report, the full range of Members of the House can bring to bear their views and judgment on the individual clauses and parts of a Bill. Following on from that, I wish to support the remarks made by my hon. Friend the Member for North Essex (Mr. Jenkin). It is intolerable to place before the House a guillotine motion that is constructed in such a way that it incorporates the Standing Order that allows three hours to debate it into the total time allowed for debate on the Bill, including Third Reading.

Given that the Government have clearly weighed that matter, let us suppose that the debate on the guillotine motion runs for three hours and that, quite appropriately, the House decides to divide on it. If that happens, the Government are telling the House and the country at large that consideration of all the clauses of the Bill and Third Reading is to be completed in only about one hour and 40 minutes. I do not believe that that can be the Government's intention.

I should like to think that this is an example of the mindless imposition of a poorly drafted guillotine. The two acts are quite separate. First, there is the question of why the Government think it appropriate and necessary to impose a guillotine; I am opposed to the use of guillotines, but the Government nevertheless make out a case. Secondly, there is the appropriate and proper consideration of the issues relating to the Bill.

The hon. Member for Bolsover (Mr. Skinner) was unerringly inaccurate in his assertion that today's guillotine is the first of this Parliament. The Labour Government have taken it into their head that it is wholly appropriate to guillotine even constitutional measures that are taken on the Floor of the House, and we have already had two guillotines on such measures. The Government should reflect on their action, despite the fact that the majority that is assembled will be sufficiently formidable to carry the guillotine motion. The Bill commands considerable support, both on the Government Benches and throughout the country, so there is no point in conducting such a major piece of legislation in this way. However, as on every great issue that faces the House, there is always another side to the argument. Surely it is not inappropriate that the other side should be able to have its say?

The intervention of the hon. Member for Bolsover encapsulated what has become the defence of a Government who turn to guillotines to an increasing extent—that two wrongs make a right. Criticism was rightly expressed at the time of the conduct of the three Governments between 1979 and 1997 who, to an increasing extent, imposed guillotines as a measure of the management of the House. The Minister, then in Opposition, opposed those measures at the time, but now, when she has the honour to serve the Government and therefore the interests of the people, she is prepared to bring forth this most onerous and hideous guillotine.

Reflect on it: that is all that I say to the Government. If the House decided to take its time on this issue, the way in which the Government have constructed the guillotine would reduce the entirety of the rest of the debate, including Third Reading, to one hour and 40 minutes. It is therefore not good enough to say that two wrongs make a right.

Mr. Hogg: Does my hon. Friend agree that, if we were to have a substantial number of Divisions on any of the amendments, we would not have time to debate Third Reading?

Mr. Shepherd: My right hon. and learned Friend made that point eloquently. It is one which has haunted debates on guillotines. The right hon. Lady and the other occupants of the Government Front Bench are fully aware of that. It is the very onerousness of the guillotine that suggests that there is a determination to restrict proper and appropriate debate.

I started by praising the right hon. Lady—

Mr. Eric Forth (Bromley and Chislehurst): Does my hon. Friend think that, in spite of everything that he has said, the Government may well have an opportunity, or may be forced, to take a different view from the one that they are now taking when the Bill returns from another place? If their lordships decide that it is their duty to examine carefully the parts of the Bill that we shall not be able to consider as a result of the guillotine, the result may be a large number of amendments coming back to us. I would hope that we shall then have an opportunity properly to consider those amendments, however an inadequate substitute that might be.

Mr. Shepherd: Indeed, one of the duties of any second Chamber is to try to take up those areas of great pieces of legislation that have not been properly scrutinised, or which that Chamber judges the House of Commons has not had the opportunity to examine. Every guillotine is an argument to the House of Lords that the work has not been done properly in this place.

That is the crux of new Labour and the signal to the world, which is almost a cant. New Labour believes in a people's Government. It says that it believes in people, people, people. Yet when it comes to the traditional processes of advising, arguing and informing the House, the Government seek a guillotine.

That charge was made against other Governments whom I served. I thought that the guillotine was wrong then, as I tried to tell the right hon. Lady. The business managers should consider the way in which the guillotine has been constructed. Her argument may be fair, and the

House will judge that and, in turn, whether there was unnecessary, imprudent and improper delay yesterday. Nevertheless, the business managers could have constructed a guillotine that allowed reasonable discussion of the parts of the Bill that the Government acknowledge are of importance to the country and to the structure of the Bill. This guillotine is bad and it should be rejected.

4.8 pm

Mr. Paul Burstow (Sutton and Cheam): Last night, the usual channels effectively failed to provide us with an orderly conduct of business that would have enabled us to debate all the groups of amendments that were before us. I regret that and the fact that we are having to have a debate today on a blunt instrument, the guillotine. I think that it will deny us the opportunity properly to scrutinise the Bill during the five hours that are available to us.

Right hon. and hon. Members have referred to the more serious clauses in the Bill that will arise later in our consideration of it. They are right to be concerned. Given the guillotine and the absence of any structure in terms of the time that we might take on each group of amendments, we might find that some of the more serious powers—not least the Henry VIII clause, which will give sweeping powers to Ministers—will go undebated on the Floor of the House. We might not have a chance to debate—let alone divide the House on—various aspects of that clause.

Five hours is not enough to do justice to an important Bill to which the Minister rightly attaches great store. Those outside, while rightly welcoming the Bill because it will remove compulsory competitive tendering from the statute book, have anxieties that we should be addressing. They extend to the introduction of the council tax benefit subsidy clawback and to the basis upon which the Government intend to take to themselves powers to cap local authorities. Those are serious matters and the amendments that relate to them should be debated and tested. We will not have the opportunity to do that.

I urge the Government to think again and to take the opportunity during today's business to try to reopen channels so that we can have a serious debate, even if it is, sadly, to be time limited. A guillotine as blunt as this one will do our democracy no good and will do no favours to those who will have to live with the effect of these local government proposals.

Question put:—

The House divided: Ayes 332, Noes 162.

Division No. 129] **[4.10 pm**

AYES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Atkins, Charlotte
Austin, John
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Stuart *(Middlesbrough)*
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Berrningham, Gerald
Best, Harold
Betts, Clive
Blackman, Liz
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Rt Hon Stephen
Caborn, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Caplin, Ivor
Casale, Roger
Chapman, Ben *(Wirral S)*
Chaytor, David
Church, Ms Judith
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Ewing, Mrs Margaret
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hood, Jimmy
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kingham, Ms Tess
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Lepper, David

Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
McDonnell, John
McGrady, Eddie
McGuire, Mrs Anne
McIsaac, Shona
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon John *(Aberavon)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Robertson, Rt Hon George *(Hamilton S)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Savidge, Malcolm
Sedgemore, Brian
Shaw, Jonathan
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Swinney, John
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Woolas, Phil
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. David Hanson and
Mr. David Jamieson.

NOES

Allan, Richard
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Ashdown, Rt Hon Paddy
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baker, Norman
Baldry, Tony
Ballard, Jackie
Beggs, Roy
Beith, Rt Hon A J
Beresford, Sir Paul
Body, Sir Richard
Boswell, Tim
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brake, Tom
Brand, Dr Peter
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Bruce, Malcolm *(Gordon)*
Burnett, John
Burns, Simon
Burstow, Paul
Campbell, Rt Hon Menzies *(NE Fife)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clark, Dr Michael *(Rayleigh)*
Clifton-Brown, Geoffrey
Collins, Tim
Cormack, Sir Patrick
Cotter, Brian
Cran, James
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice & Howden)*
Day, Stephen
Donaldson, Jeffrey
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forsythe, Clifford
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fox, Dr Liam
Fraser, Christopher
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gill, Christopher
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Harris, Dr Evan
Hawkins, Nick
Hayes, John
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jenkin, Bernard
Jones, Nigel *(Cheltenham)*
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Livsey, Richard
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacKay, Rt Hon Andrew
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Mates, Michael
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moore, Michael
Moss, Malcolm
Norman, Archie
Oaten, Mark
Opik, Lembit
Page, Richard
Paterson, Owen
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Faversham)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Soames, Nicholas
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Tapsell, Sir Peter

Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Thompson, William
Tonge, Dr Jenny
Townend, John
Tredinnick, David
Trend, Michael
Tyler, Paul
Viggers, Peter
Wallace, James
Walter, Robert
Wardle, Charles
Waterson, Nigel
Webb, Steve
Wells, Bowen
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Sir David Madel and
Mrs. Caroline Spelman.

Question accordingly agreed to.

Resolved,

That the following provisions shall apply to remaining proceedings on the Local Government Bill:

Timetable

1. Proceedings on Consideration and on Third Reading shall be completed at the sitting this day and shall be brought to a conclusion, if not previously concluded, five hours after the commencement of proceedings on this Motion.

Questions to be put

2. For the purpose of bringing proceedings to a conclusion in accordance with paragraph 1 the Speaker shall forthwith put the following Questions (but no others)—

(a) any Question already proposed from the Chair;

(b) any Question necessary to bring to a decision a Question so proposed;

(c) the Question on any amendment moved or Motion made by a Minister of the Crown;

(d) any other Question necessary for the disposal of the business to be concluded.

3. On a Motion made for a new Clause or a new Schedule, the Speaker shall put only the Question that the Clause or Schedule be added to the Bill.

Miscellaneous

4. Standing Order No. 15(1) (Exempted business) shall apply to proceedings on the Bill at the sitting this day; and the proceedings shall not be interrupted under any Standing Order relating to the sittings of the House.

5. The proceedings on any Motion made by a Minister of the Crown for varying or supplementing the provisions of this Order shall, if not previously concluded, be brought to a conclusion one hour after commencement; and Standing Order No. 15(1) shall apply to those proceedings.

6. Standing Order No. 82 (Business Committee) shall not apply in relation to proceedings on the Bill.

7. No Motion shall be made, except by a Minister of the Crown, to alter the order in which proceedings on the Bill are taken or to recommit the Bill; and if a Minister makes a Motion to alter the order of proceedings or to recommit the Bill, the Question shall be put forthwith.

8. No dilatory Motion shall be made in relation to the Bill except by a Minister of the Crown.

9. If at the sitting this day a Motion for the Adjournment of the House under Standing Order No. 24 stands over to Seven o'clock and proceedings on this Motion have begun before that time, the Motion for the Adjournment shall stand over until the conclusion of proceedings on the Bill.

10. If the House is adjourned at the sitting this day, or the sitting is suspended, before the conclusion of proceedings on the Bill, no notice shall be required of a Motion made at the next sitting by a Minister of the Crown for varying or supplementing the provisions of this Order.

Local Government Bill

As amended in the Standing Committee, further considered.

New Clause 6

ENDORSEMENT OF COUNCIL TAX BY REFERENDUM

'.—(1) Schedule 1 shall not apply when the council tax proposals of a relevant local authority have been endorsed in a referendum of electors registered within the local authority area.

(2) A proposal shall be deemed to have been endorsed if it is supported by a simple majority of voters where at least 50 per cent. of the electorate have voted.'.—*[Sir Paul Beresford.]*

Brought up, and read the First time.

4.23 pm

Sir Paul Beresford (Mole Valley): I beg to move, That the clause be read a Second time.

Madam Speaker: With this, it will be convenient to discuss the following amendments: No. 98, in clause 28, page 15, line 37, after 'regulation', insert 'and limitation (capping)'.

No. 1, in page 15, line 38, at end add

'but shall cease to apply on 1st April 2005.'.

No. 101, in clause 29, page 16, line 14, leave out 'authorities or'.

No. 102, in page 16, line 15, after 'authority', insert

'and the Greater London Authority'.

No. 103, in page 16, line 17, at end add

'provided that any criterion referring to an authority's budget requirement for the financial year beginning on 1st April 1998 shall be deemed to refer to the greater of the budget requirement and the amount of the authority's Standard Spending Assessment for that financial year.'.

No. 105, in page 16, line 37, leave out 'authorities or'.

No. 106, in page 16, line 37, after 'authority', insert

'and the Greater London Authority.'.

No. 84, in page 16, line 39, leave out subsection (7).

No. 85, in page 17, line 8, leave out subsection (11).

No. 42, in schedule 1, page 19, line 26, at end insert—

'( ) must include the principle that if the budget requirement is set below the total Standard Spending Assessment for an authority, it shall not be regarded as excessive.'.

No. 43, in page 19, line 26, at end insert—

'( ) must include the principle that if the budget requirement is set within twelve and one half per cent. in excess of an authority's total Standard Spending Assessment, it shall not be regarded as excessive.'.

No. 108, in page 19, line 33, at end insert—

'(e) it is between the Council Tax Band D for the authority and for the other authorities in its category of authority'.

No. 113, in page 19, line 34, leave out subsection 5.

No. 109, in page 19, line 34, leave out 'If'.

No. 111, in page 19, line 34, after 'State', insert 'will determine'.

No. 110, in page 19, line 34, leave out 'determines'.

No. 114, in page 19, line 43, leave out

'If he does not determine such categories,'.

No. 115, in page 20, line 2, after 'relevant', insert 'and is reasonable'.'

No. 117, in title, title, line 3, after 'regulation', insert 'and limitation (capping)'.

Sir Paul Beresford: Unusually perhaps, I shall start by speaking to the amendments, because they set the scene for the new clause. They all relate to two different forms of capping in the Bill—the crude and universal council tax benefit subsidy capping and the subjective, or selective, capping that was so proudly introduced by the Secretary of State earlier this year.

On Second Reading, I pointed out that the Bill, as far as it has been decorated for Labour Back Benchers, has a sugar coating of best value and removal of compulsory competitive tendering, but its core is an extremely bitter and unpleasant pill. The capping rules and regulations in the Bill are more unpleasant, more manipulative and more vicious than anything ever proposed by a Conservative Secretary of State, but, as Liberal Democrat Members have pointed out, they may be in the hands of a Conservative Secretary of State post-election.

I am tempted to suspect that the restriction of discussion on the Bill by the guillotine motion may be seen as a plus point for the Labour Whips because I am convinced that not only people in local government but many Labour Back Benchers are opposed to this double form of capping—or they would be, given half a chance. They recognise the measure as a manifesto about-turn—their manifesto, their about-turn.

No amount of scurrying and huffing and puffing by the Minister for Local Government and Housing in Committee covered the fact that the council tax benefit subsidy limitation is a crude, universal form of capping. Worse than that is the capping of a number of local authorities at a point below the standard spending assessment level. The secondary capping is selective capping; the powers have been renamed reserve powers.

The Department's own explanatory note makes clear just how extensive those powers are in comparison with the current arrangements. There are four such powers. First, the Secretary of State

"may designate the authority in-year"—

meaning the current financial year. Secondly—this is an additional power—the Secretary of State

"may designate the authority for the following year".

Thirdly—this is another additional power—he

"may set a notional budget requirement to be used for the purposes of comparisons instead of the actual budget requirement to decide if budget requirements are excessive".

Fourthly—another additional power—he

"may designate the authority over a number of years, starting in-year or the following year."

Those powers are more excessive than any that have ever been considered, which is why amendments Nos. 98 and 115 were tabled. The amendments make it clear that the Bill provides for a very heavy-handed form of double capping. No doubt, for spin-doctoring reasons, amendments Nos. 98 and 117 will be rejected, but I can see no reason for rejecting them other than the fear of losing face.

Mr. Patrick McLoughlin (West Derbyshire): Is there anything in the Bill to prevent a recurrence of what happened in Derbyshire this year? The county was capped

for £1 million on a budget of £470 million, and it cost £320,000 to change that. It was the tightest cap ever imposed on a local authority.

Sir Paul Beresford: I thank my hon. Friend for reminding us of that ludicrous situation, which raised a smile, although it was expensive for the people to whom it applied. Under the Bill, however, they could experience three further versions.

Amendment No. 103 refers to council tax benefit subsidy capping, but to only one aspect of it—perhaps the most insidious aspect. A number of local authorities will be capped at a level set below SSA. They are the authorities that set their budgets for 1998–99 below SSA. I realise that the SSA for 1999–2000 has come to mean what Ministers wish it to mean. The local government finance report states that

"the calculation makes use of information reflecting demographic, physical and social characteristics of each area."

That means whatever Ministers wish it to mean at the time. However, for the year 1998–99 the same report defined the SSA as

"representing an appropriate level of budget requirements to provide a standard level".

That means that, having set an SSA that indicates the level of services that they expect and by setting a capping level for council tax benefit subsidy below the SSA, the Government are forcing local authorities to provide substandard services.

For many years the SSA has been accepted as a floor below which various Secretaries of State have sought not to push local government. Now this Labour Government have done precisely that in the case of a number of authorities, including some quite poor ones, such as Brent, Newham and Ealing.

As I made clear in Committee, I oppose the regulations, but I am particularly opposed to the Government's outrageous attempt to hit local authorities by fixing their benefit subsidy level below SSA. Not only will the subsidy limitation mean that the nearly poor are paying for the poor; in the case of some local authorities, the setting of the level below SSA may well impinge to a small degree on the financing of the services that people require and expect. The amendment is designed to bring back the floor below which the Government cannot go—the floor that has always been there, and ought to be there.

4.30 pm

I now refer to amendments Nos. 102, 104, 105, 106, 109, 110, 111 and 114. As I have said, perhaps the most dubious aspect of the capping under schedule 1 is that it allows the Secretary of State to be extensively selective. By that, I mean that the Secretary of State may, if he or she wishes, choose every local authority for capping, or just one.

Careful perusal of the schedule will reveal that the justification for the selection could be genuine, arbitrary or even political. It is also possible for the Secretary of State to pick addictively on a particular authority, or a number of particular authorities, over one or a number of years.

The intention of the amendments, which may be technically flawed, is to impress on the Secretary of State and the House the subjectivity of the schedule. I suspect that the Minister will tear the amendments apart on technical grounds, but, if the House is aware of the subjectivity, it is possible for changes or amendments at a later stage—in another place, presumably—to return some reasonableness to these exceptionally heavy-handed and subjective capping rules.

Amendment No. 108 would require the Secretary of State, when considering whether to impose capping on a local authority, to compare that authority with other authorities in the same category. The intention is to bring some sense to a potentially unfair approach to specific local authorities.

The response of the Minister of State to the Liberal Democrat-inspired debate on council tax increases on Monday added to my concern. The right hon. Lady was on full bellowing form—her voice was raised and she thumped the Table to emphasise her points.

I specifically refer to column 45 of the *Official Report* of 22 March. The Minister of State selectively attacked three Conservative councils in London. She explained that the top three increases, in percentage terms, in council tax in London were in Conservative Kensington and Chelsea, Conservative Westminster and Conservative Wandsworth. In percentage terms, she was right. She went on to contrast them with other councils, specifically naming Labour Islington, Greenwich, Hackney and Lambeth, and to say that they were cutting council tax.

If that deceitful approach to the reality of council tax bills as they land on the doormats of London residents is an indication of the way in which the Minister of State proposes to select councils for capping, we will definitely need some realistic changes in the Bill.

It is worth putting the matter into perspective. In mentioning the council tax increases of those three Conservative authorities in percentage terms, the Minister of State paid no regard to the reality of the bills as they were handed out. In pure money terms, at band D, the increases in those three authorities' council tax were average or below average in London, but if one lists the actual council taxes at band D, the four lowest in London are in those three Conservative authorities, plus the City of London.

What is more, in terms of the average council tax paid by residents, Wandsworth council continues the trend of the past 20 years—for two decades, it has had the lowest average council tax not only in London in the country—and that despite the manipulation of the SSA, which has meant that the council has had its centrally distributed funds for the financial year cut by £3 million.

I am bearing in mind the best value aspects of the Bill when I say that Wandsworth council has a reputation for quality services, as shown by the fact that, between 1996 and 1998, it collected the greatest number of charter marks. The council always does well in the Audit Commission performance indicator charts, which will be used for best value.

Perhaps the final accolade is the fact that Wandsworth is a Conservative council in an inner-city area and has a strong majority. It has been backed year after year by popular vote—a popular vote that is given to it because of the combination of its ability to produce quality services, best value services and value for money.

In Monday's debate, the Minister added to her iniquitous attacks by singling out for praise Islington, Greenwich and Hackney. Curiously, she praised them

[Sir Paul Beresford]

because they had reduced council tax. The reality is that, using her—percentage—terms, they reduced council tax by less than 1 per cent. The situation is even more appalling when one realises that band D council tax for Conservative Westminster and Wandsworth is £230 and £250 respectively, whereas it is £670 for Hackney, £763 for Greenwich and a staggering £792 for Islington. All that those councils could manage was a tax reduction of less than 1 per cent. on taxes that are three times higher than those of the councils that the right hon. Lady chose to criticise.

The point of amendment No. 108 is quite clear. If a Labour Secretary of State decides to pick on Westminster or Wandsworth—as the Minister did on Monday—or on any other local authority, he or she will be required to compare the bills on the doorsteps of residents of that authority with those of other similar authorities. Specifically, Westminster and Wandsworth compare well with other authorities on quality of services, and on the fact that they managed to produce those services at low cost to their residents.

Amendment No. 115 would add the words "and is reasonable" to subsection 52B(7)—which, currently and quite astoundingly, states:

"In determining categories of authorities for the year under consideration the Secretary of State shall take into account any information he thinks is relevant."

The subsection must be brought back within reason; hence, the amendment to add the words "and is reasonable".

Hon. Members will see that that catch-all subsection would enable the Secretary of State to be selective, if he or she wishes, in an extreme and unreasonable manner. It would be quite possible, for example—to develop the point that I was making on the previous amendment—for the Secretary of State to select any authority whose name began with "D" and ended in "ty", or began with "W" and ended in "th".

Amendments Nos. 108 and 103 were tabled specifically to be helpful amendments, and are intended to bring a little fairness and a tiny bit of reasonableness to a Bill which currently would enable the Secretary of State unreasonably to savage individual local authorities as he or she saw fit.

In Committee, the hon. Member for Milton Keynes, North-East (Mr. White) described an interesting situation in which his local authority decided to set council tax by reference to a referendum of local people. I realise that such an approach could be heavily flawed, according to the nature of the question and the composition of the electorate—whether it comprises those who pay and receive, only those who pay, or only those who receive.

Such referendums, however, offer an interesting prospect. If the Secretary of State came blundering in, treading on the sensibilities of local people—who might want and could then vote for specific services, at a specific price, performed in a specific manner, and, therefore, at a specific cost—the Secretary of State would have to leave that local authority alone. In essence, assuming that it was a fair and above-board referendum in which the cases for and against were quite clearly put and more than 50 per cent. of the potential electorate voted, the electorate's wishes would have to be heeded, over and above the Secretary of State's desire to step in and apply capping. I am sure that most hon. Members would think that such a suggestion is not unreasonable, subject to the establishment of various standards.

Mr. James Gray (North Wiltshire): Has my hon. Friend noticed that, such is the Labour party's commitment to local government and interest in the Bill, that there is not one Labour Back Bencher in the Chamber?

Sir Paul Beresford: Yes, I had noticed that. I hope that they are watching the debate on television. Much of what we are saying today hurts them. It relates to the very substance of the belief of most Labour Back Benchers. I hope that they are watching so that they can ponder on that when they come to vote.

In summary, this group of proposals, including new clause 6, seeks, in a generally helpful way, to bring some reasonableness and reality to the vicious and bitter core of the Bill.

Mr. Adrian Sanders (Torbay): I shall speak to amendments Nos. 1, 84 and 85. I shall also deal briefly with amendments Nos. 84 and 85.

Amendment No. 84 removes the subsection on commencement. It appears to have the same effect as our amendment No. 39, tabled in Committee, in that it delays for a year the implementation of council tax benefit subsidy limitation. Amendment No. 85 seeks to remove the Government's amendment, also tabled in Committee, introducing modifications for the financial year 1999-2000. Both amendments concern the iniquitous council tax benefit clawback proposals.

The council tax benefit subsidy limitation scheme is designed to limit the amount of council tax benefit subsidy paid to local authorities if they levy a council tax increase that the Government regard as excessive, irrespective of whether the increase was due to the local authority or to adverse changes in Government grant. The penalty works on a sliding scale: a council that increases its bill by 5 per cent. will have to find one eighth of the additional benefit bill, while one that increases its bill by 8 per cent. will have to find the entire additional amount. As a result, bills will have to rise still further, bringing more people into the benefit system. Councils with a very low proportion of people on council tax benefit will experience minimal effects, but for those with a large number of people on council tax benefit the impact will be extensive, forcing them to impose high council tax increases or to cut services or both. It will result in the poorest areas being hit the hardest and in council tax payers meeting the cost of national welfare benefits.

The scheme may result in an authority paying at or even below the standard spending assessment—which is what the Government consider it needs to spend to provide a standard level of service—and still losing council tax benefit subsidy. Although parish and town councils are not included in the scheme, the effects of their decisions may lead to districts losing council tax benefit subsidy. Another effect is that council tax collection and the collection of poll tax arrears in one year may affect an authority's council tax benefit subsidy limitation threshold in a subsequent year.

Mr. Paul Burstow (Sutton and Cheam): My hon. Friend referred to the fact that the precepts that parishes

might set can affect district councils. Does he know whether the Government have made further progress in tracking down the parish councils, as I understand that in Committee they were unable to supply a list?

Mr. Sanders: I hope that the Minister will be able to respond to the important question posed by my hon. Friend.

The view of the Labour-dominated Local Government Association is that even if, despite the effects that I have mentioned, the Government still go ahead with the scheme, it should be postponed for a year. That is the purpose of amendments Nos. 84 and 85.

Mr. Gray: Is the hon. Gentleman aware that the chairman of the Local Government Association, the former Labour leader of Newcastle city council, Sir Jeremy Beecham, commented that the council tax benefit subsidy regime would

"mean the nearly poor paying for the really poor"?

Mr. Sanders: As I have already explained, that is precisely what will happen.

Amendment No. 1 is identical to amendment No. 195, tabled in Committee, although it affects a different line in the Bill. The previous amendment was tabled by the hon. Member for Southampton, Test (Dr. Whitehead), who is in his place. The arguments advanced were that local government had suffered under 18 years of Conservative Government; that the new Government were attempting to rebuild a relationship of trust between local government and central Government; and that although the Government still needed certain reserve powers, they would not need them indefinitely.

4.45 pm

The Liberal Democrats believe that local government suffered under the previous Government. Even some of those from the previous Government admit that. We happily concede that the new Government genuinely believe that they are attempting to rebuild a relationship of trust with local government, but they need to give a date for the phasing-out of capping if they want to establish such a reputation.

Capping should have ended the day after the general election. That is what local councillors expected. Labour councillors thought that it was going to happen, but it has not. We believe that capping should end as soon as possible. Amendment No. 1 would end capping by 2005. Many would say that that is too late. I hope that those who choose to vote against the amendment will do so because they believe that capping should be phased out earlier. Sadly for Labour Members, I do not think that the Government Whips will allow them to put that spin on their vote.

We know what the Minister is likely to say. The Government view has been that capping is needed to defend the national interest. Ministers have argued that they have a responsibility to retain reserve powers to protect local council tax payers. That is a strange argument, because it contradicts what Labour Members said in the House and outside before the election. Labour won many friends in local government for defending local democracy against the Conservative Government's capping rules.

That leads to the second argument for the claimed central Government responsibility to protect local council tax payers. We elect local councillors to run local councils, but, like the previous Government, this Government do not trust the voters to make the right choices—and nor do they trust their councillors to protect council tax payers. Of course, they are right not to trust the electoral system to facilitate a truly democratic result, but the lack of a proportional electoral system is not a good enough argument for retaining the reserve power to cap.

The amendments go to the heart of the relationship between central and local government. Is it to be based on trust in local people and local democracy, or on suspicion and fear of the cap? If the Government are sure that their best value policies for local government will be so successful that capping will fall by the wayside naturally, why not set a date for phasing it out? Even the Conservatives have seen the light on capping. Their leader sees the restoration of the power and independence of local government as an important part of the platform for renewing his party's popularity. I hope that Conservative Members will support our amendments.

Amendment No. 1 would set a deadline of 2005 for the end of capping. It is a sunset clause first proposed by a Labour Member. By accepting the amendment, the Government could demonstrate that they are genuine when they claim to be rebuilding trust between central and local government. It would show that they were confident that best value and other proposals were likely to work as they have claimed. To do otherwise would be to admit that the previous Government were right, even though the Conservatives have changed their views on capping since the election. The politics may be topsy-turvy, but the principle of local people using the ballot box to determine local needs is important, and I urge hon. Members to support it.

Mr. Nigel Waterson (Eastbourne): I am pleased to follow the hon. Member for Torbay (Mr. Sanders). I was grateful for his interest in the renewal of my party during this brief period of opposition. He was right to draw attention to capping. He referred to the recent comments of my right hon. Friend the Leader of the Opposition to the effect that our policy is to move away from capping. The hon. Gentleman said that the situation was topsy-turvy. It is ironic that while my party is moving away from capping, the Labour party in government is moving to embrace it.

I pay tribute to the excellent and authoritative manner in which my hon. Friend the Member for Mole Valley (Sir P. Beresford) dealt with the amendments, and particularly new clause 6. He was right to talk about a heavy-handed and subjective set of capping rules. From his vast experience, he was able to demonstrate the perverse results of the proposals in relation to individual authorities. He put up a spirited and effective defence of those Conservative-controlled councils which, year after year, have delivered good services at reasonable prices, and are continuing to do so—despite suffering under the new regime.

New clause 6 is a novel and exciting concept; I suppose we must call it the Milton Keynes clause. I am not saying that I necessarily endorse the Milton Keynes experiment, but it has attractive features that should make all of us take stock of how we approach council tax,

[Mr. Nigel Waterson]

local government spending and finance and—above all—capping. From that point of view, it has some attractive features.

We cannot allow local councillors or any elected people to abdicate responsibility entirely. Why elect local councillors at all if they are not there to make the big decisions? Surely local people should have a voice; whether through their elected representatives every year—as tends to be the case in local authorities such as mine—or slightly less often, or possibly through the limited use of local referendums, as happens in Milton Keynes.

Mr. Gray: Does my hon. Friend agree that the point about the Milton Keynes experiment was that it was a matter not of the council and the people, but of the Secretary of State and the people? The people of Milton Keynes decided to allow their council tax to rise by more than the Secretary of State would have allowed it to rise under the capping regulations—thereby fundamentally undermining the capping regulations.

Mr. Waterson: My hon. Friend is correct. The hon. Member for Torbay said that if the measure is not to have a sunset provision, it is equally valid to argue for another way of ameliorating the effect—in this case, by letting local people have a voice. I hope that my hon. Friend the Member for North Wiltshire (Mr. Gray) will have the chance to develop that point in the debate.

There are wider issues—not least the promises made not just to local government, but to the British people before the election. In its 1997 manifesto, Labour promised the abolition of "crude and universal capping". It is fair to say that that was met with almost universal approbation throughout local government. When the Government announced their provisional caps for 1998–99 in December 1997—and subsequently capped Derbyshire county council—they confirmed that 1998–99 would be the last year of universal capping.

It is a feature of the Government that not everything in the manifesto comes to pass, and that not everything that comes to pass was in the manifesto. In Committee, the Minister conceded that the proposals were not in the manifesto.

The Minister for Local Government and Housing (Ms Hilary Armstrong): Not true.

Mr. Waterson: If the Minister wants to correct what I have said, I will happily give way.

Ms Armstrong: It was clear in the manifesto that in abolishing crude and universal capping, a Labour Government, if elected, would retain reserve powers. We have done that. Council tax benefit subsidy limitation is not capping.

Mr. Waterson: I do not necessarily disagree, save to say that to describe the powers as reserve capping powers is to stretch the word "reserve" significantly.

In Committee, the hon. Member for Taunton (Jackie Ballard) put it to the Minister that the proposal to have council tax benefit subsidy limitation was not in the Labour manifesto. When my hon. Friend the Member for North Essex (Mr. Jenkin) pressed the point, the Minister rightly—it is a subtly different point, and it is important to get it right—said:

"No, it was not. However,"

she continued, ever the mistress of understatement,

"the Government are doing several things that go beyond manifesto commitments."—[*Official Report, Standing Committee B*, 23 February 1999; c. 465.]

I think, however, that she has claimed public support for the measure in the run-up to the general election, which cannot be right.

Sir Paul Beresford: The Minister is right about the reserve powers, which relate specifically to the provisions on subjective capping, but my hon. Friend is right when he talks about crude and universal capping, which applies to the council tax benefit subsidy limitation—or capping, by any other name.

Mr. Waterson: I am sure that the Minister and I will both be relieved to be right, but on different subjects.

It is worth repeating the powerful comment of the hon. Member for Normanton (Mr. O'Brien). It expresses in words that I could not find the extent of the sense of betrayal felt not only in local government but in Labour-controlled local government. He said:

"If a council in the poorer group of local authorities tried to increase its council tax over its budget requirements to sustain services, the application of the council tax benefit subsidy limitation scheme would be devastating because of the clawback of the rate support grant."—[*Official Report*, 4 February 1999; Vol. 324, c. 1152.]

That is absolutely right. As my hon. Friend the Member for Mole Valley said, the nearly poor would be subsidising the poor in some areas.

Before, we had crude and universal capping, which was bad—there is an element of "Animal Farm" about this—and now we have what some of the boffins call refined capping, which is good. It is really a question of what one calls it. Capping is the policy that dare not speak its name. The word "capping" does not even appear in the title or in other parts of the Bill, as has been pointed out in an amendment.

I did not have the pleasure and privilege of serving in Committee on the Bill, but I appeared for the official Opposition in the Second Standing Committee on Delegated Legislation when we considered the crucial statutory instrument that underpins the Bill. Any casual observer reading the title of the instrument would not immediately recognise it as an attempt to bring back a form of capping. It is the Local Authorities (Alteration of Requisite Calculations) (England) Regulations 1999. The title does not give much away.

That measure, along with the part of the Bill that relates to it, does not have a friend in the world. I put it to the Minister in Committee that not one authority or organisation connected with local government had a good word to say about the proposals. At the last count—the Minister is welcome to correct me if the figure has gone up—129 councils and groups of councils had expressed their opposition to it.

The point was well made by my hon. Friend the Member for Mole Valley and other right hon. and hon. Friends in Committee that the proposals act in a perverse fashion. Why? Because the highly geared local authorities

are those most affected. For example, Mole Valley would be affected 10 times less by the regulations than Liverpool, Hackney or Newham. Indeed, it is a pity that Labour Members who represent the areas that will be seriously affected cannot even be bothered to come to the Chamber to listen to the debate. I have given up hope of their seeking to participate, but they could make the effort, on behalf of those who send them here, to listen to the problems that they are likely to have to face.

5 pm

Mr. Bernard Jenkin (North Essex): They have been sent away.

Mr. Waterson: My hon. Friend may be right. It was pointed out in the Committee considering the regulations that 19 of the 22 poorest councils would be hit the hardest and the hon. Member for Sutton and Cheam (Mr. Burstow) said that the main burden will fall on people in property bands A and B.

I will not detain the House today with a detailed discussion of the formulae and the calculations—

Mr. Burstow: Shame.

Mr. Waterson: I am open to persuasion. Suffice it to say that the Local Government Association got it right when it said:

"The scheme will impact unfairly on different parts of the country . . . the worst hit being those with the highest proportion of low value property and the highest percentage of benefit recipients . . . It will be felt hardly at all in prosperous areas of the South East. It will have much more of an impact in inner London and on Merseyside."

In that sense, I am not speaking on behalf of my constituents in Eastbourne or for my hon. Friends' constituents in other parts of the south-east: we are speaking for the constituents of hon. Members who represent the worst affected areas. It is worth listing them because they include Liverpool, Hackney, Tower Hamlets, Manchester, Newham, Islington, Lambeth, Waltham Forest, Knowsley and Southwark.

Mr. Oliver Heald (North-East Hertfordshire): All Labour.

Mr. Waterson: As my hon. Friend says, those authorities have one thing in common: they are controlled by the Labour party or return Labour Members of Parliament. Where are their representatives during this debate?

Ms Armstrong: What about being non-partisan?

Mr. Waterson: If the Minister wishes to intervene, she knows that I am generous about giving way, but she must not keep up a running commentary during my speech.

As I said in the Committee considering the regulations, the disparities will get worse in future. The LGA put it graphically:

"the scheme could become the thin end of a very unpleasant wedge."

A well-behaved authority that tries to do well under the regulations will not get any benefit. From the Government's point of view, it is a win-win situation. An authority cannot prise more money out of the Government by doing better than expected under the regulations.

Mr. Sanders: Does the hon. Gentleman agree that this is another example of a stealth tax that will shift the burden of taxation on to council tax payers?

Mr. Waterson: I am delighted that the hon. Gentleman has caught up with the fact that this Government like to do things by stealth. Perhaps one of his more elevated colleagues would care to raise that in one of the Cabinet Committees in which they are involved.

An article in the *Local Government Chronicle* stated:

"One of the starkest examples of how the scheme has a different impact across the country, despite built-in safeguards, is that of Liverpool City Council and Wokingham DC."

It goes on:

"Based on each council exceeding the guideline amount for subsidy limitation by 1 per cent. of their Standard Spending Assessments, Liverpool would lose £926,000 and Wokingham would lose just £29,000."

That is incredible.

Mr. Burstow: The hon. Gentleman is right to raise council tax benefit subsidy limitation. However, does he accept that the regulations that the Government used to introduce it were based on powers established in the Local Government Finance Act 1992, which was enacted by a Conservative Administration? They also built on the principle of council housing benefit clawback established by the previous Government.

Mr. Waterson: The hon. Gentleman demonstrates the enormous benefit of never having been in power and of having no hope of it. It is always someone else's fault. It would perhaps be kinder to say that the hon. Gentleman implies the benefit of sunset provisions in regulations. If there had been such a provision in 1992, we would not be here today. Of course, we would not be here today, either, if the Government had not pulled stumps last night.

The Bill has the effect of reintroducing capping, although we may not breathe that word. The handful of Labour Members who are here, and any watching on television, must realise that it introduces capping in all but name. I hope that those whose constituencies are most seriously affected will say something, if not to the House, at least to their constituents, to justify their support for the Bill. I hope that some of them will—despite the pressure of the Whips—think twice about supporting the Bill.

My hon. Friend the Member for Mole Valley gave a good summary of the intent and purport of several amendments. Amendments Nos. 98 and 117 would insert the true name of the Bill and its real effects by referring to limitation and capping. The statutory instrument intimately associated with the Bill could not, as I have said, have had a more misleading title. One has to search for clues as to what the regulations mean.

Amendment No. 1 was tabled by the Liberal Democrats. Bizarrely, though this is not untypical of that party, it suggests that it is all right to have the regulations

[Mr. Waterson]

for a period—say, five years—but equally all right not to have them afterwards. I cannot see the logic of that. Either the system is fair and useful, or it is not.

Mr. Sanders: Amendment No. 1 is identical to one tabled by the hon. Member for North Essex (Mr. Jenkin) in Committee.

Mr. Waterson: I have not said that we would not vote with the Liberal Democrats on that amendment. Anything, however strange, that waters down the effects or the time scale of the regulations must be worth supporting.

Amendments Nos. 101 to 103 would remove the power to distinguish between individual authorities rather than categories of authority. My hon. Friend the Member for Mole Valley was right to say that it is invidious to pick on individual authorities. Perhaps that will happen if their names begin with W and they are successfully run by Conservatives in London. Amendment No. 105 is the same.

Adding the Greater London authority to the provisions was debated, if not in the Standing Committee on the Bill, then in another Standing Committee. My hon. Friend the Member for Mole Valley dealt extremely well with a bizarre result of the regulations, which is that authorities that set budgets below SSA can be caught in the net. We have said before that that is something that Ministers should look at again.

We feel sufficiently strongly about amendment No. 84 wish to press it to a Division at a convenient moment. Amendments Nos. 84 and 85 would take out of clause 29 subsections (7) and (11). That would remove the commencement provision affecting the financial year 1999–2000. In other words, it postpones the provisions, which is entirely right. I agree with what the Liberal Democrat spokesman had to say on that. Apart from anything else, the Local Government Association has been strong and persuasive from the start on the point that these measures are not only wrong and ill thought out but are being introduced far too quickly. It believes that time should be set aside to consult further and consider whether there are other, more sensible ways of achieving the same results in a fairer and more effective way.

Amendments Nos. 42 and 43 seek to limit the scope of the Secretary of State's powers, as so many of the amendments do. The Bill allows him to cap authorities even if they are spending below the SSA set by the Government. That goes beyond what is fair: it is nonsensical. Our amendments seek to restore the more sensible principles that have hitherto underpinned capping. Councils would be allowed to spend up to one eighth more than SSA before being capped. While local taxpayers would be afforded protection, councils would be allowed to increase spending year on year, but would not be given an incentive to do so in order to protect their base for future increases. Again, that is a sensible attempt to amend the Bill.

Amendment No. 108 would oblige the Secretary of State to take into account the council tax levels of authorities in the same category, as my hon. Friend the Member for Mole Valley explained. Thus London boroughs would be compared with London boroughs shire districts with shire districts, and so on.

Amendments Nos. 113, 109, 111, 110, 114, 115 and 117 would ensure that local authorities were treated equally by the capping system. They would require the Secretary of State to determine categories of authority to which various capping criteria would apply and oblige him to announce those criteria in advance. The amendments are intended to reduce the arbitrary nature of the Secretary of State's powers under the Bill, and to provide local authorities with greater certainty that they will not be singled out for special treatment by the Government.

Nothing that the Government have done in their time in office or that Ministers have said during debates on the Bill gives us any confidence that they will be above singling out authorities whose record or complexion they disapprove of and penalising them under the provisions in the Bill. We think that it is too much of a temptation for Ministers in this or any Government to have such powers. The powers should therefore be reduced or watered down.

The LGA speaks for all political complexions across local government. It argued long and hard for a time limit on the capping scheme, which was rejected by the Government. In its latest briefing, it has said that it remains opposed to the present council tax benefit limitation proposals for the reasons that it spells out. It says that the scheme will

"hit the poorest areas hardest.

It is Government's responsibility to meet the cost of welfare benefits.

The public's understanding of council tax increases will be further diminished rather than enhanced."

That must have a knock-on effect on local democracy. The LGA brief continues:

"The guideline increases could be seen as a direct substitute for crude and universal capping.

The scheme is not justified on grounds of administrative efficiency".

So no one who knows anything about local government at any level has a kind word to say about the proposals. Not only that, but the Bill is being rushed through. The debate is being guillotined today, as we have discussed—it is not a proper matter to return to. How typical of the Government's attitude not only to the Bill but to Parliament in general.

5.15 pm

The LGA, optimistic to the last, is still talking about continuing discussions with the Government as to how the scheme will work, with a view to persuading the Government to drop or modify the scheme in future years. I wish it well, but on the basis of performance to date, I have to say, "Fat chance." It concludes by saying:

"Although we recognise that they will most probably now pass into law . . . the Association will continue to oppose the provisions in clauses 28 and 29 to retain capping powers and to localise part of the cost of council tax benefit."

In conclusion, it seems to me from reading the debates in Committee and in the statutory instrument Committee, and all the discussions inside and outside this place, that the Government have comprehensively lost the argument every single time. Why cannot they be big enough, with their vast majority and all the panoply of new Labour and spin doctors, to say, "Yes, we got it wrong. We want to do it differently. We have heard what people say. We have heard the united voice of local government. We are going to look at this again."

Mr. Christopher Chope (Christchurch): It is a pleasure to participate in a debate opened by my hon. Friend the Member for Mole Valley (Sir P. Beresford), who followed me as leader of Wandsworth council. It is appropriate that we should both be able to point out to the Minister the absurd fallacy of the percentages argument in relation to the weightwatcher. If a weightwatcher weighs 10 stone and increases his weight by 10 per cent., that is an increase of 1 stone. Has he done better or worse than someone of 20 stone who increases his weight by 1 stone, an increase of only 5 per cent? The Minister suggests that someone who is already 20 stone and increases his weight by 1 stone is doing better than someone who is 10 stone and increases his weight by 1 stone. That is absolute nonsense.

My hon. Friend the Member for Mole Valley referred to Wandsworth's 20-year record of achievement. It is appropriate to remind the House of the catalyst that gave the Conservatives in Wandsworth the opportunity to control the council. In its last year in office, the Labour party in Wandsworth moved a guillotine motion to restrict debate in the council chamber. There was such outrage in the borough at the fact that, in an authority of 55 councillors and aldermen, the Labour party had chosen to use the guillotine against 15 Conservatives in opposition that, a few months later, the Conservatives were swept into office. The Labour party lost and, as we know, it is still in opposition in Wandsworth more than 21 years later. Those of my hon. Friends who are concerned about the way in which the Labour Government have promoted the guillotine motion today may take some consolation from the fact that a guillotine gave Conservatives in Wandsworth the opportunity to ensure 20 years or more of successful Conservative control.

Wandsworth never had to resort to referendums because the councillors kept in touch with their electors. They listened and responded and provided quality core services at affordable prices.

Schedule 1, tucked away at the back of the Bill, is a provision of 15 pages which enables the Secretary of State to introduce what is not described as crude and universal capping. In my submission, instead of being crude, it is complex. Instead of being universal, it is arbitrary. Complex and arbitrary capping is even worse than crude and universal capping.

Mr. Desmond Swayne (New Forest, West): Am I alone in thinking that crude capping was at least predictable? It was clear when the Secretary of State was going to cap, whereas I am mystified as to what the criteria will be under the schedule.

Mr. Chope: My hon. Friend is right. The criteria seem to be that whatever the Minister decides goes. That is an arbitrary use of power; through the ages, dictators have always wanted to take such power to themselves and that is what the Government are taking to themselves in the Bill.

The Government are obsessed with second-guessing councils on whether they are responding to the wishes of the electorate. An experiment being carried out in Dorset is relevant to the proposal in new clause 6 that would prevent Governments from imposing a cap on a council that had carried out a referendum on its council tax proposals and had won the endorsement of its electors. This year, there are extremely large council tax increases in Dorset. Dorset county council has chosen to increase the council tax by 7.9 per cent and the Dorset police authority is increasing its precept by 9.2 per cent.—the third highest amount among county police authorities. In part of my constituency—the East Dorset district council area—the consequence of those two decisions and the council tax imposed by the district council is that the average council tax payer in East Dorset will pay a massive £858 in the coming year. That will be the 11th highest council tax bill for householders anywhere in the country.

That is the consequence of having a county council, district council and police authority that are all Liberal controlled. The sad thing is that the county council had the idea of seeking the endorsement of the electorate for the 7.9 per cent. increase in council tax. One cannot criticise the council for holding consultations but, when it did so, it did not get the answer that it wanted; it ignored the result and went ahead with the 7.9 per cent. increase that it had intended to impose on the people of Dorset all along. Fortunately, new clause 6 does not introduce such a system. It would make it incumbent on an authority to accept the verdict of any referendum, if it wanted to impose a substantial council tax increase.

In Dorset, the council decided to consult a few focus groups, comprising individuals who had been carefully selected—mainly, but not exclusively, by Liberal Democrats. The groups included many people who worked for the council, but who did not live in the area that was to be affected by the increases. It was only after pressure from Conservatives in local government in Dorset that the county council expanded the consultation process to include people who were readers of local newspapers. It was even accepted that people who wrote to county hall would have their views taken into account.

Having gathered all that information, the council then had the gall to reject the verdict on the basis that a large number of those who responded were pensioners. Those people are on fixed incomes and resented the fact that they would have to pay an increase in their council tax that was substantially above the rate of inflation, as a result of which they would have to cut back on other items of household expenditure. At its meeting, the Liberal-controlled county council dismissed those representations from pensioners on the grounds that they did not really count. That was the most appalling snub and insult to a key group in Dorset; they are people who have worked hard throughout their lives and have chosen to spend their twilight years in the county, where they make a major contribution to the community. Why should their views count for less than the views of others?

New clause 6 commends itself to me because it makes it clear that referendums would have to be held on a universal basis, reinforcing democracy in those council areas where the local authority does not keep in regular contact with the wishes of the people. I support the new clause and condemn the way in which the Government are imposing a new capping regime on local authorities. Before the election, the Labour party suggested that it was in favour of expanding local democracy, but in practice the Government are doing the reverse.

Mr. Oliver Letwin (West Dorset): I shall speak on new clause 6. If the doctrine espoused at a late stage of yesterday evening by probably the most impressive Member on the Labour Benches, the right hon. Member

[Mr. Oliver Letwin]

for Birkenhead (Mr. Field)—that there is no point in sitting in the Chamber for a long time because the Government will get their business through anyway—were carried to its conclusion, it would be entirely footling to make speeches in this place. Indeed, the right hon. Gentleman came to that conclusion and suggested that the Opposition should restrict themselves to engaging in what he called a five-year election campaign.

Ms Armstrong: He did not say that at all.

Mr. Letwin: Speaking from a sedentary position—as she has often done throughout these debates—the Minister said that the right hon. Gentleman did not say that. As a matter of fact, the record shows that he did, and, as he is a deep thinker, he may have expressed a view that is widely held by Labour Members. Nevertheless, I retain a touching faith in the parliamentary process. I hope that it is not naive and that it may become more important if the House comes to its senses and realises that it needs to adjust its proceedings, so that it has an impact on Bills rather than merely discussing them.

New clause 6 is a vital clause and the whole House—indeed posterity—will owe a great debt to my hon. Friends who introduced it. I hope, too, that the Conservative party will realise that it owes them a debt, because I hope that the essence of the clause, if not the detail, will be accepted in due time as party policy. The reason lies in the origins of capping. I freely admitted last night, and continue to admit, that capping was a mistaken policy from the start. The then Prime Minister my right hon. and noble Friend Baroness Thatcher and others justified the policy on the grounds that it was impossible to leave to local democracy decisions about the level of expenditure, which could have a macro-economic impact, when most of the people in an area did not even bother to turn up at the polls, and when many people could be hugely disadvantaged by high rates of the then domestic rate because they were among the few people who paid it. My right hon. and noble Friend adduced examples of councils such as Hackney, which had relatively few inhabitants who actually paid any domestic rate after various subsidies were taken into account, and which could raise its domestic rate, more or less without limit, affecting only those voters who never voted for it anyway.

It is important that the Government should realise that the initial argument for capping was a democratic deficit. The new clause would reverse that democratic deficit and ensure that there would not be capping if the majority of the population turned up at the polls and made it clear that they favoured the level of expenditure proposed by the council. In other words, new clause 6 undermines the only logic—although they have never expressed any—that the Government could be using.

I hope that, even if it has no impact on the Government, who obviously do not intend to pay the slightest attention to the debate, the profound significance of the new clause will register on the minds of my hon. Friends on the Opposition Front Bench, because it might form the basis of a highly productive train of thought about local government policy and the relationship between local government and central Government. If the Conservatives became the party that reasserted the need to allow councils, where there is a genuine democratic desire on the part of their population to raise taxes, to do so, we would be using democracy to overcome the inherent deficiencies that were in the system when we first introduced capping.

5.30 pm

Dr. Alan Whitehead (Southampton, Test): I am fascinated to see the new Conservative doctrine on local government unfolding before our eyes. Is the hon. Gentleman suggesting—judging by his analysis so far, he is—that the referendum principle should apply to anything a council might want to do, regardless of the initial policy of central Government?

Mr. Letwin: No. I shall not dwell on the matter in detail, save to say that there is a specific point that differs from that which applies in respect of anything else that local government does. We are talking about central Government interfering grossly with the actions of a democratically elected authority. Our view is that, where local democracy is shown on a wide scale to yield a certain result, such intervention should not occur.

Ms Armstrong: I am delighted to be able to respond to a debate on the Bill, and I welcome hon. Members who were not members of the Standing Committee to these deliberations. I was interested in the remarks of the hon. Member for West Dorset (Mr. Letwin). I welcome his conversion to democracy that is not limited to four-yearly elections, and his recognition of the ideas that the Government set out in our White Paper to encourage far more public consultation, which are at the centre of all our proposals. Indeed, the draft Bill presented today includes specific proposals on referendums on the form of governance used in localities.

New clause 6 would impose limitations on the use of the reserve powers so that they could not be used following a referendum in which a simple majority had endorsed the council tax and at least 50 per cent. of the electorate had voted. The endorsement by local people of an authority's budget would be consistent with our modernising agenda and our drive to encourage local authorities to engage the local community more effectively; and such consultation or endorsement may influence any decision on whether to use our reserve power. However, a referendum is only one form of consultation that a local government body might choose to undertake, so we do not think it appropriate to put referendums into the Bill as the sole form of consultation to be used.

This morning, I met members of a citizens panel that is used effectively by the local authority. They were adamant about the importance of their ability to debate issues and to form an understanding of the complexities with which councils frequently have to deal. They are considering ways of ensuring that other people in their area do the same. Although they welcomed our proposals on referendums, they wanted to maintain the use of other forms of consultation.

The Bill already allows the Secretary of State or the National Assembly for Wales to determine categories of authorities taking into account any information considered relevant. The extent to which a local authority has taken steps to consult and involve its local community may well be considered relevant information for that purpose, and I

hope that it will be. Conservative Members have referred to the referendum in Milton Keynes. I saw my hon. Friend the Member for Milton Keynes, North-East (Mr. White) in the Chamber a short while ago, but he has gone now. The Bill allows deliberations such as that to have an influence on the Government, whereas existing legislation passed under the Conservative Government, does not allow us to take into account such consultation, because it cuts out any such considerations. It is precisely because we want such considerations to be part of the process to decide whether or not capping takes place that we have introduced the Bill in its current form.

Mr. Sanders: Does the Minister accept that an expensive full referendum of all of the people is not the only way in which a local authority could go about public consultation, and that focus groups might suffice to test the public's views on what was needed?

Ms Armstrong: I have spent about five minutes saying that other forms of consultation are important and that central Government should not, in the Bill, restrict an authority's choice of the form of public consultation it wants to employ. Consultation should be thorough, but different methods or even a combination of methods may be appropriate at certain times.

Over the next few years, wide-ranging reform and modernisation of local government will take place, so it is impossible to predict how central Government will use their reserve powers in future. We hope that we do not have to use them—indeed, we have constructed the powers with that hope in mind—but we need the flexibility to respond to changing circumstances in future years.

Mr. Swayne: Will the Minister give way?

Ms Armstrong: The hon. Gentleman was not a member of the Standing Committee, so it is right that he, as a Member of Parliament, should attend these debates on the Bill. As was spelled out clearly in the White Paper, we are trying to provide for a more flexible relationship between central and local government, so that local government has greater control. Only when a local authority is clearly out of step with local people's interests and flouting the national interest shall we intervene, but we need the flexibility provided by the Bill to do so. Having explained that, I am happy to give way to the hon. Gentleman.

Mr. Swayne: Will the right hon. Lady acknowledge that, precisely because of the lack of predictability that she describes, it is proper to insert in the Bill the use of a referendum as a decision-making mechanism—not as a means of consultation, but as a proper means of making a decision and holding the Government to account?

Ms Armstrong: The idea is to hold the council to account through a referendum, but I shall let that pass.

Mr. Burstow: To return to the question of different forms of consultation, we welcome the Government's openness on the range of methods of consultation that could be used. However, in considering what is relevant, will the Secretary of State adopt different views on the various forms of consultation and give different weighting to each? Will he give different weighting from one year to another? We need to know that, and so do local authorities. If the Secretary of State can accept as relevant one local authority having consulted a focus group or held a referendum, but completely disregard the same actions taken by another local authority, the system of consultation will fall into disrepute.

Ms Armstrong: We have to make sure that the consultations carried out are those that have enabled the widest group of people to make representations, and that they have been carried out in a clear, straightforward and honest way. The hon. Member for Torbay (Mr. Sanders) will know that I made it clear in Standing Committee that the Government would have to take into account, for example, the nature of the questions asked and the turnout in a referendum. Those are matters to which we would have regard in considering whether there had been a genuine attempt to engage with local people in coming to the decisions that were taken. We would want to see that there had been that full engagement and that the council had taken an honest approach to consultation and any more direct decision taking that it was offering to the public.

Mr. Sanders: Will the right hon. Lady give way?

Ms Armstrong: I want to facilitate debate, but I do not want to be accused of taking up too much time.

Mr. Sanders: I appreciate the Minister giving way again. We are dealing with an important point. Is she saying that it is not the quantitative but the qualitative value of the consultation that will be taken into consideration?

Ms Armstrong: I think that I have expressed our approach as fully as possible. I would not accept one focus group. Someone may tell me, "This is a very high-quality focus group," but I would not think that that was the basis for a high-quality consultation exercise. However, I do not want to be pushed into being so rigid as to say that, for example, a rural area that had developed a good devolved system of involving local people had to proceed in a certain way. Clearly, such an area would want to act in some respects in a different manner from an inner-city authority.

I do not want to be pushed into a position where we in central Government determine the method and local government feels that it has to get through our hoops. I want local government itself to be serious about how it consults and engages the public on one of the most important decisions that it has to take, which is the level of council tax that it will be setting. That is inevitably closely linked to the best value aspects of the Bill.

We want the flexibility to be able to respond to changing circumstances. We do not wish to restrict the principles that could be implemented. The hon. Member for West Derbyshire (Mr. McLoughlin), who is also not in his place, pressed the hon. Member for Eastbourne (Mr. Waterson) on what would happen to Derbyshire. Had the Bill been in place, we could have brought in representatives of Derbyshire county council, talked to them and made it clear that in our view what they had done was excessive, but that we did not want to subject the authority to re-billing. We could have made it clear

[Ms Armstrong]

that we were giving them notice that if they did not take account of our position in the following year, the council would be designated and that council tax capping would be implemented.

That, to me, seems to be the right sort of flexibility between central and local government. Far from being more draconian, it involves engaging in mature debate with local government on the basis of clear criteria and recognising that local government is grown up. It would be giving local government the chance to amend what it is doing in future budget setting so that it can come within the national criteria of which it should be taking account.

I move on to amendments No. 98 and No. 117, which seek to change the heading of clause 28 and the heading of part 2 of schedule 2 so that they read:

"Regulation and Limitation (Capping) of Council Tax and Precepts".

It is sometimes helpful for Opposition Members to suggest amendments to improve Parliamentary Counsel's drafting. However, we take the view that the regulation of council tax that is referred to in the heading includes the new reserve powers and the limitation of council tax benefit subsidy. As one word is to be preferred to four, we prefer to leave the drafting as it is.

5.45 pm

As I have said before, council tax benefit subsidy limitation is not capping through the back door. Authorities can set budgets above the guidelines if they wish, provided that they do not set budgets that are considered excessive and would require the use of the reserve power. In fact, four out of five councils in this budgetary round have set increases that are different from their guidelines. I believe that they should be able to continue to do that. The confusion of Opposition Members about capping and council tax benefit subsidy limitation is not helpful to councils when they are seeking to set their budgets. I believe that the restrictions that are identified in the amendments are unnecessary and I hope that the Opposition will not press them.

Amendment No. 1 would put a time limit on the use of the new reserve powers to limit council tax increases, ending their use after 1 April 2005. Official Opposition Members made it clear in Committee that they would re-table their amendment so that it might be debated on the Floor of the House. Liberal Democrat Members made it clear in Committee that they opposed any capping of local authorities' budgets. The official Opposition are still somewhat unsure about where they are going in this instance. However, I welcome the confessional conservatism on the Opposition Benches. I often feel that we should be here as members of the cloth taking the real confessions of Conservative Members. I have a deep respect for confession.

Sir Paul Beresford: On confessions, I would like the Minister to be selective and subjective.

Ms Armstrong: I accept that the hon. Gentleman does not want to see the end of capping and is not one of the confessional Conservatives.

The Liberal Democrats made it clear this week that they think the Government have no role to play in protecting local taxpayers from irresponsible increases in taxes. I happen to disagree. The Government disagree, and we made that clear in the Labour party's manifesto. We are putting our money where our mouth is on the basis of that manifesto. The Government have a role to play and we cannot shirk our responsibilities. I made it clear in Committee—I think Opposition Members listened but did not agree—that these are reserve powers and we will hold them in reserve.

As I have been at pains to emphasise, we are working in partnership with local government to improve and modernise it. We therefore hope and expect that we will use the reserve powers increasingly rarely, and not at all by the year 2005, if not earlier. However, we cannot rule out the possibility that some local authorities may decide to act irresponsibly. If they do, we need to be able to protect their local taxpayers. For that, we need to retain the reserve powers. I ask Opposition Members to withdraw the amendment.

Amendments No. 101, 102, 105 and 106 would provide that the factors referred to by the criteria used to decide whether the budget requirement is excessive for the council tax benefit limitation scheme must apply to categories of authorities and not to different authorities. I acknowledge that the hon. Member for Mole Valley (Sir P. Beresford) is rather frightened that we would be partisan. I hope that that is not because of his experience of exercising powers in the past. I can assure him that we wish to be anything but partisan. Indeed, the list that was read out by the hon. Member for Eastbourne (Mr. Waterson) demonstrated clearly that we are not partisan. I would say to Opposition Members that the subsidy limitation kicks in only as a result of a local council's decision, not a Government decision. Many of the councils that the hon. Member for Eastbourne identified have taken decisions that bring them in well below the guideline. They have taken that decision and, therefore, their council tax payers will not suffer in the way that he mentioned because they have taken decisions that keep them outside the guideline.

Mr. Waterson: The right hon. Lady correctly makes the point that councils can make individual decisions to try to protect themselves from those provisions, but that is a separate matter. Given that we are all in confessional mode, is she now admitting that the 10 councils whose names I read out, most of which are Labour controlled, are most likely to be affected on the basis of the calculations?

Ms Armstrong: We are getting into difficult territory. I am not of the Catholic faith and confession is not part of my good Methodist tradition. I am trying to tell the truth, which is that it is up to the council to decide its council tax levels. If it exceeds a guideline level, we expect it to share with national taxpayers the burden of council tax benefit. The councils in the list that the hon. Gentleman read out have overwhelmingly decided not to exceed the guideline.

Sir Paul Beresford: The Minister is carefully glossing over the fact that a council's decision on the level of its council tax for a particular year may be related to its SSA and revenue support grant, which are in the Government's hands.

Ms Armstrong: Of course I acknowledge that. However, given that this year, all councils received at

least as much as they did last year, and that the increase in the overall Government grant to local authorities through RSG and the uniform business rate was higher than the hon. Gentleman was ever able to deliver, his point is a little bogus.

We used the same criteria and factors for all authorities. However, some authorities thought that we should have used different criteria and factors for different authorities, and they made representations to us to that effect. Some district authorities, for example, thought that they should be treated differently from counties because districts are responsible for collecting arrears of community charge, and that affects the level of council tax set in districts but not in counties. Other authorities argued that particular individual circumstances applied to them and that those should be taken into account.

It is possible that in future years there might be good reasons for differentiating. There may be an argument for treating an individual authority differently because of its particular circumstances. We discussed that in Committee. In accordance with normal principles, the Secretary of State would be required to act fairly, but fairness may require different treatment. That is one of the problems with the working of the current law. We need to have the ability to act accordingly and respond to particular needs in exceptional cases. We would not be able to do that if we accepted the amendments, so I ask hon. Members not to press them.

Amendment No. 103 seeks to give local authorities that budget below SSA protection from the council tax benefit subsidy limitation scheme, where the criteria refer, as they do for 1999–2000, to the budget for the year beginning in 1998. Conservative Members seem to have forgotten the principle underlying that scheme. Perhaps I should remind them of it.

When council tax rises, so do the costs of council tax benefit, and that cost is borne by the local taxpayer. Where there is a large increase in council tax, we do not believe that the national taxpayer should pay for the costs arising from those local decisions, and that is the aim of the scheme. The national taxpayer will continue to bear significant costs, but the scheme would limit them.

Mr. Burstow: That provokes a significant question about the application of that principle. The Secretary of State for Education and Employment has been writing to local authorities, urging them fully to spend their education SSAs. In doing so, some authorities, at least in principle, could exceed the guideline and, as a consequence, face the Minister's wrath and have benefit clawed back. Surely that is wrong because it sends the wrong signal to councils that the Government want to spend on education.

Ms Armstrong: I am afraid that the hon. Gentleman is wrong. This year's criteria allow an increase of either 4.5 per cent. or an amount commensurate with the increase in SSA. An increase in SSA that is higher than 4.5 per cent. is accounted for.

Sir Paul Beresford: Will the right hon. Lady give way?

Ms Armstrong: No. The hon. Gentleman is just enjoying himself again.

I assume that the purpose of amendments Nos. 84 and 85 is to prevent the scheme applying for 1999–2000. As I have already explained several times, the clause simply provides for regulations that will require major participating authorities exceeding the guideline to make payments to billing authorities. It does not affect the establishment of the scheme as a whole.

We have already made regulations to change the tax-setting equation so that the local authority contribution to council tax benefit costs is raised from council tax. Councils took that into account when setting their council tax for 1999–2000. The amendments would therefore have little effect, and I ask that hon. Members not to press them.

Amendment No. 42 seeks to exempt from capping councils that budget below their standard spending assessment. We made it clear in the White Paper that we would be taking reserve powers that allowed us to cap in those circumstances.

The new reserve capping powers in the Bill are designed to enable the Government to step in and protect council tax payers if a local authority increases its council tax unreasonably. Standard spending assessments are a simple measure that the Government use as a basis for distributing the revenue support grant. They have no more significance than that. It follows that the relationship between a council's budget and its standard spending assessment has no bearing on whether a particular year's increase is deemed to be excessive.

We need only consider some councils' behaviour in setting council tax rates for 1999–2000 to realise that. South Cambridgeshire has increased its council tax by 175 per cent.; Tewkesbury's increase is 49 per cent.; and Wandsworth, which Conservative Members have mentioned, has made a 21.5 per cent. increase. All those councils are budgeting below SSA, but making large increases in council tax.

Sir Paul Beresford: The Minister has touched on a point on which I should like clarification. The significance of council tax increases must lie in the increase in money rather than the percentage increase. When the Minister considers her restrictions, will she examine percentages or money?

Ms Armstrong: I am interested that the hon. Gentleman intervenes on that point. Perhaps he would have a word with the hon. Member for Christchurch (Mr. Chope), who was complaining that Dorset council did not take account of people on fixed incomes who are affected year on year by the percentage increase. That is why we seek to have the power to impose restrictions.

I am not pre-empting any decisions that will be made this year, but it is reasonable that the Government should have the power to intervene if the level of increase makes it necessary. People would think that we were strange if we did not seek such a power. It is important that the Government take seriously their responsibility to local taxpayers, and we shall continue to do so. I hope, given those explanations, that hon. Members will withdraw that amendment.

Amendment No. 43 is designed to exempt from capping any council that spends less than 12.5 per cent. above its standard spending assessment. The Conservatives seem to be trying to reintroduce their policy of capping councils

[Ms Armstrong]

that budget at more than 12.5 per cent. over SSA. This is another amendment that demonstrates the schizophrenia of the official Opposition, with some Opposition Members being confessional and some not. However, there is a slightly different twist—no authority budgeting below that level will be capped. That is a change from the situation when the Conservatives were in power, but I suspect that that is where they got the figure of 12.5 per cent. Most of the authorities that they capped would have been exempt under this principle.

6 pm

Standard spending assessments are no more than a measure that the Government use to distribute revenue support grant. Our new reserve capping powers are designed to protect council tax payers. We are not prepared to shirk our responsibility. The amendment would remove from two thirds of councils the possibility of Government intervention. That is not what people want.

I assume that amendment No. 108 is intended to make it difficult for the Secretary of State to apply the reserve powers to local authorities with a low band D council tax, and to limit him to using his reserve powers in relation to those authorities with the highest band D council tax within a category. We have had this debate before. I do not understand what Opposition Members are trying to achieve. Would they be happy for such authorities to make massive increases in their council tax, to the detriment of the council tax payers in their area? We are not prepared to accept that. Again, I ask hon. Members not to press the amendment.

Amendments Nos. 113 and 114 would prevent the Secretary of State from determining categories of authorities, and thus from applying different sets of principles to each category. We have discussed this on several occasions. I used the basis of the argument in response to a previous amendment, so the House understands the Government's view. We want to be sure that we move at the pace of the best, and that we are not held back by the worst, which would have been the effect of the sunset clause that the Opposition moved yesterday. We want to give powers and opportunities to the best. We do not want to go down the rigid path towards which the Opposition are pushing us through these amendments.

Amendments Nos. 109, 111 and 110 would require the Secretary of State to determine categories of authorities. That rather contradicts some of the arguments that we have heard. I do not believe that the amendments would be helpful. The Secretary of State may not need to determine categories. It may be appropriate to apply the same principle to all authorities. We have heard many examples today in which that would not be appropriate. That is why we need flexibility. I hope that hon. Members will not press the amendments.

Amendment No. 115 would limit the information that the Secretary of State may take into account in determining categories of authorities—

Mr. Gray: On a point of order, Mr. Deputy Speaker. I cannot help noticing that the Minister has been speaking longer—32 minutes—than any Back Bencher during last night's debate, about which she complained so much. She said that that was a filibuster. Is she filibustering her own Bill?

Mr. Deputy Speaker (Mr. Michael Lord): That is not a point of order for the Chair.

Ms Armstrong: I am trying to get through the notes. This is a large group of amendments, and I have taken a substantial number of interventions. I have been responding to the debate. Opposition Members know that they were offered negotiations through the usual channels, but they refused to come and talk about what would be possible. They have created the problem.

Amendment No. 115 is unnecessary. Every Secretary of State must consider the reasonableness of his use of powers granted by statute. I cannot think of circumstances in which information that was relevant would not also be reasonable. The amendment adds nothing of substance to the intention of the Bill. It is not needed, and I ask hon. Members not to press it.

Sir Paul Beresford: The Government are adopting the same approach as in Committee—nice words, then comes the crunch. New clause 6 and the amendments were intended not to stop capping, but to ease the pain. I shall therefore press the motion to a Division.

Question put, That the clause be read a Second time:—

The House divided: Ayes 170, Noes 335.

Division No. 130] **[6.5 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Ashdown, Rt Hon Paddy
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baker, Norman
Baldry, Tony
Ballard, Jackie
Beggs, Roy
Beith, Rt Hon A J
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brake, Tom
Brand, Dr Peter
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Bruce, Malcolm *(Gordon)*
Burnett, John
Burns, Simon
Cable, Dr Vincent
Campbell, Rt Hon Menzies *(NE Fife)*
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Clifton-Brown, Geoffrey
Collins, Tim
Colvin, Michael
Cormack, Sir Patrick
Cotter, Brian
Cran, James
Dafis, Cynog
Davey, Edward *(Kingston)*
Davis, Rt Hon David *(Haltemprice & Howden)*
Day, Stephen
Donaldson, Jeffrey
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fearn, Ronnie
Flight, Howard
Forsythe, Clifford
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gill, Christopher
Gray, James
Greenway, John
Grieve, Dominic
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hancock, Mike
Harris, Dr Evan
Hawkins, Nick
Hayes, John

Heald, Oliver
Heathcoat–Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, Rt Hon Michael
Jenkin, Bernard
Johnson Smith,
Rt Hon Sir Geoffrey
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Nigel *(Cheltenham)*
Kennedy, Charles *(Ross Skye)*
Key, Robert
Kirkbride, Miss Julie
Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Livsey, Richard
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Rt Hon Andrew
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Mates, Michael
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Moss, Malcolm
Norman, Archie
Oaten, Mark
Ottaway, Richard
Page, Richard
Paterson, Owen
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Rowe, Andrew *(Faversham)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid–Norfolk)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Tonge, Dr Jenny
Townend, John
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Wallace, James
Walter, Robert
Wardle, Charles
Waterson, Nigel
Webb, Steve
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willis, Phil
Wilshire, David
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mrs. Caroline Spelman and
Sir David Madel.

NOES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Ms Hilary
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Stuart *(Middlesbrough)*
Benn, Rt Hon Tony
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Best, Harold
Betts, Clive
Blackman, Liz
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Rt Hon Stephen
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Chapman, Ben *(Wirral S)*
Chaytor, David
Church, Ms Judith
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda
(Edinburgh Pentlands)
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack
(Copeland)
Curtis–Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Edwards, Huw
Efford, Clive
Eliman, Mrs Louise
Ennis, Jeff
Fatchett, Rt Hon Derek
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hood, Jimmy
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Ingram, Rt Hon Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie
(Welwyn Hatfield)
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny
(Wolverh'ton SW)
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kingham, Ms Tess
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Lock, David

Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
Osborne, Ms Sandra
Palmer, Dr Nick
Pendry, Tom
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Robertson, Rt Hon George *(Hamilton S)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Savidge, Malcolm
Sedgemore, Brian
Shaw, Jonathan
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple–Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Walley, Ms Joan
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Woolas, Phil
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Mike Hall and
Mr. Keith Hill.

Question accordingly negatived.

Clause 1

BEST VALUE AUTHORITIES

Mr. John Hayes (South Holland and The Deepings): I beg to move amendment No. 54, in page 1, line 8, at beginning insert

'Subject to subsection (4A) below,'.

Mr. Deputy Speaker: With this, it will be convenient to discuss the following amendments: No. 26, in page 2, line 4, leave out from 'Authority' to end of line 5.

No. 55, in page 2, line 12, at end insert—

'(4A) This section shall not apply to police authorities in respect of their oversight of any of the following police functions:

(a) any issues relating to national security,

(b) any relating to any matter whose public disclosure might compromise current or future police operations;

(c) any which is a statutory duty of police forces;

(d) the provision of any support service that may be specified by order of the Secretary of State.'.

No. 27, in clause 2, page 2, line 44, at end insert—

'(5A) The Secretary of State shall consult with—

(a) the authority or body concerned, and

(b) all other relevant bodies

before making an order within this provision.'.

No. 58, in clause 3, page 3, line 6, at end insert—

'(1)(A) In the case of police authorities, the general duty in this section shall be without prejudice to section 10 of the Police Act 1996 ("General functions of chief constables").'.

No. 72, in clause 6, page 6, line 3, at end add—

'( ) In preparing a best value performance plan, a police authority must also have regard to section 8 of the Police Act 1996 ("local policing plans").'.

No. 73, in page 6, line 3, at end insert—

'(5) In the case of a police authority, a draft of the best value performance plan shall be prepared by the chief constable for the area and submitted by him to the police authority for it to consider.

(6) Before issuing a best value performance plan which differs from the draft submitted by the chief constable under subsection (5), a police authority shall consult the chief constable.'.

Mr. Hayes: I am delighted to speak to the amendments, but I have no wish to delay the House unduly. Far be it from me to lay myself open to the charge of filibustering, whether justified or not. I have never filibustered on this Bill—at least, not deliberately—and I have no intention of doing so this evening.

The amendments address an issue which is at the heart of the Bill, and which was debated a number of times in Committee: the inappropriate application of the Bill to police authorities. The application is inappropriate not just because police authorities have been shoehorned into a Bill that was in essence designed to deal with local authorities, but because the premise of necessity on which the Bill rests simply does not apply to police authorities. The amendments go some way towards solving the problem, although we would prefer the Bill not to apply to police authorities at all.

I say that the premise of necessity does not apply partly because of existing statutes. Hon. Members will be familiar with the Police and Magistrates' Courts Act 1994, which deals with issues of police management and efficiency, and with section 43 of the Police Act 1996, which gives the Home Secretary specific powers to require police authorities to report to him on matters connected with the discharge of their responsibilities. Moreover, section 106 of the Police and Criminal Evidence Act 1984—now section 96 of the Police Act 1996—makes specific arrangements for the obtaining of local people's views. Police forces also have a statutory responsibility to draw up local policing plans.

Because of the existence of those Acts, there is no need for the Bill to apply to police authorities. The Home Secretary already has powers to scrutinise the drawing up of plans and the requirement to consult. If the Government are saying that the aim is simply to satisfy the requirements of existing legislation, and if the current arrangements are effective and efficient, why include police authorities?

In addition, the Audit Commission publishes a series of performance indicators—measurements of police efficiency. I have a copy of the document relating to 1996-97, which all hon. Members doubtless regard as essential bedtime reading. *[Interruption.]* It appears that the Minister does not.

The Audit Commission, however, acknowledges that

"Police forces should be locally accountable"

and

"must respond to the needs and expectations of their local community."

As those needs and expectations vary in different parts of the country, additional performance indicators—benchmarking—will be of limited use. The need for different approaches in different parts of the country is one reason why the Association of Police Authorities has expressed reservations about the Bill. It does not want a uniform set of targets to be applied nationally.

Hon. Members will be familiar with the work of the Policy Studies Institute. In a report on local policing plans, it says:

"Although policing plans must include national objectives, we found no evidence that plans were becoming dominated by central concerns."

National objectives that are included in those plans already give us an opportunity to judge police authorities according to some standard criteria, while allowing enough flexibility for the necessary discretion to be exercised locally.

The questions currently asked by the Audit Commission strike me—and, indeed, chief constables and the Association of Police Authorities—as satisfactory. We do not think that additional legislation is needed. The police also come within the ambit of Her Majesty's inspectorate of constabulary, and there are questions to be asked about the relationship between it and the Audit Commission. Those questions were dealt with to an extent by a memorandum that was circulated in Committee. We were told that discussions were in progress, and that an accord was developing between the two bodies. As with other aspects of local government, however, we have a vision of finding a different inspector from a different organisation around every corner and in every corridor of police authorities. That, I think, is something of an insult to police authorities and chief constables, suggesting that they cannot manage their affairs properly.

That brings me to the nub of the argument. As I have said, if the existing arrangements are satisfactory, it is surely unnecessary to include police authorities; but a more fundamental objection to the Bill is that it challenges the current governance of the police. The time-honoured tripartite arrangement is at least challenged, and arguably weakened, by the Bill. The Association of Police Authorities has made that point as well. The Bill, moreover, has three further weaknesses.

First, there is the setting of additional national targets. We must assume that they are additional, because if they are not, they have no point. The setting of additional targets may endanger the independence of the constabularies, especially if the targets are uniform and based on the false goal of comparability. Comparability has some value, but it should not be worshipped like a god. Comparisons between a rural and an urban police force are of dubious merit: many aspects cannot be adequately or properly compared, and the comparison may be misleading rather than edifying.

Secondly, if operational matters are to be included in the assessment of best value, the Bill will also impinge on the discretion of chief constables. Chief constables have always had discretion over operational matters, and police authorities have traditionally recognised that. Their relationship with chief constables has been founded on the division of responsibilities.

Thirdly—and even worse—we must consider the Bill's possible impact on the style of policing and the character of police forces.

That which is most measurable is not necessarily that which is most desirable, or even most desired. Of course the logistics involved in dealing with offences are important, and highly measurable. Many aspects of input are also measurable—questions such as "how many?", "how much?" and "how long?" On the contrary, the value of community policing—police visits to schools, for instance, and the preventive policies of local forces—is harder to measure, because its effects are less immediately tangible.

Bobbies on the beat may not be particularly fashionable according to the accountants' view of policing that we seem to be adopting, but such non-adversarial policing is very popular in my constituency. Along with Gary Jenkins, editor of my local newspaper—I shall not waste this opportunity of naming it: it is the Spalding *Post*—I have been running a campaign to increase the number of bobbies on the beat. Some so-called experts have told us that is no longer seen as an important part of policing, because its value cannot be measured empirically, unlike other aspects of policing that relate easily to uniform targets and uniform methods of measurement.

The amendments attempt to limit the excesses of the Bill—by exclusion, in the case of amendment No. 55; by clarification of the Bill's interface with existing statutes, in the case of amendments Nos. 58 and 72; and by defending the role of chief constables, in the case of amendment No. 73. Of course we want effective and efficient police forces, but we also want police forces that preserve the best traditions of impartiality, independence

[Mr. Hayes]

and local accountability. We are justly proud of those things. They are a result of the current system of governance of police forces, which the Bill seriously jeopardises.

6.30 pm

Mr. Burstow: One of the amendments has been tabled by the right hon. Member for Bromley and Chislehurst (Mr. Forth), who is not in his place. It raises an issue that was touched on in the Committee that is considering the Greater London Authority Bill—the application of best value to the Greater London authority. Both the right hon. Gentleman and I have the pleasure—I think that that is the right word—of being members of that Committee, and have had the opportunity to explore a little further how best value will apply to the authority.

In a number of written questions, I have sought to clarify—both for my benefit and, I hope, for the benefit of those who will have to operate the best value regime in the Greater London authority—how the duty of best value will apply. I want to go a little further and to seek further clarification.

I have received a useful letter from the Under-Secretary, the hon. Member for Greenwich and Woolwich (Mr. Raynsford), which sets out the Government's thinking on the matter. There is still an issue around the order-making powers that the Bill provides. I seek some clarification from the hon. Gentleman's fellow Under-Secretary on the matter this evening.

The letter, dated 16 March, says in respect of a duty of best value applied by order of the Secretary of State:

"he could provide for the GLA to be a best value authority in relation to specified functions which are not functions of the Authority, but are functions of another best value authority."

That sentence was hard to get to grips with. I hope that the Under-Secretary will be able to elucidate, because it is not explained later in the letter. Does it mean that the mayor can effectively act as the best value authority for a London borough? Does it mean that the mayor can act as the best value authority for other bodies from which he takes over functions? The Greater London Authority Bill provides for him to exercise other agencies' powers if they do not take them up themselves. We need to be clear what that means in respect of the application of best value.

In Committee, the Minister of State expressed concern that an amendment that was moved by my hon. Friend the Member for Taunton (Jackie Ballard) on the application of best value corporately to the Greater London authority would blur the lines of accountability. I hope that the Under-Secretary of State for the Environment, Transport and the Regions will explain a little further how he thinks the lines of accountability will be blurred by applying corporately to the Greater London authority a duty to secure best value.

Over time, that would be the better way to do it. If it is not possible to do that, it gives rise to the question whether the Department of the Environment, Transport and the Regions, which is responsible for drafting both the Local Government Bill and the Greater London Authority Bill, failed to exercise joined-up thinking in producing both Bills. It would have been easy to apply best value corporately if the drafting of the Greater London Authority Bill had allowed that to happen. However, it appears from the way in which the Bill has been put together that elaborate powers are needed, with the Secretary of State making things up as we go along.

Therefore, I hope that the Under-Secretary will be able to give us some further explanation of how the best value regime will apply to the Greater London authority. I hope that it is clear, consistent and readily understandable to elected members, the mayor and officials who will have to operate the system.

Other amendments deal with the police service. Again, I have had the opportunity to study the exchanges in the Standing Committee, which seemed to boil down to whether a police authority or the police force were responsible for discharging the duty of best value. Provided that the Bill applies a duty of best value on police authorities—from my reading of the Bill, that is what it does—Liberal Democrats do not have a problem in supporting the Government policy. However, the official Opposition are right to raise the concern that it might jeopardise operational matters. I should be grateful if the Under-Secretary could repeat the assurances that were given by the Minister of State during the deliberations in Committee.

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Alan Meale): I welcome the hon. Member for South Holland and The Deepings (Mr. Hayes) on his first appearance at the Dispatch Box. I know how much he cares about the police force and policing methods. As a Nottinghamshire Member, I am aware of his activities in that regard over a long time in the east midlands.

I shall deal first with the amendments that have implications for police functions: amendments Nos. 54, 55, 58, 72 and 73.

Amendments Nos. 54 and 55 would exclude from the best value provisions certain functions over which police authorities have oversight. The amendments are similar to one which Conservative Members tabled in Committee. It may be helpful if I reiterate what was said then—that the amendments would not be consistent with our objectives for the police service under best value, which are to ensure that the police are delivering high-quality services across the range of their activities.

Matters of national security and operational effectiveness will always be key priorities for police authorities and chief constables, as they are for the Government. I reassure the hon. Member for South Holland and The Deepings again that nothing in the best value provisions will affect the ability of the police to discharge those functions.

The checks and balances that exist now to protect sensitive areas of police work, such as that of the special branch and the anti-terrorist branch, will continue to exist under best value. It will be the responsibility of Her Majesty's inspectorate of constabulary which, with the Audit Commission, will have a joint role in the inspection and audit of police authorities under best value, to ensure, as they do now, that details of such matters are exempt from publication. However, we do not believe that the provision of those services where expenditure can be high should be exempt from best value rigours, any more than should the other services provided by the police.

New subsection (4A)(c) would exclude from best value any function that is the statutory duty of a police force. That fails to recognise the shared responsibilities for policing within the tripartite structure, which the hon. Member for South Holland and The Deepings mentioned. It is the statutory duty of the police authority to maintain an efficient and effective police force for its area. The chief constable is responsible for the day-to-day direction and control of the force. To disapply best value from those duties would not be consistent with the objective to secure year-on-year improvements in services. However, as we recognised in last year's local government White Paper, it would not be appropriate to expose to competition certain core statutory activities that are carried out by the police.

I am assuming that the reference in the amendment to "support services" means services such as administration, information technology and training. We see no valid argument for exempting any police support services from best value, whether they are provided nationally, or on a force-by-force basis. Indeed, such services, like others, should be critically reviewed and inspected regularly, so that we can be sure that they are being provided as efficiently and effectively as possible.

Amendments Nos. 54 and 55 are both undesirable and unnecessary, and I ask the hon. Member for South Holland and The Deepings to withdraw amendment No. 54 at the appropriate moment.

Amendment No. 58 would provide that nothing in the manner in which the duty of best value impacts on police authorities shall have effect on the functions of chief constables. Amendment No. 72 would require police authorities to have regard to section 8 of the Police Act 1996 in preparing a best value performance plan. Amendment No. 73 would put responsibility on the chief constable to draft the local performance plan for the police authority's agreement.

Those amendments cover territory that has already been the subject of interesting debate in Committee. I hope that they have been tabled, as the hon. Member for South Holland and The Deepings indicated, to obtain reassurance, rather than to reopen old arguments.

The Bill is very explicit about how it will impact on police. The duty of best value will apply to police authorities, but will not apply to police forces. As such, the Bill does not affect the tripartite structure of policing. However, that said, my right hon. Friend the Home Secretary is anxious that no opportunity should be missed to ensure that police forces are run as efficiently and effectively as possible. In achieving that end, close co-operation between chief constables and police authorities is very important.

The Bill will strengthen that process of co-operation by virtue of the provision in clause 23(1)—which requires that the local policing plan, as provided for by section 8 of the Police Act 1996, shall give particulars of any action proposed for the purposes of complying with best value. As a matter of law, responsibility for production of the local policing plan is that of the police authority.

In practice, however, the chief constable prepares the first draft of the policing plan. In doing so, he is thus required to have regard to the authority's statutory duties under best value, without being subject to a statutory obligation to achieve best value himself.

Section 10 of the 1996 Act is entirely consistent with that approach. It provides that the chief constable, in discharging his functions, is to have regard to section 8—which I have just described—but does not apply the statutory duty of best value to the chief constable; nor is it the Government's intention to create such a duty. We believe that that is the best way of ensuring an integrated approach between police authorities and police forces under best value. The Association of Chief Police Officers and the Association of Police Authorities—both of which have been consulted about the amendment to the 1996 Act—fully support that approach.

I therefore ask the Opposition Members who tabled amendments Nos. 58, 72 and 73 not to press them.

Mr. Andrew Lansley (South Cambridgeshire): I am not entirely clear on the matter, not having had the benefit of participating directly in the debates in Committee. However, as I understand it, the Association of Police Authorities took the view that it would be better if the best value aspects of police authorities' role were assessed by the Audit Commission rather than by Her Majesty's inspectorate of constabulary. The Minister seemed to be saying that the Government are proposing that HMIC should undertake the best value scrutiny of police authorities. Did I misunderstand him, or is he saying that the Association of Police Authorities is happy with all the provisions, including the one with which he is now dealing?

Mr. Meale: The hon. Gentleman is right to mention that point. However, I am assured that I was right in what I said about the consultation process. Possibly the advice and information that he has received was misjudged.

Amendment No. 26 would have the effect of subjecting all the functions of the Greater London authority to the general duty of best value, and not only those corporate functions exercised through the mayor.

In Committee, we discussed at some length application to the Greater London authority of the duty of best value. Indeed, amendment No. 26 is identical to an amendment that was considered in Committee—as the *Official Report* will show, at columns 31-34 of the Standing Committee debates. Nevertheless, I appreciate that the right hon. Member for Bromley and Chislehurst (Mr. Forth)—who is not in the Chamber—was not a member of the Committee that considered this Bill. I am therefore prepared to explain—if not to him, to his colleagues—why the Bill was drafted as was. Subsequently—if the right hon. Gentleman comes into the Chamber by the end of the debate—I hope that he will not press his amendment.

As I have said before, the Government believe that the Greater London authority should be subjected to the duty of best value. However, the way in which that duty is applied to the authority will have to be flexibly drawn to take account of the different ways in which the GLA itself exercises its functions and its relationship with the four functional bodies that will deliver the main Londonwide services—the London Fire and Emergency Planning Authority, Transport for London, the London Development Agency and the Metropolitan Police Authority.

The Government believe that the Bill has to be sufficiently flexible to cater for different internal working arrangements, to ensure that as much of the GLA's normal

[Mr. Meale]

work as possible is subjected to the duty of best value. Clause 2(4) will achieve that, by allowing the Secretary of State to provide, by order, for the duty of best value to be applied to any functions that the GLA exercises other than through the mayor, and to any role it plays in respect of functions of other best value authorities, such as setting a strategy for Transport for London.

6.45 pm

Our approach to creating a duty of best value for the GLA takes specific account of the range of different responsibilities that will exist between its constituent parts, and will ensure, as far as possible, that accountability for delivering best value will be attached to the bodies that are responsible for performing its various functions.

Mr. Swayne: I was not a member of the Standing Committee. I am also not sure that I am following the Minister's logic. Although he is stressing the importance of flexibility in dealing with the Greater London authority, he seemed to rule out such flexibility earlier in the debate, when he dismissed the flexibility that would have been afforded to police authorities by amendment No. 55.

Mr. Meale: I assure the hon. Gentleman that there is no question of our using the Bill to allow the GLA to usurp the functions of any other body when it does not have a statutory basis for doing so. I assure him also that, if he will allow me to finish my speech, I shall answer any questions that he might have on our approach to the amendments. He will have clarity.

A simple application of the duty of best value to the GLA corporately—which is what amendment No. 26 seems to be seeking to achieve—would prevent the objectives that I have described from being achieved satisfactorily. If the application of the duty of best value were not clearly specified, we should run the risk of blurred lines of accountability. The Bill as currently drafted will give us the ability to identify clearly the roles of the mayor, the assembly and the functional bodies. A simple corporate application of the duty would not allow us to do so, and would detract from the transparency that we wish to create.

I hope that that has clarified for the Opposition the position regarding the GLA, and that the right hon. Member for Bromley and Chislehurst will agree not to press amendment No. 26—if he arrives in the Chamber in time to do so.

Mr. Burstow: Although the right hon. Member for Bromley and Chislehurst is not in the Chamber, I have raised the same issue as it affects the GLA. I am not the right hon. Gentleman's keeper and cannot account for his absence, but believe that it is an important issue, which my hon. Friends also have raised and are still concerned about.

Mr. Jenkin: Will the hon. Gentleman give way?

Mr. Burstow: I am intervening on the Minister; it would be very difficult to take a further intervention.

Will the confusion on the Government's proposals on local government more generally and on executive mayors require future amendments to the legislation?

Ms Armstrong: That is not in the Bill.

Mr. Meale: The simple answer to that—as my right hon. Friend the Minister is saying—is that the Bill does not deal with those proposals, which will be debated when they are proposed.

Amendment No. 27 would require the Secretary of State to consult relevant bodies before making an order disapplying a best-value duty in specified authorities.

I am grateful to the right hon. Member for Bromley and Chislehurst for his apparent concern over the way in which the power to disapply a best value duty might be exercised by the Secretary of State. His amendment has at least given the Government an opportunity to state our views. He will be aware—as he has followed the debate in Committee—that we recognise that the duty of best value could be onerous if applied in full to smaller town and parish councils. In recognition of that possibility, clause 2(5) will allow us to vary the duty as appropriate. If he gets around to listening to me, I should like to pay tribute to the hon. Member for North Essex (Mr. Jenkin), who led for the Opposition in Committee. In particular, he emphasised the need for a more sensible approach to town and parish councils.

We also recognise the need for proper scrutiny of the exercise of the power. That is why clause 2(6) requires an order made under this provision to be subject to the affirmative resolution procedure in both Houses of Parliament.

I am sure that I do not need to remind Opposition Members that it is simply a matter of good government to ensure that the views of interested parties are taken on board before proceeding with legislation. My Department has already had discussions with representatives of town and parish councils, as well as the Audit Commission, about the application of best value to those authorities.

I am sure that Opposition Members cannot seriously believe that the Government would be so neglectful as to submit an order for parliamentary approval without first having had regard to the views of interested parties.

Amendment No. 27 would require the Secretary of State only to consult relevant bodies and not to have regard to their views. It would not guarantee the quality, depth or extent of that consultation. Indeed, for the purposes of the amendment, consultation could be so meagre as to be worthless. Therefore, if the right hon. Member for Bromley and Chislehurst gets here on time, I shall ask him not to press the amendment.

Mr. Hayes: I shall not delay the House long, but I should like to pick up a couple of the points that the Minister made. He claimed that the tripartite system for the governance of the police remained intact. The tripartite system is essentially a separation of powers. Historically, the arrangements for accountability and inspection have similarly been separate. Her Majesty's inspectorate of constabulary has typically dealt with managing, inspecting and holding to account the operational functions of the police force. The notion that it will now have power to inspect police authorities is certainly contentious. As my hon. Friend the Member for

South Cambridgeshire (Mr. Lansley) said, there is clearly some disagreement about the attitude of the Association of Police Authorities in that regard. I have a document from the APA saying:

"The Association is vigorously opposed to the proposal that HMIC, the professional adviser to the Home Secretary, should play any part in inspecting how police authorities go about fulfilling their best value duties."

So at the very least there is some doubt as to the position of the APA. It may have changed its mind following further discussion. Perhaps the Minister can clarify that.

Mr. Meale: I should like to make two points. First, on the different views on the matter, I can assure the hon. Gentleman that I have expressed the views that resulted from consultations conducted by officials in the Department. Secondly, I did not give the hon. Gentleman a complete answer on the effect of performance indicators on the style of policing. I understand his concern, bearing in mind his many years of involvement in these matters. Local authorities and police authorities will be free to put the national indicators into a local context. Auditors and inspectors will take full account of that.

Mr. Hayes: I am grateful for the Minister's kind words, particularly the hyperbole about my service in Nottinghamshire. I give credit for prompting him to the hon. Member for Nottingham, East (Mr. Heppell) who served with me for a number of years, and I am grateful. However, it seems to me that there is at least a question mark about the role of HMIC and the Audit Commission in terms of their particular responsibilities for ensuring the efficiency and effectiveness of the police forces. I shall not make further comment about the APA's view, but it is certainly my view that HMIC inspectors are not the best people to perform that function, whereas they clearly are the best people to carry out their current functions effectively.

In respect of the style of policing, if we move to a system of comparable targets, there will have to be a degree of uniformity. Particularly if the funding mechanisms are based on that system, it will encourage a style of policing that is straightforward and easily measured. That is already occurring to some degree and it is why, for example, police forces find it hard to fund and implement a style of policing which, although it may be popular with the public, is hard to measure in tangible terms.

Mr. Meale: I do not think that that affects the duty of best value. One reason why I paid tribute to the hon. Gentleman is that for a long time I have had sympathy with the views that he has expressed in the county that I represent. Those views are widely known. I take some comfort from the fact that such views are being expressed about policing. The hon. Gentleman will know that the police in my constituency of Mansfield have adopted that style.

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. I shall attempt to assist the Minister by reminding him that interventions must be brief.

Mr. Meale: I apologise, Mr. Deputy Speaker. I do not think that the duty of best value will upset the process of decision making by local police.

Mr. Hayes: I said that I would be brief, but I am hesitant to draw the debate to a close, because if it continues any longer the Minister may say even nicer things about me, and the more of those that are recorded in *Hansard*, the better.

Mr. Swayne: I followed the Minister's logic when he appealed for flexibility in dismissing amendment No. 26, but it seemed to me that he was also dismissing that very flexibility in respect of police authorities when he dismissed amendment No.55. Am I alone in spotting that contradiction?

Mr. Hayes: My hon. Friend is absolutely right. As hon. Members will know, I am renowned for my generosity, whereas my hon. Friend the Member for New Forest, West (Mr. Swayne) is more hardhearted and never wastes an opportunity to draw attention to contradictions in a Minister's speech. There is certainly a fundamental issue of flexibility and independence of police forces that concerns the Opposition.

Having said that, I am anxious to ensure that the House has the maximum time to discuss the other faults and failures of the Bill, so I shall not prolong matters further. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 3

THE GENERAL DUTY

Mr. Jenkin: I beg to move amendment No. 50, in page 3, line 5, leave out

'way in which its functions are exercised'

and insert

'value for money of its provision of services.'.

Mr. Deputy Speaker: With this, it will be convenient to discuss the following amendments: No. 57, in page 3, leave out line 6 and insert

'having equal regard to economy, efficiency and effectiveness.'.

No. 29, in page 3, line 9, after '(a)', insert 'elected'.

No. 30, in page 3, line 11,, after '(b)', insert 'elected'.

No. 33, in page 3,, leave out lines 17 to 19.

No. 63, in clause 4, page 3, line 38, leave out

'having regard to a combination of'

and insert 'having equal regard to'.

No. 51, in clause 5, page 4, line 12, leave out

'way in which its functions are exercised'

and insert

'value for money of its provision of services.'.

No. 66, page 4, line 13, leave out

'having regard to a combination of'

and insert 'having equal regard to'.

Mr. Jenkin: The importance of this part of the Bill cannot be overestimated. The amendments relate to clause 3, which covers the fundamental duty of best value. We spent considerable time in Committee discussing its definition. Clause 3(1) states:

"A best value authority must make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy efficiency and effectiveness."

[Mr. Jenkin]

Considerable effort must have been applied to the drafting of those words to tighten the meaning. The Bill puts an obligation on an authority to achieve specific aims, but if someone wanted to sue a council for failure to fulfil the best value duties, the court could well have difficulty deciding what the duties mean.

7 pm

Everything hangs on the duty of best value. We wondered whether the definition could be improved. We spent a lot of time in Committee considering possible expansions or enlargements of the definition. The purpose of this group of amendments is to establish the meaning. We think that it means value for money. That may be rather like going into a drawing room and saying a rude word to the Government. They may regard value for money as a mean-spirited, bad-tempered and narrow-minded phrase that does not reflect people's wider aspirations for their local authority, but in its broadest sense it means securing the finest and best-quality services at the best available cost.

Clause 3(1) seems to be part of the packaging of the Bill. It is designed to be all things to all men. It is attractive to Labour authorities because it does not mean competitive tendering and to Conservative authorities because they may understand it as a duty to secure value for money. The disciplines of competition are extended to all the activities of local authorities later in the Bill, with clause 5 all but putting in place a competitive tendering regime.

The Bill uses all kinds of language in place of the ultimate truth: if best value is to mean anything, the fundamental duty must be to achieve value for money. That is not the same as the cheapest option, which the Government have endlessly caricatured as our position; it means getting best value.

To inform the concept of value for money, we suggest that, rather than having regard to a combination of economy, efficiency and effectiveness, authorities should have regard to those three in equal measure, because they are equally important. We are suggesting a more specific way of expressing the combination, because we are asking not for a bit of economy, a lot of efficiency and a lot of effectiveness, but for an equal consideration of all three. Amendments Nos. 50 and 51 to clause 5, and amendments Nos. 57, 63 and 66, which deal with the need to have equal regard to the combination of economy, efficiency and effectiveness, cover those points.

My right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) has tabled further amendments, but he is not present tonight. The Government changed the business of the House at very short notice, which may explain why he is unable to be with us for this debate. He had expected to be able to debate the amendments last night. Indeed, if the Government had not pulled stumps he would have been able to do so.

My right hon. Friend's amendments clarify who should be the

"representatives of persons liable to pay any tax, precept of levy to or in respect of an authority"

and the

"representatives of persons liable to pay non-domestic rates in respect of any area"

He says that they should be elected, which is a good principle. We heard earlier this evening that it might be all right to consult a focus group to find out how popular the Government's capping policies are. It may be implicit in the Bill that a focus group would be enough to deal with the requirement to consult. We are suggesting that elected representatives are the right people to consult. Amendment No. 33 would delete subsection (3) of clause 3. If the representatives to be consulted under subsections (2)(a) and (2)(b) are elected, subsection (3) becomes unnecessary.

The amendments are useful and are designed to promote discussion about what best value means. We think that value for money in the provision of an authority's services is a clearer definition of best value than

"the way in which its functions are exercised".

We commend the amendments to the House.

Jackie Ballard (Taunton): The definition of best value is central to the Bill. The Liberal Democrats have no problem with having equal regard to the three Es, although we moved amendments in Committee to add other Es—equality, environmental sustainability and equity—because the Audit Commission's three Es of economy, effectiveness and efficiency provide too narrow a focus and do not encompass all the issues that local authorities should consider when providing or contracting for services. Amendments Nos. 50 and 51, which would narrow even further the focus of best value to make it just a value-for-money exercise, should be rejected.

The amendments of the right hon. Member for Bromley and Chislehurst (Mr. Forth) look attractive on the surface.

Mr. Jenkin: When the hon. Lady goes shopping and buys herself a nice new dress, does she believe that she does not get value for money unless she buys the cheapest dress? That is not how normal people make purchasing decisions. They judge value for money on the relationship between the quality of what they are buying and what they are spending. That is what we are focusing on. The hon. Lady is falling into the trap of believing that value for money means the cheapest. That is silly. We are looking for the best value for money.

Jackie Ballard: I am so pleased that the hon. Member for North Essex (Mr. Jenkin)—or wherever it is—holds me in such high regard. Under compulsory competitive tendering, people shopping for trousers would have had to look for the cheapest.

Ms Armstrong: What about dresses?

Jackie Ballard: Perhaps the hon. Gentleman buys dresses, too. When I go shopping, I might be looking at more than just the cost or the quality of the article. If I were looking at just those two aspects, value for money might be my main consideration, but I might be interested in whether the article was made by people in a sweat-shop in the Philippines or by people somewhere else who were paid a decent wage. Many people take into account equity, decency and opportunity when looking for goods and services. The purpose of our amendments in Committee was to widen the definition from the Audit Commission's narrow three Es.

The amendments of the right hon. Member for Bromley and Chislehurst look attractive on the surface, because most of us have a positive knee-jerk reaction to the word "elected", but I am confused about who the right hon. Gentleman thinks the elected representatives of taxpayers are. Councillors are their direct representatives. I wonder whether he is thinking of having more elections to choose people to be consulted on best value. I should be surprised if that was his plan, because it would be bureaucratic nonsense.

However, that argument does not apply to amendment No. 30, which would be an improvement. It would be useful for the business community to elect representatives for consultation purposes. That could refer to representative organisations that already exist—for example, chambers of commerce and industry. We support the requirement for local authorities to consult local people on how to fulfil their duties under best value; any good local authority should be doing that already.

Consultation would show that most people with an interest in service delivery would want other issues above and beyond the three Es to be taken into account. In Committee, the Minister said that, although only the three Es would be in the Bill, local authorities would, for example, be expected to take equality issues into account. Local authorities should act as leaders of their communities, and ensure that services are provided in accordance with the needs and wishes of local people.

Without policies to address disadvantage, there is a danger that majoritarianism may rule in consultation responses, and that would further disadvantage minorities who are excluded by economic, social, physical or geographical conditions. I repeat my concern that employees are not included on the list of those to be consulted about the duty of best value.

Mr. Lansley: I wish to respond to two points made by the hon. Member for Taunton (Jackie Ballard). First, I do not think that it is necessary for additional Es—be they equality, equity or environmental sustainability—to be added to the list of those considerations to be taken into account. The word "effectiveness" in this context is a compelling word, and includes the taking into account of all those purposes for which the authority exercises its functions.

If the authority, rightly, believes that equity in the administration of its functions or environmental sustainability is an appropriate purpose, it is perfectly reasonable for the authority to seek to carry that out effectively—and it will come to its best value duty by that route.

Secondly, amendment No. 50 deals with the hon. Lady's caricature of what value for money means in this context. My hon. Friend the Member for North Essex (Mr. Jenkin) made it clear that he thought that value for money would be an improvement. However, it is not simply that the amendment would improve the drafting, but that it would radically change the way in which authorities had to think about their best value duty.

My fear is this: The Government's rhetoric in relation to the best value duty is that the concept of continuous improvement embraces—naturally and spontaneously in all authorities that exercise the best value duty—continuous improvement in value for money. However, that is not necessarily the case. An authority that said that it had regard to economy, efficiency and effectiveness in the context of seeking continuously to improve its services may not necessarily continuously improve value for money.

That authority may be far more concerned with the continuous raising of the level of service provided—even to the point where there are, effectively, diseconomies of scale or inefficiencies in the service provided—or with the way in which the quality of service is provided, while having regard to things like efficiency and economy, but none the less seeing the continuous improvement criterion as the driving consideration.

Labour and Liberal Democrat authorities are prone to move on quickly from a debate about value for money to a debate about how additional money can be spent in ways that will deliver additional services to the public. They may well take the view—they may well be wrong—that the additional service that they wish to provide represents a continuous improvement in that service. However, that may not necessarily deliver value for money. Although an authority may think about whether it can provide a service economically, that does not mean that that level of service represents necessarily greater value for money than that provided the year before. The authority may have moved to a standard providing lower value for money than that which applied before.

The redrafting of the best value duty—so that continuous improvement is expressed in terms of value for money, and not simply the way in which functions are exercised—cements the duty in a context which the local taxpayer would regard as appropriate. Taxpayers should not be at the mercy of an authority that is using the best value duty, and which says that it can continue to take the service to levels that are not justified by the value for money of what is delivered.

7.15 pm

My hon. Friend the Member for North Essex expressed the need to have regard not just to the three Es, but to ensure that each is given its due weight. "Having equal regard" would be the appropriate wording. If that does not happen, it seems perfectly legitimate—if not satisfactory—for an authority to have regard to economy in the delivery of its service, but to override economy in the interests of what it regards as effectiveness.

Amendments Nos. 50 and 57 deal with the same purposes, but the amendments tabled by my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) give effect to a different purpose, to which I am quite sympathetic. The hon. Member for Taunton seemed not to appreciate the circumstances in which the measure could apply. Happily, my district authority and county council routinely consult me, as a Member of Parliament, about the manner in which they exercise their functions before they set budgets. It is not necessary for them to do so—it is certainly not their duty.

Equally, county councillors are not necessarily consulted by district authorities before budgets are set, and district councillors are not routinely consulted by county councillors before budgets are set. Likewise, the "elected representatives" could well include representatives elected to parish councils who, in my experience, could offer an effective means by which the service that a district council provided to the people in its area could be assessed and consulted upon before a district authority set its budget.

[Mr. Lansley]

In truth, elected representatives from parish councils would probably deliver a far more meaningful set of consultations to a district authority about how it should set its budget and balance its demands upon the taxpayer with the service that it provides than would a focus group or a representative sample of the electorate, who may well have a less complete understanding than parish councillors of the manner in which the district council relates to the local area.

The hon. Member for Taunton asked who would be the representatives of persons who were liable to pay non-domestic rates. Under the clause, that is left entirely in the hands of a best value authority to choose for itself. I was the representative of the British chambers of commerce at the time of the Local Government Act 1989, and it was largely at our instigation that we secured a statutory duty for local authorities to consult representatives of the business community—effectively, non-domestic ratepayers—in relation to the framing of local economic development plans. That is sometimes honoured more in the breach than in the observance, but it is still there, 10 years later, on the statute book.

This is an opportunity for the Minister to say who she thinks the representatives of persons liable to pay non-domestic rates would be, in any context. For my part, I hope that chambers of commerce and industry would be pre-eminent among those representatives. In practice, they are often the elected representatives of such persons—even though not every non-domestic ratepayer, by any means, in any given area would be a member of a chamber of commerce and industry. In almost every case, a non-domestic ratepayer can be a member of a chamber of commerce and industry. The articles of association of such chambers are designed to give local representation in relation to that class of person.

It would be helpful if the Minister made it clear that, if the Secretary of State is to issue guidance to best value authorities, that guidance may well direct those authorities to consultations with chambers of commerce and industry.

Dr. Whitehead: Hon. Members have been a little kind about amendments Nos. 29, 30 and 33, which give an interesting insight into the mind of the right hon. Member for Bromley and Chislehurst (Mr. Forth) and, to some extent, that of the previous Government. It appears that he wants to nail everything down and have everything precisely defined but, as in the famous parable of the sorcerer's apprentice, everything goes haywire when one examines the detail.

As the hon. Member for Taunton (Jackie Ballard) pointed out, the amendments would leave the words

"in respect of the authority"

in subsection (2)(a) of clause 3, so the people referred to must be the councillors, and not other people as suggested by the hon. Member for South Cambridgeshire (Mr. Lansley), who has put a kind and sweeping interpretation on the intentions of the right hon. Member for Bromley and Chislehurst.

Amendment No. 30 would have subsection (2)(b) refer to

"elected representatives of persons liable to pay non-domestic rates in respect of any area"

but since the provision requiring that the local authority takes account of

"persons who appear to the authority to be representative of that group"

would be deleted by amendment No. 33, the authority would appear to have to consult anyone who pays non-domestic rates and is elected in any capacity whatever.

Presumably, then, the local chamber of commerce, the Confederation of British Industry, the Federation of Small Businesses, the local ironmongers and anyone else who could claim to have elected anyone to anything should be exhaustively consulted. That is a nice ideal picture, but in my experience of local government the reality of the proper exercise of consultation has always been that people who appear to be representative of the various groups are invited to take part.

It would be perverse if, under subsection (3), the chamber of commerce, with its elected officers, did not appear to the authority to be representative. The local authority would be in some trouble if it did not accept that a local chamber of commerce was representative, but by trying to nail everything down exactly, the amendments would achieve precisely the opposite of what was in the mind of the right hon. Member for Bromley and Chislehurst, although, as I systematically fail to read his mind, perhaps that was not his intention after all.

It is interesting to note the boundaries of what the right hon. Gentleman thinks is appropriate. He does not appear to be interested in consumers, who are the subject of subsection (2)(c) and (d). Under the amendments, anybody could represent himself and no one would have to be elected. As amendment No. 33 would delete subsection (3), anyone could turn up and say whatever they wanted. The same applies to any amenity society or local group interested in the parks and commons, the old town or local history.

In the amendments, the right hon. Member for Bromley and Chislehurst has given us a little cameo of what happened under the previous Government, who tried to nail everything down so that authorities could not move at all, with such toxic side effects that relations between central Government and local authorities were widely poisoned.

The clause is designed to inject some flexibility into the relationship between the local authority and the groups representing those who pay the local taxes, which should properly be consulted about what the authority does. If the authority acts responsibly, that should be the end of the matter. It is a sad reflection on the quality of the Opposition's attempts to amend the Bill that the amendments, if accepted, would completely reverse that intention.

Ms Armstrong: As my hon. Friend the Member for Southampton, Test (Dr. Whitehead) said, all the amendments would narrow the issue of best value. I appreciate the fact that the hon. Member for North Essex (Mr. Jenkin) moved the amendment in a probing manner, and I intend to respond in that spirit.

On amendments Nos. 50 and 51, we have consistently said that the duty of best value needs to tackle both the cost and the quality of public service provision. The amendments are clearly designed to improve auditability

but they seem to betray a fixation with cost to the detriment of other equally relevant considerations, such as quality.

I understand that Opposition Members might want to base the duty on value for money, given the Audit Commission's skill in assessing it, as has been demonstrated over recent years, but value for money is not in itself as easily demonstrated as continuous improvement against consistently set performance indicators. The question is begged, value for whom? Simple, measurable improvement is what local people expect and is the yardstick against which best value should be judged. Alongside that will go what local people are prepared to pay.

Amendments Nos. 50 and 51 betray a narrow focus because they are couched in terms of services, not functions, as the clause currently provides. We have deliberately chosen to define the duty of best value in those terms, as the definition of functions goes far wider than that implied by the use of the word "services". It means that internal support functions, not normally delivered to the public, but nevertheless part of the overall cost of functions, and a contributory factor in their efficiency, will be subject to the duty of best value.

The amendments would run the risk of removing such functions from the scope of the duty altogether and recreating the "us and them" mentality in authorities that so bedevilled compulsory competitive tendering. The duty of best value will very often be measured against the quality and cost of front-line services, but the way in which it is defined in the clause allows us also to consider internal functions and the manner in which an authority is managed generally. That is the best and most comprehensive way in which to ensure that authorities improve their performance and make themselves more responsive to their community generally. I hope that the amendments will not be pressed to a vote.

As my hon. Friend the Member for Test dealt effectively with the problems arising from amendments Nos. 29, 30 and 33, I will not dwell on them, especially as the right hon. Member for Bromley and Chislehurst (Mr. Forth) is not here.

Amendments Nos. 57, 63 and 66 would alter the nature of the duty of best value by requiring authorities to have equal regard to each of the elements of economy, efficiency and effectiveness, rather than a combination of them. The hon. Member for Taunton (Jackie Ballard) supported that.

7.30 pm

I ask Opposition Members to consider carefully what the amendments would mean. Do they seriously believe that an authority that is already demonstrating a high level of effectiveness in a function, based on a comparison with others, should not be able in the future to concentrate its efforts on delivering a similar level of performance in the economy with which it delivers that function? We seek to maintain flexibility so that councils can make sensible decisions that arise from the information they get from performance reviews and audit reports about what they do reasonably well and what they might improve. We expect them to pay particular attention to areas that could be improved. That is common sense and, on reflection, I am sure that Opposition Members would agree.

Opposition Members seem to forget that we are dealing with many different authorities of different types. We want to celebrate those differences. None of them is likely to have exactly the same priorities and none of them will start from exactly the same level of performance. It is nonsense to expect that they would wish to adopt exactly the same approach to improving economy, efficiency and effectiveness, and nor should they be made to do so. The amendments would impose uniformity across the board and would remove local flexibility at a stroke. They fly in the face of what the duty of best value is designed to be about, which is making best value authorities more accountable to their communities. They are restrictive and rigid in the same way that CCT was and I urge Opposition Members to withdraw them.

Mr. Lansley: I raised one particular question that the Minister has not addressed—what do the Government believe is the best mechanism for best value authorities to consult representatives of non-domestic rate payers?

Ms Armstrong: The White Paper makes that clear. We have set out ideas for consultation on the non-domestic rate that are not simply mechanical but which obtain the support of the business community. We want to lock that community into a process that it feels gives it real consultation. Local authorities have a statutory duty to consult on their budgets. In some, the process works well and the business community is satisfied. However, in too many authorities, that is not the case. We want a clear process to be adopted in every area so that the business community is part of determining the process and agreement is achieved between the social partners—business and the local authority—about the precise mechanism to be employed. I hope that the Opposition will not feel the need to press the amendments to a Division.

Mr. Jenkin: I feel like Hamlet trying to persuade Polonius that a cloud has adopted a particular shape. I am pleased that we have had this debate, because we have exposed this part of the Bill as packaging and little more. I hope that the Minister will consider what she has said. She said that amendment No. 57 would remove flexibility at a stroke and destroy the accountability at the heart of the Bill. That is the most ridiculous language to use about three lines of text. She said that the amendments were strict and rigid.

We have exposed the fact that this part of the Bill is gobbledegook. The real guts of the Bill are not contained in these airy-fairy objectives but come later in the provisions for powers of supervision, control and, ultimately, intervention. That is the purpose of the Bill and the airy-fairy language at the front is merely to persuade people that it is a good Bill. The Minister said, absurdly, that to talk of value for money is narrow minded, but most electors, when they vote in elections, regard value for money as the most important issue, although they may express that differently. For example, I am a cyclist and I regard good provision for cyclists by local authorities as good value for money, but other people have different views of what is good value for money. What is crucial is that the performance of local

[Mr. Jenkin]

authorities, when they undertake functions, should be measured so that we know whether they are getting value for money.

Mr. Lansley: Does my hon. Friend agree that, in our culture of continuous improvement, there comes a point in every type of business where the marginal cost of improving the service offered no longer yields value for money? The acid test of whether the duty in this part of the Bill will deliver value for money will be when a local authority seeks constantly to improve its service but gets diminishing returns. I suspect that that is what will happen.

Mr. Jenkin: I agree with my hon. Friend, but the point that he has neglected is that the Government want local authorities, as the providers of services, to aspire to best value, but the ultimate control comes from the council tax capping powers and the council tax benefit subsidy limitation. The control on cost ultimately comes from the other provisions in the Bill. I find it extraordinary that the Minister can use such extravagant language when to talk about which approach is better—a combination of economy and efficiency, or the need for an equal regard for economy, efficiency and economy—is to count the angels on a pin head.

We have exposed this part of the Bill as complete nonsense and the Minister, in her heart of hearts, knows that. The important provisions in the Bill are the powers of intervention that the Secretary of State will exercise over local authorities. Unfortunately, the Bill lacks any prescription over how the Secretary of State should exercise those powers, which is why it is such a dangerous Bill. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 4

PERFORMANCE INDICATORS AND STANDARDS

Mr. Waterson: I beg to move amendment No. 60, in page 3, leave out lines 28 to 30.

Mr. Deputy Speaker: With this, it will be convenient to discuss the following amendments: No. 61, in page 3, line 31, leave out 'or standards'.

Government amendment No. 6.

No. 62, in page 3, line 35, leave out 'and standards'.

No. 46, in page 3, line 39, leave out from 'and' to end of line 41 and insert

'shall do so in the terms recommended to him by the Audit Commission.'.

No. 64, in page 3, line 41, after 'Commission', insert

'and any other statutory body specified by order.'.

No. 47, in page 3, line 41, at end insert—

'( ) in any instance when he specifies a performance indicator or standard in terms contrary to any recommendations made to him by the Audit Commission, shall publish with the order an explanation of his reasons for doing so.'.

No. 77, in clause 14, page 9, line 37, leave out from 'if' to end of line 39 and insert

'a report under section 13 recommends that the Secretary of State give a direction under this section.'.

No. 78, in page 10, line 3, after 'opinion', insert

', having regard to the report issued under section 13 and any recommendations therein,'.

No. 79, in page 10, line 5, after 'Part', insert

'and is proportionate to the degree of failure identified in the report issued under section 13.'.

No. 80, in page 10, line 17, leave out

'or for so long as the Secretary of State considers appropriate'.

No. 48, in page 10, line 22, at end insert—

'( ) where the Secretary of State exercises any function of the authority, he shall publish a statement of the way in which he will exercise that function, how this will remedy any failings set out in the Audit Commission's report, and the period of time over which he expects to exercise this function.'.

No. 81, in page 10, line 26, leave out '(if any)'.

No. 5, in page 10, leave out lines 33 to 43 and insert—

'(8) No direction under this section shall be given unless a resolution in support has been approved by the Select Committee on the Environment, Transport and Regional Affairs.'.

No. 49, in page 10, line 33, leave out subsections (8) and (9) and insert—

'( ) The Secretary of State may give a direction before the expiry of one month as specified in (7) above, if he considers the direction sufficiently urgent.'.

No. 86, in page 10, line 33, leave out subsection (8).

No. 87, in page 10, line 34, leave out 'he' and insert

'the report issued under section 13'.

No. 88, in page 10, line 39, at end insert—

'c) representatives as required under section 3(2).'.

Mr. Waterson: The first amendments in this important group alter clause 4. Amendments 60 to 62 would reduce the Secretary of State's discretionary power to set standards for local authorities. The key theme of the Bill is the Secretary of State's gathering to himself of some extraordinary powers over whose exercise there will be little control. Clause 4 is another example of that.

Performance indicators should be set centrally, but performance standards could profitably and sensibly be decided by local people, through their elected representatives. The amendments provide a litmus test of whether the Government mean what their rhetoric says about returning power to, and trying to rejuvenate, local government, and of whether they are willing to trust local government to make such decisions.

If local government is to mean anything, it must recognise that different people in different parts of the country have different needs, aspirations and approaches. We want a looser rein than the Bill allows, and an explanation from the Minister of why the Secretary of State needs such tight controls. Why do the Government not trust local government?

Government amendment No. 6 relates to consultation by the Secretary of State on performance standards and indicators. The reference to consultation is a welcome gesture from the Government, but imposes no terribly heavy burden on the Secretary of State, mentioning

"such persons as he thinks fit."

He may choose as few or as many as he wishes. It is a pretty puny requirement, which bears comparison—although there is no direct read-across—with how clause 3 sets out in graphic detail the sort of people that best value authorities must consult. Clause 3 creates detailed obligations for authorities setting out who they must consult, and, perhaps, implying those they should not or need not consult. Will the Minister explain the philosophy behind the rather wishy-washy consultation requirement? If the Government really believe in consultation, why do they not spell out that belief in the Bill?

Amendments Nos. 46, 64 and 47 would limit the Secretary of State's discretionary power to vary the performance indicators that he will set for local authorities from those recommended by the Audit Commission. The Bill requires him to have regard to the recommendations, but in practice gives him carte blanche to act as he sees fit. We could usefully tweak those powers, circumscribing them somewhat.

7.45 pm

Clause 14 deals with the Secretary of State's powers. There can be few precedents, at least in peacetime, for the panoply of powers that the Secretary of State seeks in order to enforce his will on local government. Amendment Nos. 77 to 79 would remove from the Secretary of State the decision as to whether the local authority is failing to comply with the best value regime. We say that the criteria should be measured and established by the Audit Commission, which would remove the temptation for political interference and make sure that the best value regime operated objectively.

No one will argue with the proposition that a lot of faith and confidence from both sides of the House reposes in the Audit Commission because of the expertise that it has built up over many years. It seems sensible to have the commission monitor that part of the Bill.

Clause 14(5) allows the Secretary of State to take over the running of a local authority service, an extraordinary power to be proposed by a Government who pose as the champion of local democracy and accountability. The Government want the power, and they will certainly be able to drive the measure through under the guillotine and by use of their majority. However, amendments Nos. 80 and 42 would oblige the Secretary of State to announce in advance a time limit to his function, or to seek a new order before he continues in this role. They would also require him to say in advance how he would go about remedying the failure that he felt had required his intervention.

That is no more than the Secretary of State requires of the authorities under the Bill. If they must show that they are tackling issues in a clear and structured way, it is much more necessary for central Government, who are not accountable in quite the same way to local people, to do precisely the same.

The Bill would allow the Secretary of State to issue a direction without having received a report from the Audit Commission to the effect that remedial action was necessary. He would require no external evidence or sanction before intervening in a draconian fashion in local affairs. Amendment No. 81 would prevent such arbitrary action.

I shall deal only briefly with amendment No. 5, as it was tabled by the Liberal Democrats, one of whom may wish to deal with it in detail. It appears to make the Secretary of State accountable to the Select Committee on the Environment, Transport and Regional Affairs.

Clause 14(8) enables the Secretary of State to issue direction without reference to the constraints imposed by earlier subsections. That would give him unprecedented power to intervene in matters that are properly the affair of local authorities without reference to Parliament or the Audit Commission as impartial arbiters of best value. Amendments Nos. 49, 86 and 87 rein in the Secretary of State to ensure that he is guided by the Audit Commission.

Finally, amendment No. 88 would oblige the Secretary of State to consult with the same bodies that local authorities must consult when they draw up best value strategies. As with amendment No. 48, it imposes on the Secretary of State the same conditions that he imposes on local authorities. If he is to be directly responsible for the functions of a best value authority, he should prove that he has a plan that will satisfy the local community in whose name he intends to act.

This large group of amendments covers two clauses. The Opposition's guiding light throughout the Bill's progress has been that the powers demanded by the Secretary of State are extensive and sometimes draconian. Limits should be set on them. There should be a tighter rein on the Secretary of State's powers and on how and when he can exercise them.

Mr. Sanders: I beg to move amendment No. 5 in the name of my hon. Friend and myself.

Mr. Deputy Speaker: Order. There is no need for the hon. Gentleman to move his amendment. We group all the amendments together. The only amendment that has been moved is the first amendment in the group, in the name of the hon. Member for Eastbourne (Mr. Waterson). The hon. Gentleman may wish to say simply that he supports the amendment, to avoid confusion.

Mr. Sanders: Thank you, Mr. Deputy Speaker. Of course we support the amendment that the hon. Member for Eastbourne (Mr. Waterson) has just moved.

Amendment No. 5 leaves out lines 33 to 43 and removes the power of the Secretary of State to operate by order of mandamus. It would replace that power with a process of resolution approved by the Select Committee on the Environment, Transport and Regional Affairs. Yesterday, we received the latest version of the protocol between central and local government. The existence of the protocol implies some consultation and agreement on the way forward, but clause 14(8), (9) and (10) are the ultimate coercive powers that the Secretary of State would have if this part of the Bill were not amended. He would have the power to determine urgency and need for action without reference to the House. The only reference to the local authority required is that he has to inform it of what action he has taken—he does not have to consult it.

The Minister referred to referendums. They are a form of consultation. Any Minister in the new regime would not look kindly on a local authority that simply informed its local residents of its council tax rather than consulting them. What is supposedly good for local government does

[Mr. Sanders]

not seem to be replicated for central Government in the Bill. The LGA still has concerns about the protocol, especially on the use of urgency powers, of which notice does not even need to be given to local authorities.

We believe that clause 14 is crucial. Although our amendment would not remove as many of the new centralising powers given to the Secretary of State as we would like, it at least provides a solid mechanism for parliamentary scrutiny of those powers.

Mr. Lansley: I am grateful for this opportunity briefly to speak to four amendments within the group. Amendments Nos. 46 and 47 are not complementary but competitive. For reasons on which I will not elaborate because my hon. Friend the Member for Eastbourne (Mr. Waterson) referred to them, there is everything to be said for tweaking the powers of the Secretary of State. There will naturally be some creative tension between local authorities and the Government about the manner in which performance indicators or standards are to be set. Local authorities might well take reassurance from the fact that the indicators would be set in terms recommended by the Audit Commission. Fortunately, the reputation of the Audit Commission is such that hon. Members on both sides of the House ought to be happy that its history and knowledge of local authorities well equip it to recommend satisfactorily to the Secretary of State the basis on which the standards should be set.

I recognise that Ministers are normally not minded to circumscribe themselves, so if they are not minded to go as far as accepting amendment No. 46, I commend amendment No. 47 to them. If the Audit Commission takes the trouble to recommend performance indicators or standards to the Secretary of State and he chooses not to follow them, local authorities will find it helpful if any order published is accompanied by reasons why the Secretary of State has gone down a different path. That will remove any sense that the indicators or standards are arbitrary. Of course, Ministers never behave arbitrarily.

Amendments Nos. 48 and 49 also relate to clause 14. Amendment No. 49 has the purpose of removing those subsections that allow the Secretary of State to act urgently without consulting and simply to notify the relevant authority and such persons as the Secretary of State sees fit of what he has chosen to do and why he has chosen to do it urgently. The amendment would replace those subsections with a different mechanism, the purpose of which would not be to constrain the Secretary of State in acting in an urgent manner, but would require him to go through a consultation period, although obviously on a highly accelerated basis, without observing the one-month period that would otherwise apply for consultation.

I admit that amendment No. 49 would not enable the Secretary of State to act quite as swiftly as the Bill presupposes, but local authorities would find it a great deal more satisfactory procedurally if the Secretary of State consulted—albeit in the space of hours rather than days or weeks—and then acted, rather than acted and then notified. There is a big difference between those two things.

For my money, amendment No. 48 is the most important in the group, and I hope that Ministers will take it on board. If a report from the Audit Commission deemed an authority to be failing to exercise its functions, and the Secretary of State took it over, it would be incumbent on him to say how he proposed to exercise that function, how he would remedy the failings set out in the report, and the period during which he expected to exercise the function. The amendment does not bind the Secretary of State to exercise that function for any specific period or in a specific way, but at least in this culture of measurement the Secretary of State will be measured at the outset as to the manner in which he takes over a function, how he exercises it and for how long.

I commend amendments No. 48 and 47 to the Government and hope that, even at this late stage, they are willing to take them on board.

Ms Armstrong: This is a rather large group of amendments so I will get through them as quickly as I can. I shall start with Government amendment No. 6. In Committee, we gave a commitment to the hon. Member for Taunton (Jackie Ballard)—I am sorry that she is not here, because this is her moment of triumph—to table an amendment to require the Secretary of State to consult widely before he issues an order specifying performance indicators and standards. Amendment No. 6 fulfils that commitment. It is a commitment that we gladly give, as it has always been the Government's intention to undertake wide and inclusive consultation on the likely suite of national performance indicators and standards for best value. It is a commitment that we freely gave in both local government White Papers that we published last year.

I reiterate what was said in Committee. Performance indicators cannot and will not be developed in isolation or without the interest of those in the field, including the best value pilots and any successors. The consultation will be wide-ranging and open. It will include best value authorities, representative bodies of the private and voluntary sectors, of consumer organisations, trade unions and other bodies that the Secretary of State considers will usefully contribute to the debate. Such consultation will take place before we initially specify national performance indicators and standards for best value and subsequently when we propose any changes to the order. I hope that the amendment, and the commitments given in the White Papers, in Committee and today will reassure Liberal Democrat Members of our commitment to consult on national performance indicators and standards for best value. I urge hon. Members to accept the amendment.

8 pm

Amendment No. 46 would give the Audit Commission an effective veto over what the suite of performance indicators and standards specified by the Secretary of State would contain. It would cut across much of the purpose of clause 4 and undermine the wider consultation process that the Government will undertake before specifying performance indicators and standards. I urge hon. Members not to press the amendment to a vote.

Amendment No. 64 would give the Secretary of State power to specify those bodies whose views he will have regard to when specifying performance indicators and standards. The Bill, as it currently stands, provides for the Secretary of State to have regard only to recommendations made to him by the Audit Commission. It is because of the commission's unique role in best value

and its experience in monitoring local authority performance that it is included in clause 4(3)(b). Under best value, it will be responsible for auditing best value performance plans and undertaking best value inspections. It will retain a power, under the Audit Commission Act 1998, to set performance indicators. It will also have had considerable experience of setting performance indicators to monitor the performance of local authorities. The requirement for the Secretary of State to consult other organisations has been catered for by amendment No. 6, and I hope that hon. Members will not see the necessity to press amendment No. 64.

Amendment No. 47 would require the Secretary of State to publish the reasons for his specifying any performance indicators or standard in a manner contrary to a recommendation received from the Audit Commission. We are considering the best way to publish the conclusions of the consultation process that we will undertake before the Secretary of State specifies national performance indicators and standards. However, I hope that hon. Members will understand why I do not warm to the amendment. The Government should say how they have reacted to the views of consultees, but that should not be limited to explaining their reaction solely to the Audit Commission's recommendations; it should also include the conclusions of other consultees. The Government will consider how best to put that into effect, and the debate will help us in those considerations.

With regard to amendments Nos. 60, 61 and 62, we discussed performance standards at great length and in great detail in Committee. I hope that I can again reassure hon. Members about how performance standards will be applied and why they are important not only in driving up the performance of best value authorities, but also in providing the high-quality service that the public expect and deserve. The Government are committed to improving local services and ensuring that all people, no matter where they live, have access to, and receive, quality services. Standards and targets will be the key to achieving continuous improvements in service delivery.

The hon. Member for South Cambridgeshire (Mr. Lansley) suggested that we cannot maintain continuous improvement without sacrificing value for money. I invite him to discuss that idea with, for example, the British Retail Consortium, whose members know that unless they improve their service year on year and give value for money, they will go out of business. Standards and targets will drive up the performance of local authorities, and put most pressure on those authorities that are performing poorly.

Where there is a clear national requirement, such as new standards for educational attainment for different age groups, the Secretary of State or the National Assembly for Wales will specify the performance standards that an authority must meet. The White Papers on local government in England and Wales set out that the Government will take a clear lead in setting standards, and the Bill makes provision for that.

The Government do not intend to impose a large number of new standards. Our aim is to specify minimum acceptable levels of service provision in areas where the achievement of particular standards is clearly in the national interest. The Government will consult widely with local government and other interested parties on those areas in which standards will be set, and on what form they will take. The ability to set and change standards over time will be a key driver of improvement. That power will be used only where there is a clear national interest in setting standards. Standards will be relevant, necessary and appropriate for best value.

In some cases, they will arise from Government targets; for example, if the Government set a target that all authorities should achieve by 2003, all authorities should be performing at that level in 2003. That target might then become a standard to ensure that performance did not subsequently fall below that level. Future targets would ask for improvement above that standard. Standards and targets provide a mechanism for pegging existing levels of performance and ensuring the drive for continuous improvement in service delivery. For those reasons I urge hon. Members not to press the amendments to a vote.

Amendments to clause 14 are also included in the group. Clause 14 is an important part of the Bill and is vital to underpin the success of the best value framework. We realise that these provisions are powerful, but make no apology for that. We want to see all best value authorities making real progress towards continuous improvement and believe that the majority will do so. The enhanced system of audit and inspection will act as an early warning system and help to put best value authorities back on the right track in most cases where problems are starting. However, we need to ensure that we can tackle failure when it occurs. We structured the best value framework carefully to ensure that we will minimise the need for intervention, but there will be times when the Secretary of State or the National Assembly need to act, and there are plenty of precedents in existing local government and other legislation for such action being delegated to the Secretary of State.

Amendment No. 5 would require that any direction issued under clause 14 must have secured the approval of the Select Committee on the Environment, Transport and Regional Affairs. That proposal is unacceptable; it would impose unnecessary time constraints on the process of intervention and would not enrich or enhance the process. It is not usual for Select Committees to scrutinise individual cases, and that would represent a significant extension of the Select Committee's current remit. It would be particularly inappropriate, and an overreaction, for the Secretary of State to need the Select Committee's consent to issue a direction under clause 14(2)(a) to (c), where the Secretary of State directs an authority to undertake a particular action, such as to prepare or amend a performance plan.

By deleting clause 14(8) and (9), amendment No. 5 would also remove the provision, which we inserted by Government amendment in Committee, for the Secretary of State to intervene in urgent cases. As we said then, the Government believe that fast-track intervention is necessary to protect vulnerable groups or individuals. Yesterday, I was pressed by the hon. Member for Mole Valley (Sir P. Beresford) to say what we would do when, for example, there were serious problems in children's services and the process was not swift enough to protect children. Fast-track intervention will only occur in exceptional cases, where the severity or persistence—

Mr. Chope: Will the right hon. Lady give way?

Ms Armstrong: I certainly will.

Mr. Chope: The right hon. Lady talks about fast-tracking. Will she explain why it has taken two years

[Mr. Chope]

and two months for her Department to determine a footpath appeal involving St. Leonards and St. Ives parish council?

Ms Armstrong *rose—*

Mr. Deputy Speaker: Order. The right hon. Lady will not answer that question. It has nothing to do with the amendments before us.

Ms Armstrong: I was trying to respond to the debate, Mr. Deputy Speaker, but as the hon. Gentleman had just walked into the Chamber, I probably should not have given way to him. I am trying to be fair, but that was not fair to other hon. Members; I apologise to them.

As I said, fast-track intervention is necessary to protect vulnerable groups or individuals. It will occur only in exceptional cases, where the severity or persistence of failure, or the continuing risk of harm or financial loss, show that urgent intervention is necessary. If those circumstances prevail and an authority could reasonably be expected to be aware of the problems but fails to take action to address them, the Bill provides the Secretary of State with the discretion to intervene without giving the authority concerned the opportunity to make representations about the report as a result of which intervention is proposed, or about the direction proposed. When intervening in that way the Secretary of State need not have regard to any statement of action produced under clause 9(2) but he will have to inform both the authority and its representatives of the intervention that is necessary, and give his reasons for using fast-track procedures.

Whatever the form of intervention, the Secretary of State will act according to the protocol on intervention, which, as the hon. Member for Torbay (Mr. Sanders) mentioned, is currently being discussed with the Local Government Association under the framework for central-local partnership. I am pleased to be able to report that we were able to proceed with this morning's meeting of the central-local partnership. That exercise will set out agreed principles and procedures underpinning intervention.

The Government believe that local democracy and accountability are important and that is why clause 14(3) gives the Secretary of State the power to direct the holding of a local inquiry in which the views of local people can be ascertained, where he believes that to be appropriate. Given that explanation and Opposition Members' comments yesterday on various aspects of the Bill, I hope that they will not feel it necessary to press the amendment. Amendment No. 86 would delete the provisions in clause 14 relating to fast-track intervention. For the reasons that I have already given, I ask that it, too, should not be pressed.

Amendment No. 49 would alter the fast-track provisions in clause 14 to allow the Secretary of State—or in Wales the National Assembly—to issue a direction under the clause before one month had expired, if he considered the direction sufficiently urgent. Unlike the existing fast-track provisions, which provide the Secretary of State with the discretion to issue a direction without complying with subsections (6) and (7) if he believes the case is sufficiently urgent, the amendment would allow authorities to retain the right to make representations about the report as a result of which the direction is proposed, and about the direction proposed. That could cause difficulties in extremely urgent cases.

The Government believe that it is important to work with authorities and to provide them with the opportunity to comment on the report and the direction proposed before intervention takes place. I made it absolutely clear in Committee that authorities will have the opportunity at each stage of best value to put their own house in order, and if they do so intervention will never be necessary. However, in cases of severe or persistent failure, where an authority is unwilling or unable to take action to address the failure, there may be a need to intervene very quickly. In such cases, there may not be time to allow authorities to comment on the report and direction proposed. The removal of clause 14(9), would mean that, when the Secretary of State took urgent action, he would not be required to inform the authority and its representatives of his reasons for doing so. I therefore request that hon. Members do not press the amendment.

8.15 pm

In respect of amendment No. 88, we agree that, however urgent the case, it is important for interested parties to be kept informed. However, fast-track intervention could lead to a direction from the full range of possibilities, either where the responsibility for the function remained with the authority, or where it was taken over by the Secretary of State. The circumstances of the case would dictate who was best placed to ensure that interested parties were informed and, indeed, consulted as appropriate. In some cases, that might even be included in the direction itself. However, there would always be an immediate and practical need for the authority and its representatives to be kept informed and that is what the Bill provides for. I therefore consider amendment No. 88 to be unnecessary.

If I understand correctly the reasons underlying amendment No. 79 and it is indeed designed to ensure that only appropriate action is taken, I am sympathetic to its purpose. However, I do not accept that it is necessary. The powers in clause 14 to act in cases of failure are powerful and clearly need to be exercised with care. That is why we are in the process of agreeing with the Local Government Association and the Association of Police Authorities draft protocols that will govern the use of the powers in clause 14 in England. The Welsh Office will be developing a similar protocol with the Welsh LGA. The National Assembly will have responsibility for intervention in Wales and will want to discuss the draft in due course.

The draft protocol recognises that the form and extent of intervention should reflect the type and seriousness of failure and the need for effective improvement. It also recognises other important principles: for example, that except in cases of urgency, the authority will normally be given the opportunity to make the necessary improvements itself. I cannot overemphasise the importance of that. However, I do not believe that it is necessary or desirable to make the amendment. In the first place, although I blame no one for it, the amendment is flawed in that it covers only those powers contained in clause 14(2), unlike the protocol, which will cover all the powers contained in the clause. Secondly, it is

unnecessary, because the Secretary of State is bound to exercise his powers in a reasonable way and such decisions could be tested by judicial review. Again, I ask hon. Members not to press the amendment.

Clause 14(5) contains powerful provisions giving the Secretary of State the fullest means possible to ensure that serious and persistent cases of failure can be addressed to meet the needs of local people. As we have discussed already, any action taken would be in keeping with the nature and degree of failure. We expect that cases in which the Secretary of State takes over responsibility for exercising a function on behalf of an authority will be rare. In cases of persistent failure, it is likely that a range of measures will have already been tried. We recognise that, in the event of such powers being exercised, a range of parties would have an interest. We are giving consideration to the best way of ensuring that those with an interest are kept informed in the event of such intervention. Naturally, interested parties would include not only the authority itself and its representatives, but—crucially—employees, local people and users of the service.

Amendment No. 48 is unnecessary, because there is no need for an additional provision on the face of the Bill to achieve its aim; the Bill already includes a provision for the Secretary of State to direct an inquiry to be held under section 250 of the Local Government Act 1972. Although we do not accept that amendment of the Bill is necessary, we recognise that, as the hon. Member for South Cambridgeshire said, amendment No. 48 raises an important issue. I am happy to consider the matter further and the Government will report back at a later stage of the passage of the Bill.

In respect of amendment No. 80, it is an extension of the principle of proportionality that the Secretary of State should not take over a function of an authority for longer than is necessary. That is recognised in the draft protocol, which describes the way in which the Secretary of State will monitor the function and consider whether the authority is in a position to resume and sustain effective responsibility for it.

It may be that the date by which the intervention will be terminated can be reasonably estimated from the outset. That is why subsection (5)(a) provides for a date to be specified in the direction. However, it must be recognised that intervention under subsection (5) is likely to be in the most serious circumstances. Although there must be a diagnosis of how the proposed intervention will help to address the failure, it may not be possible to determine how long it will take to put things right.

If there were a constraint on the Secretary of State to include a date in the direction, it would have no practical effect. It might merely lead to an artificial date being included. Nothing would prevent a further direction or series of directions being issued. It is better for all concerned for considered and timely monitoring to take place in accordance with the principles in the draft protocol. I therefore urge hon. Members not to move amendment No. 80.

Amendment No. 77 would severely limit the circumstances in which intervention could take place. Not only would the Secretary of State's discretion to determine the circumstances in which intervention may take place be removed, but a requirement that intervention must be based on an Audit Commission report produced under clause 13 would be introduced.

By limiting the trigger for intervention to Audit Commission reports and excluding reports produced by other inspectorates, such as Ofsted or the social services inspectorate, the amendment undermines the work of these inspectorates and precludes their reports from having a major role in informing the process of enforcing best value policy.

The amendment would also remove the possibility of intervention being triggered by evidence which has emerged from other sources, such as public complaints. We envisage that intervention will in most cases be triggered by a report, but in some instances other evidence may be critical and might provide the basis for intervention. For example, evidence of serious public harm or risks to vulnerable groups may emerge from public complaints or a prominent event. In these cases it may not be desirable for the Secretary of State to wait for an inspection report to be produced before any action can be taken. Examples were given last night that exemplified the points that I am making. I therefore recommend that amendment No. 77 should not be pressed.

Amendment No. 78 presumes that all intervention under clause 14 will be based on an Audit Commission report, as proposed in amendment No. 77. I have already explained why I think that is unacceptable. It is important that the authority concerned has the opportunity to make representations about any report as a result of which intervention is proposed. The Bill already provides for this under subsection (6)(a) in all but the most urgent of cases. I have explained why that provision is not appropriate in urgent cases. I therefore recommend that amendment No. 78 is not pressed.

The aim of amendment No. 81 is to require that a direction issued under clause 14 must always be based on a report and not on evidence that has emerged from other sources. However, the amendment would not have that effect. Instead, its effect would be that in cases where intervention is based on an inspection report, the authority would retain the right to make representations about the report. In cases where there is no such report, the Secretary of State or the National Assembly for Wales would still be able to issue a direction under clause 14, but would not need to allow the authority to make representations about this direction.

As I have mentioned, the Government believe that the Secretary of State should retain the ability to issue directions based on evidence emerging from sources other than reports and welcome the fact that the amendment does not secure that effect. It is a principle of the draft protocol that such evidence should always be clear. I hope that Opposition Members will withdraw amendment No. 81.

It is important that the Secretary of State retains the discretion to determine when urgent intervention may be justified. As I mentioned earlier, the triggers for intervention may be reports from other inspectorates or evidence that has emerged from other sources. When the Government intervene in urgent cases, it will be to protect the interests of local people. By precluding certain sources from providing evidence which could justify fast-track intervention, amendment No. 87 would limit the Secretary of State's ability to protect vulnerable groups from harm. I am sure that that is not the intention. I therefore hope that the amendment, along with the others which have

[Ms Armstrong]

been discussed in this complex and extensive group, will not be pressed. I will move Government amendment No. 6 at the appropriate stage.

Mr. Waterson: As the Minister has rightly said, this is quite a complex set of amendments. I am grateful to her for taking such trouble to deal with the amendments one by one. I am sure that the right hon. Lady will agree that some interesting points have been raised during the debate. I am especially grateful to my hon. Friend the Member for South Cambridgeshire (Mr. Lansley), who made several valid points on the amendments with which he was particularly concerned.

I was pleased that the Minister at least recognised that clause 14 provides strong powers for the Secretary of State. There can be no disagreement about that. We still feel strongly that there is much nannying of local authorities inherent in the powers set out in clause 14 and in the Bill generally. I am disappointed that the right hon. Lady has not been able to accept our amendments, although I appreciate, as is always the way with these quite technical issues, that some of our amendments may not have had the effect that we intended. In some instances they may have had almost the opposite effect.

I am grateful for the right hon. Lady's specific assurances on Government amendment No. 6. We intend to hold her and the Government to them in practice. If we are not to have more tightly drawn protections in the Bill, her assurances will stand proxy for them. We shall want to see how they work out in practice.

I was pleased with the right hon. Lady's undertaking on amendment No. 48. That was very helpful. We look forward to hearing more about that in due course.

The Minister touched on the draft protocol. We have not had a major discussion of it, but it is in many ways an extraordinary document. As I understand it, the protocol attempts to set out how the powers will be exercised, and that it is in no sense legally binding. In the event of a dispute between central and local government, it will be interesting to see to what extent the courts will take it into account in coming to a conclusion. Again, as I understand it, there is no formal scope for parliamentary scrutiny of such a protocol. It is probably comparable with the concordats that are being established between Government Departments and the Scottish Parliament and the Welsh Assembly. It is similar to what I believe are called executive agreements in the United States. I think that it can be fairly described as a new form of executive action that is immune from democratic control.

Ms Armstrong: I hope that the hon. Gentleman will not pursue that point. If he did, he would be saying that local government should have more say over what happens to it. The protocol is being established with the Local Government Association and not between Government agencies. The association, too, has democratic accountability. The hon. Gentleman and his colleagues are responsible for holding the Government to account, but we want to move forward with local government. It was our intention anyway, but local government pushed for a protocol to be established. I hope that the hon. Gentleman will not associate himself with opposition to the principle of a protocol prevailing in these circumstances.

8.30 pm

Mr. Waterson: I am grateful for the Minister's intervention, although I did not particularly want to develop a substantial argument at this stage of our debate. The Minister said nothing contrary to my assertion that if there is a legal dispute, the protocol may or may not have any effect. I appreciate that we are in uncharted waters. Protocols and concordats are a relatively foreign import into our system and we must, perhaps, build up a body of experience and law before we can take a black and white view of them.

We can legitimately complain that the protocol was not made available earlier and more widely. However, it is an interesting concept.

If what was set out in the draft protocol is important and if, as I understand the Minister to be saying, it is necessary to define the Secretary of State's powers and, more precisely, how they are to be exercised, there is no reason not to specify in the Bill those restrictions on the Secretary of State's power and discretion. I shall not labour the point now—I suspect that we shall return to it in future.

I shall end on a happier note and repeat my gratitude to the Minister for dealing in such detail with all our points. We are sorry that she has not accepted our amendments, but we are grateful for the assurances and undertakings that she has given. On the strength of those, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendment made: No. 6, in page 3, line 34, at end insert—

'( ) Before specifying performance indicators or standards the Secretary of State shall consult such persons as he thinks fit.'.—*[Mr. Robert Ainsworth.]*

Clause 5

Best Value Reviews

Mr. Jenkin: I beg to move amendment No. 35, in page 4, line 5, after 'section', insert

'unless it can satisfy the Secretary of State that there is a reason why this should not be done.'.

Mr. Deputy Speaker (Sir Alan Haselhurst): With this, it will be convenient to discuss the following amendments: No. 65, in page 4, leave out line 10.

No. 37, in page 4, line 43, at end insert—

'(e) the upper cost limit of conducting a review.'.

No. 38, in clause 6, page 5, line 43, at end insert—

'(m) to provide details of the cost of completing the plan.'.

No. 94, in clause 7, page 6, line 27, at end insert—

'(g) indicating clearly the financial savings (if any) and quality improvements (if any) achieved from past plans, and to be delivered from the current plan.'.

Mr. Jenkin: Amendment No. 35 is in the name of my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth), but he has not been able to attend the Chamber for most of this afternoon's proceedings owing to the rather late date on which this business was fixed. I am sure that the House will forgive him for that.

The amendment concerns the obligation in clause 5 on best value authorities to conduct best value reviews

"in accordance with the provisions of any order made under this section."

The amendment would add the caveat that there should be an obligation to conduct a best value review unless there is agreement between the authority and the Secretary of State that such a review should not be conducted. I understand that the amendment would make a substantive change to the Bill, and I shall be interested to hear what the Minister has to say about that and the other amendments.

Amendment No. 65 would delete clause 5(2)(c), which requires

"specified functions to be reviewed in specified financial years."

We are discussing only what the Secretary of State may put into an order about a best value plan. We are testing whether specified functions should be prescribed in that way. A function should be considered in the round, not in specified financial years. I should like the Minister to deal with amendments Nos. 65 and 94 in his comments.

Clause 5(4)(e) refers to

"other best value authorities and . . . commercial and other businesses".

They must be considered when a best value plan for reviewing a function is being drawn up. Subsection (4) says:

"The Secretary of State may by order specify matters which an authority must include in a review of a function under this section; and in particular an order may require an authority . . . to assess the competitiveness"

of its functions with regard to how similar functions are exercised by those other bodies. I would be grateful if the Minister addressed that point.

Mr. Burstow: I shall not take up too much time because I am also interested in the Minister's response to the amendments, particularly amendment No. 35, which would have the added value of tipping the balance back towards the local authority. That would be welcome because clause 5 on best value reviews, which the amendment seeks to alter, and other clauses in this part of the Bill place in the hands of the Secretary of State disproportionate power relating to how best value reviews are to be conducted.

We welcome also amendment No. 65, which would remove the requirement for specific functions to be reviewed in specified financial years. That is unnecessarily prescriptive about the way in which best value reviews are to be undertaken. Given the partnerships, protocols and concordats that the Minister described in Committee and again in today's proceedings, it seems to us that clause 5 goes to the heart of the prescriptive nature of the Government's approach.

I want to take this opportunity to say that I have had the chance to read the report of the Committee proceedings on this clause and others, and I was struck by the number of contributions made by my hon. Friends the Members for Torbay (Mr. Sanders) and for Taunton (Jackie Ballard). Unfortunately, I was unable to serve on the Committee because I was serving on another Committee. I want to express my gratitude to my hon. Friends for their hard work.

I look forward to hearing what the Minister has to say about the amendments. I hope that the Government will be encouraging and say that they will support amendment No. 35 in particular, as it tilts the balance back to local authorities and away from central Government prescription.

The Parliamentary Under-Secretary of State for Wales (Mr. Jon Owen Jones): I am afraid that I shall have to disappoint the hon. Gentleman. Amendment No. 35 is designed to add an additional factor by which a best value authority could satisfy the Secretary of State that it should not carry out a best value review of its functions.

Hon. Members will be aware that one of the fundamental requirements of the duty of best value is that authorities will have to carry out fundamental performance reviews of all their functions over a period, probably five years, so that we ensure that continuous improvements are made to all services, not just to those where there are serious shortcomings. That should apply to all local authorities across the board, so that a proper comparison of performance is made between authorities on a common basis. Neither local people nor the Government would be prepared to accept any exceptions.

The amendment has the potential to create a bureaucratic machinery for the Secretary of State, who would need to evaluate all cases made by local authorities, to satisfy himself that the reasons given for not carrying out the review were valid. We could not rule out some local authorities using that as a means of delaying or avoiding reviews, at least in the short term. That would be unacceptable to all concerned, not least to the local community, who would lose out.

Amendment No. 65 would remove the flexibility and discretion that the Secretary of State needs to specify functions to be reviewed in specified financial years, as circumstances may warrant. If, for instance, a local authority should try to delay or avoid conducting the reviews of some of its services, or should face some particular crisis in the way that it provides its services, it is essential for the Secretary of State to have powers to direct the local authority to carry out those services quickly and effectively. It would be the local communities who would be most disadvantaged if the amendment were allowed to stand.

Amendments Nos. 37 and 38 relate to the costs of best value performance reviews and local performance plans. The amendments recognise that some compliance costs are likely to be involved in best value reviews and local performance plans. However, the drive for continuous improvement will deliver efficiency gains of around 2 per cent, which would far outweigh those costs.

I have been asked to comment particularly on amendment No. 94, which would add to the work of the auditor in his audit of performance plans. In auditing a performance plan, the auditor is required to state whether the plan has been prepared and published in accordance with legislation and guidance.

Clause 6 sets out clearly that, in preparing plans, authorities must summarise their past performance with regard to performance indicators; compare their performance with previous financial years; summarise their success in meeting performance standards; and summarise their progress towards performance targets.

[Mr. Jon Owen Jones]

An authority that has met the requirements of the Bill will have indicated the financial savings and the quality improvements that it achieved as a result of past plans, and those delivered by current plans. If the auditor is prepared to state that the plan has been prepared in such a way that it meets the requirements of clause 6, he will have ensured, by default, that financial savings and quality improvements are indicated.

The amendments are, therefore, unnecessary and I ask hon. Members to withdraw them.

Mr. Jenkin: I am not entirely convinced that amendment No. 94 does not add anything to the Bill. By specifying that savings might be made, it might encourage best value performance plans to produce savings, which would improve value for money—or best value, as the Minister prefers to call it. However, in the interests of brevity, I beg to ask leave to withdraw the amendment.

Amendment, by leave withdrawn.

Mr. Jenkin: I beg to move amendment No. 68, in page 4, line 29, leave out from 'other' to end of line 30 and insert 'parties'.

Mr. Deputy Speaker: With this it will be convenient to discuss amendment No. 69, in page 4, line 31, leave out from 'other' to 'about' in line 32 and insert 'parties'.

Mr. Jenkin: The amendments refer to clause 5, under which best value authorities must conduct best value reviews, and subsection (4) under which

"The Secretary of State may by order specify matters which an authority must include in a review of a function".

The order that the Secretary of State may draw up must include the requirement to assess the competitiveness of performance against various other parties. Those parties are specified in the Bill as

"other best value authorities and commercial and other businesses".

We suggest that an authority's performance should be measured against that of other parties, without those being specified. Similarly, in clause 5(4)(f), which sets out the obligation

"to consult other best value authorities and commercial and other businesses",

we believe that the word "parties" should replace the word "businesses". I should be grateful for the right hon. Lady's comments.

Ms Armstrong: Amendments Nos. 68 and 69 betray a misunderstanding by Opposition Members. It was never our intention to make an exhaustive list of all the bodies that the Secretary of State may require best value authorities to consult, or against which they should assess their competitiveness. Any future order may go wider if there is a case for it to do so. However, to be useful and sensible, consultation must be meaningful. It may not be appropriate for it to include a wide range of bodies. There needs to be a link to those that can most usefully assist best value authorities in discharging the general duty.

In clause 5(4)(e) and (f) we have listed the most obvious bodies against which a best value authority should compare its performance in exercising a function. Naturally, those bodies are other best value authorities and private sector bodies. Best value authorities should consult with such bodies and make comparisons in respect of their competitiveness.

It is difficult to see how the current description omits anything of substance. The term "parties", which is the subject of the amendment and a substitute for our definition, defines nothing in particular. I am told that it is not helpful in achieving what the hon. Member for North Essex (Mr. Jenkin) is looking for. Using that term could send the wrong message about the breadth of consultation and mean that the essential link to those who can input most value to the process is lost.

The House will remember that, yesterday, hon. Members pressed the point that consultation, if undertaken too loosely, could be expensive. We are concerned that the consultation should be appropriate and that the authority should consult the appropriate people—those who need to be consulted—during the process. It is important that we restrict the duty to such people.

We would expect the existing definition to cover organisations such as chambers of commerce, about which the hon. Member for South Cambridgeshire (Mr. Lansley) was concerned.

It being five hours after the commencement of proceedings, MR. DEPUTY SPEAKER, *pursuant to the Order [24 March], put forthwith the Question already proposed from the Chair.*

Amendment negatived.

MR. DEPUTY SPEAKER *then put the remaining Questions required to be put at that hour.*

Clause 9

RESPONSE TO AUDIT

Amendments made: No. 16, in page 7, line 40, leave out 'as soon as practicable'.

No. 17, in page 7, line 42, at end insert—

'( ) A statement required by subsection (3) shall be prepared—

(a) before the end of the period of 30 working days starting with the day on which the authority receives the report, or

(b) if the report specifies a shorter period starting with that day, before the end of that period.'.

No. 18, in page 8, line 5, leave out 'as soon as practicable' and insert—

'(a) before the end of the period of 30 working days starting with the day on which the authority receives the report, or

(b) if the report specifies a shorter period starting with that day, before the end of that period.

( ) For the purposes of this section a working day is a day other than—

(a) a Saturday or a Sunday,

(b) Christmas Day or Good Friday, or

(c) a day which is a bank holiday under the Banking and Financial Dealings Act 1971 in England and Wales.'.—*[Mr. Meale.]*

Clause 13

REPORTS

Amendment made: No. 7, in page 9, line 26, at end insert

', and—

(b) may publish a report and any information in respect of a report.'.—*[Mr. Meale.]*

Clause 18

CONTRACTS: EXCLUSION OF NON-COMMERCIAL CONSIDERATIONS

Amendments made: No. 8, in page 12, line 17, at end insert—

'( ) provide for a matter to cease to be a non–commercial matter for specified purposes or to a specified extent;'.

No. 9, in page 12, line 25, leave out

', by virtue of an order under this section, not a non–commercial matter,'

and insert

'the subject of an order under this section'.—*[Mr. Meale.]*

Clause 21

AUDIT COMMISSION

Amendments made: No. 19, in page 13, line 12, at end insert—

'( ) The Audit Commission may delegate any of its functions under this Part to—

(a) a committee or sub–committee established by the Commission (including a committee or sub–committee including persons who are not members of the Commission), or

(b) an officer or servant of the Commission.'.

No. 20, in page 13, line 29, at end insert—

'( ) After section 75(1)(e) of the Housing Associations Act 1985 (Housing Corporation and, in relation to Wales, Secretary of State: general functions) there shall be added—

"(f) to provide on request, to such extent as the Relevant Authority considers appropriate, advice and assistance to the Audit Commission for Local Authorities and the National Health Service in England and Wales in relation to the Commission's functions under Part I of the Local Government Act 1999 (best value)."

( ) The Audit Commission may make payments to the Housing Corporation or the Secretary of State in respect of advice and assistance provided under section 75(1)(f) of the Housing Associations Act 1985.'.—*[Mr. Meale.]*

Clause 24

GUIDANCE

Amendments made: No. 21, in page 14, line 38, after first 'to' insert 'or in respect of'.

No. 22, in page 14, line 38, after second 'to' insert 'or in respect of'.

No. 23, in page 14, line 40, after 'to' insert 'or in respect of'.

No. 24, in page 15, line 4, at end insert—

'( ) Before issuing guidance under section *(Coordination of inspections, &c.)* the Secretary of State shall, in addition to the consultation required by subsection (2)(c) above, consult the persons or bodies concerned.'.—*[Mr. Meale.]*

Clause 25

COMMENCEMENT

Amendment made: No. 10, in page 15, line 5, leave out '18 and 21' and insert

'19 and 21 to 24'.—*[Mr. Meale.]*

Clause 26

ORDER

Amendments made: No. 11, in page 15, line 16, after 'order', insert 'or regulations'.

No. 25, in page 15, line 20, leave out 'or 7' and insert

', 7 or *(Coordination of inspections, &c.)*, and regulations under section 22,'.—*[Mr. Meale.]*

Clause 31

FINANCE

Amendment made: No. 12, in page 17, line 33, at end insert—

'( ) The Secretary of State may make grants to the Audit Commission, out of money provided by Parliament, in respect of expenditure incurred or to be incurred by the Commission under this Act.

( ) The National Assembly for Wales may make grants to the Audit Commission in respect of expenditure incurred or to be incurred by the Commission under this Act.'.—*[Mr. Meale.]*

Bill reported, with amendments.

Order for Third Reading read.

Motion made, and Question put forthwith, pursuant to the Order [24 March], That the Bill be now read the Third time.—*[Mr. Robert Ainsworth.]*

The House divided: Ayes 319, Noes 170.

Division No. 131] **[8.48 pm**

AYES

Ainger, Nick	Brown, Russell *(Dumfries)*
Ainsworth, Robert *(Cov'try NE)*	Browne, Desmond
Allen, Graham	Buck, Ms Karen
Anderson, Donald *(Swansea E)*	Burden, Richard
Anderson, Janet *(Rossendale)*	Burgon, Colin
Armstrong, Ms Hilary	Butler, Mrs Christine
Atkins, Charlotte	Byers, Rt Hon Stephen
Austin, John	Cabom, Richard
Banks, Tony	Campbell, Alan *(Tynemouth)*
Barnes, Harry	Campbell, Mrs Anne *(C'bridge)*
Barron, Kevin	Campbell, Ronnie *(Blyth V)*
Battle, John	Campbell–Savours, Dale
Bayley, Hugh	Cann, Jamie
Beard, Nigel	Caplin, Ivor
Beckett, Rt Hon Mrs Margaret	Casale, Roger
Begg, Miss Anne	Caton, Martin
Benn, Rt Hon Tony	Chapman, Ben *(Wirral S)*
Bennett, Andrew F	Chaytor, David
Benton, Joe	Clapham, Michael
Bermingham, Gerald	Clark, Rt Hon Dr David *(S Shields)*
Best, Harold	Clark, Paul *(Gillingham)*
Betts, Clive	Clarke, Charles *(Norwich S)*
Blackman, Liz	Clarke, Eric *(Midlothian)*
Blizzard, Bob	Clarke, Rt Hon Tom *(Coatbridge)*
Boateng, Paul	Clarke, Tony *(Northampton S)*
Borrow, David	Clelland, David
Bradley, Keith *(Withington)*	Clwyd, Ann
Bradley, Peter *(The Wrekin)*	Coaker, Vernon
Bradshaw, Ben	Coffey, Ms Ann
Brinton, Mrs Helen	Cohen, Harry
Brown, Rt Hon Nick *(Newcastle E)*	Coleman, Iain

Colman, Tony
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Corston, Ms Jean
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Curtis-Thomas, Mrs Claire
Dafis, Cynog
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Edwards, Huw
Efford, Clive
Elman, Mrs Louise
Ennis, Jeff
Field, Rt Hon Frank
Fisher, Mark
Fitzsimons, Lorna
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Galloway, George
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kingham, Ms Tess
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lawrence, Ms Jackie
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
Macdonald, Calum
McDonnell, John
McIsaac, Shona
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Giles
Rammell, Bill
Rapson, Syd
Reid, Rt Hon Dr John *(Hamilton N)*
Robertson, Rt Hon George *(Hamilton S)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Savidge, Malcolm
Sedgemore, Brian
Shaw, Jonathan
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Walley, Ms Joan
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Woolas, Phil
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Greg Pope and Jane Kennedy.

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baker, Norman
Baldry, Tony
Ballard, Jackie
Beggs, Roy
Beith, Rt Hon A J
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brand, Dr Peter
Brazier, Julian
Breed, Colin
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Bruce, Malcolm *(Gordon)*
Burnett, John
Burns, Simon
Burstow, Paul
Cable, Dr Vincent
Campbell, Rt Hon Menzies *(NE Fife)*
Cash, William

Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Clifton–Brown, Geoffrey
Collins, Tim
Colvin, Michael
Cormack, Sir Patrick
Cotter, Brian
Cran, James
Davey, Edward *(Kingston)*
Davis, Rt Hon David *(Haltemprice & Howden)*
Day, Stephen
Donaldson, Jeffrey
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forsythe, Clifford
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gill, Christopher
Gorman, Mrs Teresa
Gray, James
Greenway, John
Grieve, Dominic
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hancock, Mike
Harris, Dr Evan
Harvey, Nick
Hawkins, Nick
Hayes, John
Heald, Oliver
Heathcoat–Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Keetch, Paul
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
MacKay, Rt Hon Andrew
McLoughlin, Patrick
Malins, Humfrey
Mates, Michael
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Moss, Malcolm
Norman, Archie
Öpik, Lembit
Ottaway, Richard
Page, Richard
Paterson, Owen
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Rowe, Andrew *(Faversham)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid–Norfolk)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Thompson, William
Tonge, Dr Jenny
Townend, John
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Wallace, James
Walter, Robert
Wardle, Charles
Waterson, Nigel
Webb, Steve
Wells, Bowen
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Willis, Phil
Wilshire, David
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mrs. Caroline Spelman and Sir David Madel.

Question accordingly agreed to.

Bill read the Third time, and passed.

Kosovo

9.5 pm

The Deputy Prime Minister (Mr. John Prescott): Earlier this evening, four British aircraft, together with missiles from the submarine HMS Splendid, attacked targets in the Federal Republic of Yugoslavia as part of a co-ordinated NATO air strike. Two other aircraft flew supporting missions.

Hon. Members may have heard the Prime Minister's remarks from Berlin earlier this evening, when he said:

"I want to pay tribute, at the outset, to our forces. We owe a huge debt to them for their courage, and their professionalism. Tonight, there are families in Britain who will be feeling a real sense of anxiety. They can feel too a real sense of pride at the contribution their loved ones make to peace and stability in Europe."

I am sure that the House will wish to join me in echoing those sentiments.

The UK Harriers operated out of Gioia del Colle in Italy. In addition, attacks were mounted by seven United States Air Force B52 bombers from Fairford in Gloucestershire.

The strike in which they participated was a very significant one, involving both air-launched and sea-launched cruise missiles and manned aircraft from the United States, the United Kingdom, France, Canada and Spain. A number of other allied air forces flew supporting missions.

The targets being attacked in this first phase were mainly elements of the Yugoslavian air defence system, but also included a number of Serbian military facilities related to the repression in Kosovo.

The NATO military action, which has the full support of all 19 member states, is intended to support the political aims of the international community. It is justified as an exceptional measure to prevent an overwhelming humanitarian catastrophe.

It is, and will continue to be, directed towards disrupting the violent attacks being committed by the Yugoslav army and the Serbian special police force and weakening their ability to continue their repressive strategy.

Two United Nations Security Council resolutions, 1199 and 1203, underpin our actions. Both demanded that the Serbs cease all actions against the civilian population and withdraw the security units used for civilian repression. Milosevic has been in breach of every single part of those UN resolutions.

As the Prime Minister said yesterday, a quarter of a million Kosovars, more than 10 per cent. of the population, are now homeless as a result of repression by Serb forces. Sixty-five thousand people have been forced from their homes in the past month, and no fewer than 25,000 in the days since the peace talks broke down. Families are being uprooted and driven from their homes. There are disturbing reports of the destruction of whole villages.

Over the past few days, we have all seen harrowing and unforgettable images on the television and in newspapers. The scenes are more reminiscent of the middle ages than of Europe on the eve of the 21st century.

I would remind the House that the decision to initiate air strikes was taken last night only after it became clear that the final diplomatic effort in Belgrade had not met with success and that all efforts to achieve a negotiated political solution to the Kosovo crisis had failed.

Over the past year the international community, with Britain at the forefront, has made intensive efforts to seek a peaceful solution. Milosevic has either rejected these approaches or entered into undertakings on which he has subsequently reneged, notably his blatant failure to observe the limits on army and special police numbers in Kosovo. Military force is now the only option.

NATO's position is clear, and was set out in its statement of 30 January. We seek to bring an end to the violence in order to avert a humanitarian catastrophe and support the completion of negotiations on an interim political settlement.

Three demands were made at the time, all of which Mr. Milosevic has so far rejected: he has not ended his use of excessive and disproportionate force in Kosovo; he has broken the undertaking that he gave last October to reduce Serb forces in Kosovo to pre-February 1998 levels; and he has so far refused to accept the interim political settlement that was negotiated at the peace talks in France earlier this year.

Tonight the NATO alliance—19 nations of which 13 flew their aircraft tonight—has backed its words with action. It has hit hard and it will continue to hit hard until its military objectives are achieved.

What happens next is up to Mr. Milosevic. It remains open to him to show at any time that he is ready to meet the demands of the international community. The demands are reasonable: they are an autonomous Kosovo within Serbia and an international military force to underpin the settlement. We hope that the Yugoslav people will understand that this is the only practical basis on which to move forward without further bloodshed.

I take this opportunity tonight to address a warning to those in the Yugoslav army and other forces who may be in receipt of orders to repress the Albanians in Kosovo: "Do not assume that you can carry out such activity with impunity. You have a personal responsibility not to exceed the bounds of international law. You run the risk of being prosecuted by the International Criminal Tribunal for the former Yugoslavia at The Hague if you do so."

I also address the Kosovar Albanians: "You have had the courage to commit yourselves to the path of peace. It is imperative that you remain committed to that approach and refrain from provocative actions in the days to come."

Neither NATO nor the United Kingdom is waging war against the people of Yugoslavia. We will make every effort to avoid civilian casualties. Our objective is to reduce the human suffering and violence against the civilian population of Kosovo. We seek to bring to an end the human tragedy now unfolding.

We know the risks of action and we salute the bravery of our service men and women who are undertaking these operations on our behalf. To the families of the brave men and women of our armed forces involved in this action—and indeed to the British people as a whole—I say this: we should remind ourselves that history has proved time and time again that standing up to aggression is the only way to stop such brutal leaders.

As my right hon. Friend the Prime Minister said to the House yesterday:

"If Kosovo was left to the mercy of Serbian repression, there is not merely a risk, but the probability of re-igniting unrest in Albania, of a destabilised Macedonia, of almost certain knock-on effects in Bosnia, and of further tension between Greece and Turkey. Strategic interests for the whole of Europe are at stake."—[*Official Report*, 23 March 1999; Vol. 328, c. 161.]

We, as fellow Europeans, cannot contemplate, on our own doorstep, a disintegration into chaos and disorder.

This is indeed a grave moment. Those who have doubted NATO's resolve have been shown to be wrong. We are prepared to see this through. We do not expect that air attacks will lead to an instant end to the brutality in Kosovo—Yugoslavia has a substantial military machine and is under the control of a ruthless man. But our attacks will make it clear to the president and his security forces that if they continue to use excessive force in Kosovo, they will pay a very high price indeed.

Mr. Peter Lilley (Hitchin and Harpenden): I thank the Deputy Prime Minister for his statement. As he says, this is a grave moment and our forces are engaged in a perilous mission. We join him in giving our armed forces our full support and we have total confidence in their skill, courage and ability. We share with their families and loved ones the combination of pride and anxiety that they must be feeling.

As my right hon. Friend the Leader of the Opposition said yesterday, we support the Government in the action that they have taken. We also entirely support and endorse the warning that the Prime Minister has given to those who may contemplate using disproportionate and inhumane methods in the province of Kosovo.

Will the Deputy Prime Minister confirm that the action is aimed at military targets and that every effort will be made to avoid civilian casualties?

Will the right hon. Gentleman confirm—even if it is not appropriate to spell them out in public—that NATO has clear criteria by which it will judge the success of its action? In view of the accusation by Russia that this is an act of aggression, will he take the opportunity to set out clearly for the House the legal basis for NATO's action? In view of the massive movements of refugees to which the Prime Minister referred yesterday, can the right hon. Gentleman tell the House what action the Government are taking to help the Governments of Albania and Macedonia cope with the consequences of this tide of human misery?

Tomorrow's debate will allow the Foreign Secretary and the Secretary of State for Defence to update the House, and will allow Members to discuss this matter in more detail. However, can the right hon. Gentleman give an assurance that he will keep the House fully informed as developments unfold?

The Deputy Prime Minister: I am grateful for the support offered by the right hon. Gentleman—which is shared on both sides of the House—for the Government's action. I can confirm that our targets are totally military, and not civilian. I understand the concern of the Russians about the legal justification—to which the right hon. Gentleman referred—but the use of force is justified under international law to prevent an overwhelming humanitarian disaster. We believe that what is happening in Kosovo could be such a disaster, and that is the legal justification for our action on this occasion. We will review what we can do to help Macedonia and Albania, and perhaps in the debate tomorrow we can give further information to the right hon. Gentleman. The House can be assured that we will continue to keep it informed, as we have tried to do this evening by reporting to it on the very first occasion when we could make a statement.

Mr. Donald Anderson (Swansea, East): President Milosevic is a loser. He was a loser in Bosnia, when he could have emerged with a much better deal, and an excellent deal was available to him at Rambouillet. Ultimately, he will lose. What lines of communication are still open to him? Is the deal that was on the table at Rambouillet still available to him?

The Deputy Prime Minister: Yes, I assure my hon. Friend that the deal is still available, and everybody would want to see it pursued and achieved. At the moment, we are trying to prevent a humanitarian tragedy in Kosovo. Our lines of communication are the normal ones through the various UN bodies and organisations. We will be available to be informed if there is any change of mind but, at the moment, the NATO action clearly is to prevent such a tragedy and to prevent the Yugoslav authorities from deploying their military might, as they are at the moment.

Mr. Menzies Campbell (North-East Fife): This is clearly not the occasion upon which to probe the Government on the precise nature of the operations that have been undertaken, or which may be undertaken in future. Does the Deputy Prime Minister agree that it is right for us to express our support for our military, and to express the hope for the safe return of all the aircraft and aircrew involved in the operations this evening? Does he agree that other, wider issues can be left until the debate tomorrow? Is it not right that the House should be in sombre mood, because to ask our young men and women to risk their lives in aid of political objectives is a sombre and anxious request to make of them?

The Deputy Prime Minister said that the scenes had been reminiscent of the middle ages. Have they not also been reminiscent of the second world war, which we believed had been fought to put an end to that kind of repression? Finally, will he confirm that, at any time, Mr. Milosevic has it within his power to bring an end to the operations by bringing an end to his own opposition to the political settlement which remains on the table?

The Deputy Prime Minister: I am grateful for the right hon. and learned Gentleman's expression of support and for his understanding of the difficulty concerning how much information can be given on these occasions, which I am sure the House fully appreciates. We hope for the safe return of our aircraft, and if that happens in the latter minutes of this discussion, I shall of course inform the House. Everyone would want that to be the case and will bear in mind the great contribution of our soldiers and aircrew.

This is indeed a sombre moment and, on reflection, there are comparisons with the lead-up to the second world war, but we would do best to keep those memories in the back of our mind and learn the lesson that if we appease dictators they go on to create even greater

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mayhem and repression. We must say to Mr. Milosevic, "You started it, and you have the chance to end it. We have to make it clear that we consider your actions repressive and offensive. We want to stop them, and that is what we are doing with our NATO forces."

Mr. Tony Benn (Chesterfield): Is the Deputy Prime Minister aware that the only body in the world that can deal with an humanitarian crisis is the United Nations itself, by organising a peace conference without the threat or the use of force and providing aid on the necessary scale? Is he also aware that NATO does not act on behalf of the international community, and never has done?

People of my generation, who lived through the 1930s and the 1940s, feel a sense of utter shame and disgust that the British Government should be breaking its solemn commitments to the United Nations and launching air attacks on Serbia, which was praised to the skies during the war, because it was the Serbian resistance to Hitler that gave us the opportunity of the victory that we secured. To demonise Serbia now, when Yugoslavia was deliberately broken up by western policy makers, is to mislead the public into a crusade that does not exist.

The Deputy Prime Minister: The right hon. Gentleman should bear it in mind that, regardless of whether they were allies many years ago, the Serbs today are murdering an awful lot of people in Kosovo. I understand that he is talking of 50 years ago and the concerns of the 1930s and 1940s, but there were great debates in our movement at that time about Hitler and about hawking one's conscience about. I am bound to say that we were wrong not to have dealt with appeasement at that time, and I hope that we have learned our lesson. That is why we are doing what we are doing today.

Mr. Edward Leigh (Gainsborough): The whole House is united in condemning repression, from whence it comes, and pays tribute to our troops. Is the Deputy Prime Minister aware that, despite the constraints that we are naturally under, there is genuine concern about the effect of bombing a sovereign, independent nation, about the innocents who may lose their lives and about what will happen if the bombing fails to shake the dictator's resolve?

Will the Deputy Prime Minister confirm that there can and will be no question of sending in ground troops, and will he inform the House of his plan for the future if bombing fails to achieve its object?

The Deputy Prime Minister: I think the whole House shares concerns about what may happen, but I have made it clear that the targets are military, not civilian. As for innocent people losing their lives, what is happening to many thousands in Kosovo and what was happening throughout the time of negotiations, when the repression of innocent people, many of whom were driven out of their homes, was continuing as we tried to find an agreement. One has to make a judgment.

The Prime Minister made it clear yesterday that we have no intention of sending in ground forces to fight a war in Kosovo. Our forces are in the region to support a settlement, if agreed, and not to fight their way in, which would require more than 100,000 troops and risk high casualties. There is not general agreement in favour of such action. Our targets are specific. They are basically military and we are clear about what we intend to achieve.

Mr. Frank Cook (Stockton, North): Does my right hon. Friend agree that the bombing did not start tonight and that bombing has been going on for some considerable time against the Kosovar Albanians? Does he agree that appeals for dialogue, although they have been heeded and continued, are somewhat futile when one party believes that the only useful dialogue is through the barrel of a gun? Does my right hon. Friend agree with the school of thought that Milosevic needed that armed intervention to protect himself from a backlash among his electorate if he made any concessions on Kosovo? In the fervent hope that that proves to be correct as quickly as possible, will my right hon. Friend tell us what measures might be in train quickly to restore normal relations between ourselves and Russia, which may have been adversely affected in the continuing negotiations?

The Deputy Prime Minister: I think the House will agree with my hon. Friend's comments that a great deal of repression was going on in Kosovo before the bombing and during the negotiation of the UN resolutions that made it clear that the Serbs should desist—they failed to do so. Of course we are concerned about relationships with countries such as Russia. We shall maintain those contacts, and those countries have made it clear, both in the UN and other councils, that they deplore the actions that have been taken. While there may be disagreement with the actions that have been taken by NATO today, there is no doubt that those countries do not support the position put forward by Milosevic and his Government.

Sir Geoffrey Johnson Smith (Wealden): I have considerable support for the statement made by the right hon. Gentleman. Compassion for the humanitarian difficulties that have been faced, including massacres, in the past months—almost years—is worthy of our support on humanitarian grounds. When the Deputy Prime Minister says that military installations are being bombed, does that include the ground forces of the Serbian nation? That is the area that causes us great concern. If we are to intervene and the war is to finish, we want to be certain that not only radar installations and airports are destroyed but that Serbian ground forces are rendered useless and cannot intervene.

The Deputy Prime Minister: I think that the right hon. Gentleman will be aware that on such occasions one does not detail the military targets. That is normal practice. I understand the reasons for his question, but he can be assured that the targets are military ones.

Mr. Dale Campbell-Savours (Workington): Will my right hon. Friend relay to those pilots who are out there tonight in darkness over Yugoslavia a simple message from the House of Commons? That is that we overwhelmingly support them in their endeavours. They are acting for Britain and we are proud of them.

The Deputy Prime Minister: My hon. Friend has made it clear in a powerful way that that is exactly what

the House feels. It has shown in its expressions that we fully support them in the pilots endeavours and admire the courage that they use to achieve them.

Mr. Douglas Hogg (Sleaford and North Hykeham): Does the right hon. Gentleman understand the great sense of dismay that many in the House feel? Does he agree that we have gone to war without there being a sufficient national interest, without there being a clear understanding of the strategic and political objectives, without there being a proper exit strategy and without the authority of the House? The right hon. Gentleman and the Government will have the support of the House because the credibility of NATO has been put at issue and because our service men are in action, but we should not have been brought to this pass.

The Deputy Prime Minister: I should have thought that the right hon. and learned Gentleman would be from his experience of Bosnia at the Foreign and Commonwealth Office that these matters are extremely difficult and that our justifications for taking the actions were the ones that I outlined. The national interest is in upholding international law. We act within that international law and the use of force is justified under that law to prevent an overwhelming humanitarian disaster. There is no doubt that that was about to take place and, indeed, has been taking place for some time. Frankly, one must make a judgment: do we want to sit in front of the television, observe what is happening and say, "Is this in the national interest?" I think that the overwhelming majority of the public will see those events and want this Government to do something and, along with other NATO countries, go in to try to stop it. That is what we are doing.

Mr. Bruce George (Walsall, South): I hope that my right hon. Friend accepts that we recognise the difficulties that we all face in this grave situation. Will he reiterate to those who need to be told that the House overwhelmingly supports the Government and British and NATO forces? Will he ask doubters what consolation it would be to a Kosovan running away from being killed to be able to say that the British Government did not act, but were upholding a precise, legalistic definition of international law? We can be proud of what we are doing.

The Deputy Prime Minister: As my hon. Friend has made clear, the House overwhelmingly supports our forces in this action. We offer our consideration and sympathy to the families of our soldiers, airmen and airwomen. We are proud to be involved in these matters, we have a right to be involved, and our action is based fully on international law. It will help people who are being brutally repressed, and that is the job of a democratic nation. I am proud to belong to a country that is part of an alliance trying to stop that repression.

Mr. Ian Taylor (Esher and Walton): The Deputy Prime Minister should know that there comes a moment at which taking action on humanitarian issues is necessary, whatever doubts we have. The Government have done absolutely the right thing.

Will the right hon. Gentleman remind the right hon. Member for Chesterfield (Mr. Benn) that his views are much more like those that pertained at the time of the League of Nations than those that currently exist? Will he take note of the fact that all 19 members of NATO—not just America and Britain—are involved in this exercise? Will he consider whether all 19 members have understood the full implications of launching an aerial bombardment on military targets, which may have to be protracted and which may require other measures if political objectives are to be achieved?

The Deputy Prime Minister: I want to take this opportunity to inform the House that all the Harriers have returned safely. We shall all be pleased about that.

I must tell the hon. Member for Esher and Walton (Mr. Taylor) that the House of Commons should reflect all points of view. No one can be absolutely sure in his or her judgments, and my right hon. Friend the Member for Chesterfield (Mr. Benn) is entitled to express his view. That is what democracy is about. Differences of opinion are the nature of democracy.

I believe that the 19 nations fully understand the consequences of this action. We shall maintain consensus throughout the action.

Mr. Tam Dalyell (Linlithgow): Can we return to the subject of the Russians, which I raised yesterday with the Prime Minister? Hon. Members who sat in the previous Parliament will remember our Russian-speaking colleague Harold Elletson. He rang me tonight from Moscow to say that the Duma had passed a resolution not discouraging Russians from going to fight for the Serbs. That is alarming.

Even more alarming, however, are suggestions that Russia is prepared to provide Serbia with a supply of arms. Can we be told, factually, what contact there has been with the Russians, what they have said and how contacts might be maintained?

The Deputy Prime Minister: My hon. Friend will be well aware that Russia agreed with the Security Council resolution that made it clear that Serbia should desist from its terrible actions. The Russians made it absolutely clear that they thought that Yugoslavia was in breach, and was causing a humanitarian catastrophe. While they have made it clear that they do not agree with bombing, I do not believe that they will support the actions of some of their own people to join the Serb forces. We are doing what we believe to be right. Others must make their judgment. Normal contacts will be maintained with other countries through diplomatic channels, as we would wish.

Mrs. Angela Browning (Tiverton and Honiton): Can the Deputy Prime Minister assure the House that the actions that have begun have in no way compromised the security of British troops already serving in Bosnia and Macedonia?

The Deputy Prime Minister: We have already made it clear that all necessary measures have been taken to protect NATO troops in neighbouring countries from a possible attack by Yugoslav forces. The Yugoslav Government should understand that any attack on those troops would lead to the most serious consequences. That has been made clear by our military commanders. I hope that the Yugoslavs understand fully.

Mr. Peter L. Pike (Burnley): Will my right hon. Friend confirm that this House is united in wishing that the action

[Mr. Peter L. Pike]

had not been necessary? We all hope that there will be no civilian casualties, but the simple fact is that civilians were dying in Kosovo as a result of the actions of Milosevic. It is therefore clear that the solution to the problem is for Milosevic to sit down and talk now. The sooner he does that, the sooner the action can cease. We would all welcome his decision to do so.

The Deputy Prime Minister: The House will recognise that a real humanitarian catastrophe is evolving in Kosovo. It is estimated that more than 25,000 people have fled their homes since Sunday 21 March and that there are 420,000 refugees in and outside Kosovo. I think that the Yugoslav authorities understand all too well exactly the position that we have taken. We should like to see peace. We should like to see them accept the agreements that were negotiated in France. If they did so, the military action could end, but in the meantime we are not prepared to step aside and let them commit atrocities.

Mr. Michael Colvin (Romsey): Everyone in this House acknowledges the seriousness of the situation and the heavy burden of responsibility on the shoulders of Her Majesty's Government. At a time when our armed forces are putting their lives at risk, it is necessary to demonstrate solidarity. We wish them well, notwithstanding the reservations that many of us have about this operation. There will be plenty of time to express those reservations tomorrow afternoon during the debate. What will constitute a success in this operation? What will happen if Milosevic does not return to the negotiating table as a result of the air strikes?

The Deputy Prime Minister: I am grateful for the hon. Gentleman's expression of solidarity and support. Of course, these matters are day-to-day judgments, but the objectives of the bombing are clear. They are to curb the ability to attack the people of Kosovo and to disrupt the armed forces of Yugoslavia involved in the violence in Kosovo. We have made it clear that that is the intention of the action that we are taking and we hope that it will have some effect.

Mr. George Galloway (Glasgow, Kelvin): In the interests of balance, will the Deputy Prime Minister acknowledge that one of the reasons for the tremendous suffering and bloodshed in Kosovo in the recent past has been the armed separatist rebellion in the country, and that that is a two-sided, not a one-sided, fight? Given his knowledge and sense of history, will he comment on what the impact on the psyche of the Yugoslav army and people is likely to be of the knowledge that this evening the Luftwaffe, the German air force, is in action over Yugoslav skies—*[Interruption.]* Hon. Members tut, but hundreds of thousands of Yugoslavs were massacred by the Wehrmacht and the Luftwaffe within the lifetime of Members of this House.

Lastly, with that sense of history and with reference to previous wars that the Deputy Prime Minister has made—and given the widespread unease in the House that this action was easier to start than it will be to finish—would he like to predict whether this will all be over by Christmas?

The Deputy Prime Minister: The House will have heard the comments made by the hon. Member. Some of his inflammatory remarks are not helpful. He refers to history in a limited way. There is a new democratic Germany and it is offering its troops to help save lives in Kosovo. That is a proper democratic objective. I am proud that the Germans have joined in. Nineteen NATO nations have agreed the action and 13 of them, especially Germany, have air forces involved. The House will welcome that. The hon. Gentleman talks of massacres, but many people were being massacred in Kosovo. President Milosevic is the person responsible for those massacres and he is the one who denied autonomy to the people of the area. That is the history of today, not 50 years ago, and the one to which we have to address ourselves.

Rev. Martin Smyth (Belfast, South): We understand the concerns expressed in the House, and I believe that I speak for many people, if not all, in Northern Ireland when I say that we are in sympathy with what has happened. Our prayers are with the naval and air forces that are in action. We trust that there will be no need to engage the Army in any action in future, but when the Secretary of State is giving warnings to Milosevic, will he bear in mind what might happen if Milosevic does not listen? Perhaps, the President is saying the same things in Serbia tonight to rally his people. From our experience during the second world war and recently in Northern Ireland, we all know that bombing does not detract from the courage of the people, but strengthens their endeavour.

The Deputy Prime Minister: I welcome the expression of support given by the hon. Gentleman, as I welcome it from all quarters of the House. Whatever concerns there might be that bombing adds to people's resolve, we shall continue to try to achieve agreement and dialogue between disagreeing parties—as we have done for a long time. Indeed, one party had signed up to the agreement in France, but the other decided not to do so. Whenever there is disagreement, one seeks agreement, and in this case we are not prepared to stand aside and observe the tragic consequences that are unfolding in Kosovo. I think that our action is right and, in the main, that is shown by the consensus among the 19 NATO countries.

Mr. Alan Williams (Swansea, West): Does my right hon. Friend agree that, desirable as the suggested United Nations peace conference might be, it would offer nothing to those helpless people who at this very moment are running ahead of the Serbian tank tracks and trying to hide from their death squads? Although we acknowledge and respect the consciences of our hon. Friends who feel that they cannot support what NATO is doing today, most Members of this House could not live with our consciences if we did not support it.

The Deputy Prime Minister: Again, my right hon. Friend is referring to the point I made earlier about diversity of opinion in the House. All of us who have watched these tragic circumstances evolve—especially when we see those events on television—are often asked to find a balance between practical realities and conscience. The Government have decided to join the other 18 NATO nations to prevent such events from taking place. That is a proper balance and we are right to support it.

Mr. John Wilkinson (Ruislip-Northwood): Do not our service men over and around Yugoslavia tonight deserve

our confidence and our faith rather than our speculations? Will Her Majesty's Government assure the House that they will have the courage to see this matter through until the mission is fully accomplished, namely, that the poor, suffering, oppressed people of Kosovo are granted the opportunity to decide their own political destiny in freedom and in peace?

The Deputy Prime Minister: I agree very much with the political objective expressed by the hon. Gentleman, as will most Members of the House. However, we are discussing the military objectives that we have set. Those objectives are clear—they are to curb Milosevic's ability to attack the people of Kosovo, and to disrupt the armed forces of Yugoslavia and their violence in Kosovo. That is a proper military objective which it is to be hoped may lead to the political results described by the hon. Gentleman.

Mr. Derek Twigg (Halton): Does my right hon. Friend agree that, although it is important for hon. Members to express their opinions freely, what is important tonight is that a message expressing the full support of this House goes to the service men and women in our armed forces? Is it not a consequence of doing nothing that the slaughter will continue and the pictures on television to which my right hon. Friend refers will get worse and will be shown more frequently? Will there not be dire consequences for the whole region if we do nothing? I assure my right hon. Friend of my full support, and that of most Members of this House, for the actions that have been taken by the Government.

The Deputy Prime Minister: What has been notable and unsurprising is that the fullest support has been expressed on both sides of the House. There is solidarity for our purpose and unity in support of service people. As my hon. Friend says, watching pictures of slaughter on television leads us to think deeply about the actions that we must take. As he rightly points out, history teaches us that there are consequences for the whole region. Perhaps certain historical lessons are clearly in our minds. This action is right; the military objectives are clear and we shall seek to achieve them.

Mr. Crispin Blunt (Reigate): The Deputy Prime Minister will be aware that there are hon. Members on both sides of the House who have serious reservations about the current strategy's potential for success. However, it is undoubtedly true that the best outcome for all is that the current strategy is a success, so now that our armed forces are in action I hope that the right hon. Gentleman understands that he, as the representative of our Government, and our armed forces and those of our allies have our full support in making a success of the strategy on which the Government have embarked.

The Deputy Prime Minister: Once again, I am grateful for that expression of support. As the hon. Gentleman rightly points out, everyone, whatever view they hold on the matter, feels great concern at this time. We need to give our fullest support, and that support has been offered by hon. Members on both sides of the House. We shall work extremely hard and our armed forces will seek to achieve success in the targets and aims we have set for ourselves.

Mr. Robert N. Wareing (Liverpool, West Derby): Did my right hon. Friend hear the statement issued tonight by Vuk Draskovic, who is a long-standing political opponent of President Milosevic, stating that the NATO aggression against Yugoslavia will unite all Serbs everywhere in opposing their enemies? Does my right hon. Friend realise that it is now extremely likely that the war in Bosnia will be re-ignited and that Serbs in other parts of the former Yugoslavia will unite? While he is about it, can he explain why British foreign policy towards the Serbs in respect of Kosovo differs from our policy toward the Croats in respect of Krajina, where 280,000 Serbs were ethnically cleansed?

The Deputy Prime Minister: Many lessons of history have been referred to this evening, but we have to deal with what is happening now, which is that Mr. Milosevic is carrying out a policy that is killing thousands of people in a most horrific way. My hon. Friend suggests that Mr. Drosovic—

Mr. Wareing: Draskovic.

The Deputy Prime Minister: Whatever his name is, he is not the leader of the opposition, but is a Deputy Prime Minister in the Milosevic Government.

Mr. Wareing: He still opposes him.

The Deputy Prime Minister: If he is a Deputy Prime Minister, he does not oppose, but I shall not get into that argument. Clearly, whatever the history and whatever references to that history my hon. Friend wants to make, an overwhelming catastrophe is taking place in Kosovo and we have decided that we cannot simply sit by and watch. We know who is committing those acts and we have decided to attack military targets in order to curb those people's ability to attack the people of Kosovo. That action is right and that is what we are doing.

Mr. Shaun Woodward (Witney): I, too, join hon. Members in expressing support for the service men and for the action that is taking place tonight. We clearly had no choice, and it is clearly the right thing to do.

However, there is a grave danger ahead that the conflict will not be contained. The Deputy Prime Minister has given an account of the Russian response during the past few days, but will he tell the House what has been the Russian Government's response to the attack this evening? Given the historical allying of Russia to Serbia, will the right hon. Gentleman also tell us what the Government's response would be if the Russian Parliament were to sanction volunteers going to Serbia to aid the Serbs? Is it true or not true that aeroplanes found today were bound for Serbia and came from Russia? Finally, will he tell the House whether or not the Security Council is in session, or plans to be in session?

The Deputy Prime Minister: The hon. Gentleman must recognise that Russia has made it clear that it disagrees with the action; that is well known and it is an honourable disagreement. However, the Russians did agree with the UN resolution that made it clear that the Serb actions taking place should not take place, which the Yugoslav authorities have totally ignored. The dialogue will continue and we want it to do so. If the Russians have a decision to make on what further actions they should take, we want to discuss that with them, but it is

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their right to make that decision. We have made ours, and we think that it is absolutely right. It is consistent with the UN resolutions.

As for the reports on the Russian aeroplanes, I do not know a great deal about the matter except that it seems to be clouded in mystery and that people are not too sure exactly what happened. We shall, of course, continue with dialogue and discussion within the UN.

Mr. Bill Rammell (Harlow): This is a grave evening and I do not believe that any Member of the House views the events of this evening lightly. Does my right hon. Friend the Deputy Prime Minister agree that given the systematic breaking of virtually every commitment and agreement that President Milosevic has previously given, for the international community to do nothing at this stage would be a position wholly lacking in credibility? Does my right hon. Friend agree also that when we are dealing with an evil aggressor, just as in 1939, there comes a point when talking as a means of resolving a conflict is no longer a viable option, and that the decision on when that moment comes is a matter for acute judgment? I believe that the judgment that has been made this evening will be supported by the vast majority of Members and by the vast majority of people in the country.

The Deputy Prime Minister: I believe, like my hon. Friend, that our action is supported overwhelmingly by Members of the House, as we have seen this evening, and by the general public. I believe also that the actions that have been taken by President Milosevic are ones that appal the world, that need to be condemned and that are entirely unacceptable. I further believe that the judgment that we have had to exercise will be shown to be correct. I hope that it will lead to a better situation. At least it offers the people of Kosovo hope of escape from the repression that they now face. That is the least that we can do, that is what we have embarked upon, and I think that it is right to do so.

Madam Speaker: Thank you. We shall be returning to these matters tomorrow.

DELEGATED LEGISLATION

Madam Speaker: With permission, I shall put together the motions relating to delegated legislation.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

SOCIAL SECURITY

That the draft Social Security and Child Support (Decisions and Appeals) Regulations 1999, which were laid before this House on 4th March, be approved.

FAMILY LAW

That the draft Child Support (Miscellaneous Amendments) (No. 2) Regulations 1999, which were laid before this House on 8th March, be approved.

That the draft Child Support (Miscellaneous Amendments) (No. 2) Regulations 1999, which were laid before this House on 8th March, be approved.

NATIONAL LOTTERY

That the draft New Opportunities Fund (Specification of Initiatives) Order 1999, which was laid before this House on 11th March, be approved.

INTERNATIONAL IMMUNITIES AND PRIVILEGES

That the draft International Mobile Satellite Organisation (Immunities and Privileges) Order 1999, which was laid before this House on 25th February, be approved.

CRIMINAL LAW (SCOTLAND)

That the draft Scottish Criminal Cases Review Commission (Application to Summary Proceedings) Order 1999, which was laid before this House on 8th March, be approved.

CONSTITUTIONAL LAW

That the draft Scottish Adjacent Waters Boundaries Order 1999, which was laid before this House on 8th March, be approved.—*[Mr. Hanson.]*

Question agreed to.

Madam Speaker: We move on to motion 14.

Mr. David Hanson (Delyn): Not moved. *[Interruption.]*

Madam Speaker: Order. I have business to do. Will hon. Members sit down? A little courtesy here would do very well.

PETITION

Royal Hospital Haslar

9.53 pm

Mr. Peter Viggers (Gosport): Earlier today, a delegation from Hampshire took to 10 Downing street a petition with 50,000 signatures. This evening, it is my privilege to produce to the House a parliamentary petition that similarly has 50,000 signatures. Both of those petitions are related to the retention of our only military hospital, which is the Royal hospital Haslar, which is in my constituency. All the people who have signed the petitions care deeply about the retention of our only tri-service centre of medical excellence. My constituents are profoundly concerned about the prospective loss of their local hospital.

The parliamentary petition is a most unusual one. It is, I think, in exemplary form, and I think that the House will appreciate it.

Madam Speaker: It looks very pretty.

Mr. Viggers: Thank you, Madam Speaker. It is an attempt by my constituents and others to put in graphic form their deep concern about the present issue. I shall read the words of the petition, which speak for themselves.

The petition states:

To the Honourable the Commons of the United Kingdom of Great Britain and Northern Ireland in Parliament assembled.

The Humble Petition of the Citizens of Gosport, Fareham and surrounding areas, and others throughout the United Kingdom who are concerned about the future of the Royal Hospital Haslar and Defence Medical Services.

Sheweth

That Royal Hospital Haslar has provided medical services for Service personnel and civilians since 1753; that it currently treats 111,000 patients a year and 27,000 Accident and Emergency cases; that since 1994 Haslar Hospital has operated as the sole tri-Service hospital and centre of excellence for the Army, the Royal Navy and the Royal Air Force; that there is no possibility of alternate medical provision being made in the Gosport area before the closure of Royal Hospital Haslar which could be as early as 2002.

Wherefore your Petitioners pray that your Honourable House do resolve and instruct Her Majesty's Government to reconsider its proposals to close the Royal Hospital Haslar; and instead to use the facilities of the Royal Hospital Haslar in a new partnership with the National Health Service in order to continue medical cover of the highest order for the citizens of the Gosport area; and to maintain the Royal Hospital Haslar as a centre of excellence for Defence Medical Services.

Most unusually, the petition has been sealed by the seals of the borough of Gosport, the borough of Fareham, the borough of Havant, the city of Portsmouth and Hampshire county council, which is a symbol of the exceptional concern of the community.

To lie upon the Table.

Branded drugs

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Hanson.]*

9.55 pm

Mr. Peter Bradley (The Wrekin): It is hard, on an evening such as this, to turn one's mind away from the events in Kosovo. Nevertheless, I am grateful for the opportunity to expose in this House two lawful but, in my view, improper, scams—I can think of no better word to describe them—which last year plunged 78 of the 100 health authorities in England into a deficit on their drugs budget. Five of those health authorities—East Kent, Leicestershire, Manchester, South Cheshire and Suffolk—were in deficit by over £2 million, and no fewer than 34 were in deficit by over £1 million, including Shropshire health authority, which serves my constituency.

Last year, the total overspend on drugs in the national health service was no less than £69 million. That sum would have helped the NHS to recruit an additional 4,000 nurses or abolish dental charges throughout England. That sum is in excess of that required for the construction of the new hospital in Barnet.

All hon. Members are aware of the strains on the NHS drugs budget. The technological, scientific and medical breakthroughs that many of this country's leading drug companies are pursuing and achieving puts a strain on our health service, as does increasing life expectancy. The raising, year by year, of expectations among patients and the demands that they place on their GPs and hospitals also cause strain. However, the drugs overspend to which I am drawing attention does not benefit the patient or the taxpayer. It benefits pharmaceutical companies and, sadly, some general practitioners.

It is a shocking fact that, of last year's £69 million drugs overspend, no less than £66 million could have been saved. If that money could have been saved on behalf of the NHS, why was it not? The answer is that pharmaceutical companies push branded drugs in our NHS and some general practitioners are addicted to those drugs. For companies and GPs, there is profit in dispensing branded drugs in place of generic drugs.

As I said, there are two scams. First, there should be a Government health warning that hospital-led prescribing can be habit-forming, and it certainly will be if pharmaceutical companies have their way. Their intention is to push on our hospitals discounted, branded drugs that are as loss leaders all too irresistible to many hospital consultants. When patients are discharged from hospital with prescriptions for branded drugs, they in turn place almost irresistible pressure on GPs to prescribe the same brand.

Research by the University of Keele has demonstrated that some 70 per cent. of prescriptions in primary care are influenced by prescriptions in secondary care. In 1994, when the Select Committee on Health undertook investigations into the pharmaceutical industry and

[Mr. Peter Bradley]

prescribing practices, Dr. Malcolm Patch, a general practitioner from Maidenhead, gave evidence to the Committee.

It being Ten o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Hanson.]*

Mr. Bradley: Dr. Malcolm Patch told the Select Committee:

"A lot of expensive drugs are initiated within hospitals. The patient then comes to us as their GPs for further prescriptions. It is very difficult to change this prescription even if there is a cheaper and equally effective alternative as the patient sees the consultant as the ultimate decision-maker on therapy."

Dr. Patch was clear about the pharmaceutical companies' motives. He said:

"The drug companies sometimes offer 'loss-leaders' to hospital pharmacies at an artificially low price so that the drug replaces others. . . Thus the drug companies get their products initiated by hospital based doctors and we GPs are left to foot the ultimate, long-term and more expensive bill."

Dr. Patch's evidence was borne out by Professor Charles George, a consultant and member of the Royal College of Physicians, who told the Committee:

"I would be the first to acknowledge that we have been responsible in hospitals for creating problems for general practitioners."

He cited the example of the drug Frumil. He said:

"It's relatively cheap in hospital and it is very expensive out there in the community—there is no doubt that hospital doctors have created problems for general practitioners because of that."

I can tell the House that, while only 37 per cent. of GPs' prescriptions are branded, they account for 49 per cent. of the drugs budget.

Dr. Howard Stoate (Dartford): My GP colleagues round the country will be interested to hear what my hon. Friend says. I am sure that many of them share his concerns. Many GPs are already trying to prescribe generic rather than branded drugs, and many health authorities offer incentive schemes for prescribing, to ensure best value. Those schemes allow GPs to have money to spend on equipment in their practices, if they can show genuine savings on the drugs budget.

Mr. Bradley: I thank my hon. Friend for that intervention, which prompts me to make it clear to the House and to general practitioners throughout the country that I am certainly not alleging that they are all out to exploit the national health service and to make a profit from branded drugs. That is not the case. I am speaking of a small minority of GPs, but of a very large sum, which belongs to the NHS, to the community, to patients and to the taxpayer.

As my hon. Friend suggests, there is a great deal of best practice, to which I hope to refer later. The problem is that it is not yet as widespread as it ought to be. I hope that, by raising the issue tonight, we can encourage and educate more doctors so that that best practice is more extensively adopted.

The price differentials between drugs dispensed in the hospital and those dispensed in the community can be staggering. Shropshire health authority tells me that the cost of prescribing the diuretic Frumil in hospital is 6 per cent. of the cost of prescribing it in the community—6 per cent. In other parts of the country, Frumil costs 20p per patient per day in the hospital, but £6.20 per patient per day out in the community.

Mathematics has never been my strong point, but I calculate that as a differential of 2,800 per cent. Shropshire health authority tells me that the cost of Imdur in hospital is 2.5 per cent. of its cost when prescribed by a GP. In other health authorities, I understand that it costs 14p per patient per day to dispense in a hospital, but £11.14 per patient per day outside hospital. That is a differential of 8,000 per cent.

Giving drugs away in hospital makes good sense for the pharmaceutical companies, because only 20 per cent. of our drugs are dispensed there. The other 80 per cent. are dispensed in the community. That is where the profit is to be made. The drugs barons, whether they are in pharmaceutical companies or in a more illicit trade, know that first they must hook their victim—in this case, in the hospitals—so that then they can then take the money from him. For good measure, they provide a ceaseless flow of gifts for GPs—blotting pads, pens and calendars, which hang on the walls of surgeries—which serve as constant reminders of the names of the branded drugs that they want doctors to prescribe or dispense.

The drugs barons have another clever, but effective, means of achieving their ends. They give branded drugs names that are simple and memorable, compared with the Latin or Greek roots of the names of generic prescribed drugs. Thus diconal is a branded drug and di—I cannot pronounce that word; it is Milosevic hydrochloride. I was hoping that my hon. Friend the Member for Dartford (Dr. Stoate) would ask me to give way.

Dr. Stoate: The correct pronunciation is dipipanone hydrochloride.

Mr. Bradley: I am grateful to my hon. Friend for coming to my aid; I have been rehearsing all afternoon, but this has proved my point: it is a great deal easier to remember diconal than it is to remember whatever name my hon. Friend just—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. I hope that the hon. Gentleman will not require simultaneous translation throughout the rest of his speech.

Mr. Bradley: I will resist the temptation, Mr. Deputy Speaker.

There is a problem too in the pharmacies. When a GP writes a prescription with a branded name on it, the pharmacist is not in a position to dispense anything other than that brand. That is not the case if the prescription specifies a generic drug—the pharmacist can dispense whatever comes to hand or whatever he advises—whatever is cheapest.

The key point is that, in the vast majority of cases, there is absolutely no difference in effectiveness in terms of the patient's welfare between the branded and the generic drug, but there is most certainly a difference in price. That problem alone costs my health authority, Shropshire, about £400,000 a year. That money could, and should, be spent on cancer care or on the Cinderella services such as mental health and services for people with learning difficulties.

The second scam is a nice little earner for a small minority of GPs. This country has about 23,000 prescribing doctors in general practice and 4,000 doctors who are entitled to dispense. They practise, typically, in rural areas. They provide a dispensing service as a community service, which is very valuable for people in isolated communities who do not have access to pharmacies. Dispensing GPs have been providing that service for a long time and the vast majority of them do so with quiet efficiency and with no thought for anything other than the care of their patients.

However, dispensing is also an income supplement for those GPs and it was intended to be so from the beginning of the national health service, when it was recognised that GPs in rural communities had fewer patients than their counterparts in urban communities. They therefore tended to earn less, and deriving a fee—and therefore an income—from dispensing was regarded as a sensible way of equalising their pay.

The income that GPs derive from dispensing consists of four elements: a dispensing fee, a container allowance, a value added tax allowance and a payment of 10.5 per cent. of the cost of the drugs that they dispense. The problem is the built-in incentive for some GPs to abuse the system. It is clear, particularly in respect of proportionate element of remuneration, that the greater the volume of drugs dispensed, the higher the cost of those drugs, the more frequent the prescription and the larger the income supplement that doctors are able to derive.

The GP community has been concerned about that issue for many years. In 1996, the British Medical Association's General Medical Services Committee discussion document "Dispensing Remuneration" stated:

"unfortunately the on-cost arrangement is open to the criticism that a dispensing doctor can increase gross earnings from dispensing more expensively".

That is absolutely true. Unhappily, the BMA concluded, somewhat complacently, that there was

"no clear evidence of this."

Mr. David Drew (Stroud): The situation is not helped by the fact that there has been something close to a state of war between dispensing general practitioners and pharmacists in rural areas. Until that is sorted out, problems will continue, and, inevitably, it will be the patients who suffer in the end.

Mr. Bradley: That is an important point. We are doing our best to dismantle the internal market in the national health service—to some effect, I think—but all too many rivalries, factions and hostilities persist. There are conflicts between one type of doctor and another, between doctors and pharmacies, between general practitioners and hospital consultants and between medical practitioners in general and administrators. Only when we ensure that everyone working in the health service works for the health service will we see the progress that we all wish to make. It strikes me at times that some people in the NHS—I stress that I am talking about a small minority, but that minority can wreak considerable damage—are more committed to their own interests than to the interests of the health service and the patients whom, they ultimately serve.

The incentive to which I have referred is clear and irresistible. Among non-dispensing GPs, the average prescribing of branded drugs is about 34 per cent.; the remaining 66 per cent. consists of generic and cheaper drugs but, among dispensing GPs, the average is 74 per cent. In other words, only a third of non-dispensers' prescriptions consist of branded drugs, while the figure for dispensing GPs is virtually three quarters. The average cost of a prescription per patient per year is £118 in the case of dispensing GPs, while in the case of non-dispensing GPs it is as little as £78.

The question is this: is the original purpose of the scheme whereby doctors in rural communities were entitled to derive a supplementary income from the scheme being fulfilled? The answer is no. Between 1995 and 1997, the average GP's income was £47,000. The average for prescribing GPs was lower, at £45,800. However, the average for dispensing GPs, whose incomes had originally been considered to be falling below those of their urban counterparts, was £53,400—over £7,500, or 16 per cent., more than that of their non-dispensing colleagues. Dispensing GPs can make a profit of as much as £50,000 from dispensing. Some of them bank the money, as they are entitled to; others invest it in securing locums or other partners in their practices, and can therefore enjoy a rather more leisured life than other doctors.

In Shropshire, 21 of the 66 general practices dispense. Although they account for only 28 per cent. of the drugs budget, they account for 36 per cent. of its overspend. The Government have set a target: they intend 72 per cent. of all drugs dispensed to be generic by 2002. Shropshire's average is currently 57 per cent. Prescribers are working towards the 72 per cent. target, and are currently at 63 per cent., but the dispensers are way down the order at 30 per cent.

As I have said, I am not arguing that rural doctors, particularly those in isolated areas in, for example, Scotland and Wales, do not need that valuable income supplement. If we are to recruit and retain doctors who perform such a valuable duty in those communities, we must find a way in which to help them to supplement their income. Nor do I by any stretch of the imagination claim that all dispensing doctors are exploiting the system.

I pay tribute to the only dispensing practice in my constituency, the Wellington Road surgery in Newport. In the context of his intervention, the following information will be of particular interest to my hon. Friend the Member for Dartford. The practice dispenses to some 5,000 of its 12,500 patients, but its generic prescribing rate is as high as 70 per cent.—well in excess of the county average in Shropshire and more than double the rate of dispensing colleagues throughout the county. The rate can be achieved if a practice is committed to keeping costs as low as possible on behalf of the NHS. The cost to Shropshire health authority of wasted dispensing of drugs is about £500,000. Two years ago, its deficit was £1.5 million. This year, it will be close to £1.2 million. Next year, it will be little better.

I should like to mention briefly some of the solutions that we might apply. It is to be hoped that peer pressure to contain budgets will be brought to bear when primary care groups are introduced on 1 April, but that in itself will not be enough. Shropshire health authority is pursuing a number of initiatives. It is seeking agreement between consultants in hospitals and GPs in the community to identify the costliest brands for the local NHS and to replace them with generics in hospital. Collaborative working is important in the NHS.

[Mr. Bradley]

The health authority is introducing software packages, so that GPs can identify in their surgeries not only the most appropriate drugs for their patients, but how to secure them at the lowest possible prices. It is introducing incentives that my hon. Friend the Member for Dartford mentioned earlier for reducing drug budgets among GPs.

In 1994, the Select Committee on Health made a recommendation about generic substitution. I hope that the Government will consider the benefits of generic substitution, which mean that a chemist or pharmacist can dispense the cheapest available drug that will do an effective job for the patient. However, we also need to rein in the pharmaceuticals, to contain their excesses and to bear in mind that in other countries, including Germany, there is legislation to ensure that the cheapest possible drugs are dispensed.

I have outlined the problem and shown that there are solutions at hand, but I look to the Minister for assurances that action will be taken to ensure that every last penny in the NHS goes on front-line health care, not into the pockets of private enterprise or a small minority of greedy doctors.

10.18 pm

The Minister of State, Department of Health (Mr. John Denham): I congratulate my hon. Friend the Member for The Wrekin (Mr. Bradley) on his success in the ballot. He is right to identify as an important issue the cost of medicines to the health service. We are striving to achieve the best return on our use of NHS resources. The use of generic medicines can make a major contribution to achieving that goal.

It is widely accepted that, save for a few examples—treatments for epilepsy, for example, where it can be important that the patient receives the same brand—non-proprietary or generic medicines are as clinically effective as their proprietary or branded counterparts. Generics are generally cheaper and therefore more cost-effective.

We spend large sums on medicines. In 1997–98, total NHS expenditure on drugs was £5.1 billion. Of that, £4.1 billion represented drugs prescribed by family health service practitioners, mainly family doctors. Prescribing by hospitals accounted for just over £1 billion. Those two components have up to now been managed as distinct budgets by different parts of the NHS and subject to different rules and flexibilities. Those are major deficiencies, which our reforms, set out in the "New NHS" White Paper, are designed to address.

Action to secure higher rates of generic prescribing continues to figure prominently. The national performance figure across health authorities of 63 per cent. generic prescribing hides wide variations in performance—the best being about 74 per cent., and the lowest about 49 per cent. Shropshire—in common with other authorities serving predominantly rural areas—is a relatively poor performer. The prevalence of dispensing doctors is likely to be a factor, but there are many other influences that can have a bearing and will vary from authority to authority.

I should caution my hon. Friend on his simple equation between the cost of non-generic prescribing and past overspends in health authority budgets. There can be a wide variety of local variations in performance giving rise to such differences.

We attach special significance to generic prescribing targets. By the end of March 2002, we aim to achieve an average national generic prescribing rate of at least 72 per cent.—the current figure is about 63 per cent.—and at least half the practices currently below 40 per cent. to be brought above it. Currently, about 7 per cent. of practices are below 40 per cent.

I should like to deal now with the first specific issue that my hon. Friend raised—hospital prescribing. Prescribing by hospital specialists is managed by health authorities within their cash-limited budgets. Cash limits are a key mechanism for ensuring that the NHS stays within funding limits approved by Parliament.

Historically, however, prescribing by family doctors has been subject to a separate and distinct funding stream, which is often referred to as a non-cash limited budget. However, even here, the position is blurred, as 50 per cent. of that budget has been covered by general practitioner fundholding and managed as a cash-limited budget. Under the existing system, the risk of an overspend on those non-cash limited costs is managed centrally by the Department of Health.

It is important to realise that, in non-cash limited prescribing costs, although there may not be a predetermined limit on the amount that may be spent in each health authority, all expenditure at national level has to be met from within the overall funds voted by Parliament for the NHS. Any increase in non-cash limited services above assumed levels has to be managed and may involve reducing or deferring expenditure in another area of the NHS budget. Those costs are therefore not a free good to the NHS.

There is the possibility that, within the arrangements that we inherited, hospital specialists working within cash-limited budgets may view the prescribing budgets of their GP colleagues as a free good. Any arrangement that provides for an artificial separation between clinical and financial responsibilities will almost inevitably result in clinicians making decisions without full knowledge of the financial consequences or decisions by NHS management that appear to disregard clinical efficacy. The current disjunction between clinical and financial responsibility creates fertile ground on which to develop perverse incentives to shift the cost to another budget.

My hon. Friend was right to identify the hospitals' huge influence and impact on the prescribing behaviour of GPs. Once a drug is prescribed by a hospital, the patient's reluctance to change is understandable. Clinicians in secondary and primary care should collaborate, but it is easy enough to recognise the temptation to shift the cost of treatment to another budget. In those circumstances, a hospital specialist may maximise the use of his budget without taking into account the overall impact on the use of NHS resources.

We acknowledge those problems. The introduction of unified budgets, from 1 April, is a key feature of the changes that we are making, which will remove the artificial funding barriers that actively discourage collaboration between doctors working in primary and secondary care. We shall bring together the hitherto separate components for hospital services and GP prescribing, with investment in GP practice infrastructure, in a single funding stream.

Those changes will complement the changes that we are making in management of the NHS. Unified budgets will help primary care groups and primary care trusts to

fulfil their key functions—developing local health services and improving the health of their local populations—by enabling them to decide the priorities across the full range of their responsibilities, in the full light of those budgets and the wider NHS.

If a medicine is judged to be the most appropriate treatment, local mechanisms should be in place to ensure the most cost-effective provision of that medicine. Most health authorities have established forums to deal with those issues—generally through area prescribing committees, which facilitate the exchange of information between primary and secondary care. The role of the committees is being developed to encompass the introduction of primary care groups.

Certainly, we do not expect hospitals to buy in medicines at artificially low prices, taking no account of the true cost to the NHS resulting from wider use in primary care. I am pleased to note that Shropshire health authority is working with its primary care groups and trusts to address those concerns.

I now turn to the second point that my hon. Friend raised—the concerns being expressed about the prescribing activity of doctors, predominantly serving rural areas, who are allowed to dispense medicines to those of their patients who do not have easy access to a community pharmacy. The basic allegation is that the so-called dispensing doctors dispense more costly branded medicines to their patients rather than the cheaper generic versions of equal clinical efficacy. It is suggested that the way in which we pay dispensing doctors influences their prescribing activity.

As has been recognised, there are sound reasons for allowing some doctors to dispense medicines to some of their patients. Generally, doctors prescribe medicines and pharmacists dispense them. Patients benefit from the expertise of two professions. However, in rural areas where a pharmacy would not be viable, GPs may be required or permitted to dispense. About 16 per cent. of GPs in England are dispensing doctors, covering about 3.2 million patients. In those cases the GPs provide a valuable additional service and it is one which is greatly appreciated by their patients. Of course patients must have adequate services available to them wherever they live. Equally we must ensure that those services are provided in the most efficient manner possible.

I have already described the targets that we have set on generic prescribing and we have introduced a number of developments to underpin the work, including the introduction of unified budgets. Primary care groups are being encouraged to make fuller use of other professional expertise, particularly that of pharmacists, to support better prescribing practice. Prescribing incentive schemes will continue to be developed, allowing GP practices to retain a share of the savings they make as a result of better prescribing. There will also be a role for computerised decision support systems such as PRODIGY.

My hon. Friend has recognised that there are already good examples of improvements that can be secured if practices work together to a common goal.

Dispensing doctors will be subject to the programme of action. In particular, their performance will be subject to scrutiny by their peers in primary care groups, and we expect them to contribute to the development of cost-effective services for their patients within the new financial and management structures.

Shropshire health authority recognises the desirability of improving the prescribing behaviour of its GPs. I understand that the authority is forecasting a 3 per cent. overspend, involving some £1.16 million, against this year's prescribing budget. It has identified the specific need to improve generic prescribing performance by its dispensing practices and has established pilots to seek to develop ways to improve generic prescribing, but in a manner which does not jeopardise practice income and which maintains services to patients.

It is commonly claimed that the dispensing doctor pay system actively discourages the use of generic products. Dispensing doctors are paid by a mixture of fee per prescription item and an on-cost allowance of 10.5 per cent. of the list price of drugs dispensed. It is argued that there is an in-built incentive to use higher-cost drugs because they get paid more for doing so. The evidence is not clear, but the perception is there, that doctors may be influenced in their prescribing decisions. That is recognised by professional representatives and, as my hon. Friend said, back in 1996, the then General Medical Services Committee of the British Medical Association suggested that a more appropriate method of payment would be by a higher professional fee alone, which would provide the same total amount of remuneration as at present provided by fees and on-costs combined.

I recognise that there may be merit in arguments that we should underpin our basic strategy by removing anomalies within dispensing doctor pay arrangements, but it a complex issue and one that we are looking at. I will reflect carefully on the points made during tonight's debate.

In conclusion, I am grateful to my hon. Friend for raising these important issues. We place great emphasis on the continued promotion of cost-effective prescribing, and increased rates of generic prescribing will continue to have a key place in our strategy.

Question put and agreed to.

Adjourned accordingly at twenty-nine minutes past Ten o'clock.

House of Commons

Thursday 25 March 1999

The House met at half-past Eleven o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

TRADE AND INDUSTRY

The Secretary of State was asked—

Aerospace Industry

2. **Mr. John Wilkinson** (Ruislip-Northwood): When he last met representatives of the aerospace manufacturers in the UK to discuss a national strategy for the industry. [77034]

The Minister for Energy and Industry (Mr. John Battle): I and my officials regularly meet senior representatives of the United Kingdom aerospace and defence industry to discuss matters of strategic importance. My last meeting with them was prior to the Madrid meeting of European Industry Ministers in January.

Mr. Wilkinson: Is the Minister aware that British Aerospace is to make a provision of no less than £25 million for last year against losses incurred by the Airbus consortium amounting to a total of £125 million in its discounting war to obtain market share against Boeing? Will he assure the House that, before there is any question of launch aid from Her Majesty's Government to Airbus Industries for the A3XX ultra large jumbo replacement, the Government will insist that Airbus Industries is turned from a groupement d'intérêt économique into a limited company with transparency that will show value for money and value for investment?

Mr. Battle: We cannot give the hon. Gentleman an absolute assurance because we cannot control what other countries and other companies do, but his point is valid. When we examine any application for launch aid, we shall take into consideration the need to have open markets in the Airbus industry in Europe as a whole.

Mr. David Borrow (South Ribble): I am pleased that the Government are seeking to develop a strategy for the aerospace industry, which is much needed. I urge the Minister, when consulting the industry, to ensure that organisations representing smaller companies, such as the Consortium of Lancashire Aerospace, are included in the consultation process. Will he also ensure that representatives of local communities that are dependent on the industry, and trade unions that represent those who work in the industry, are included in the development of a strategy?

Mr. Battle: I thank my hon. Friend for his comments. He champions the industry in his area, and the Consortium of Lancashire Aerospace does a good job. The aerospace and defence industries, including the supply chain, support some 500,000 people. We are keen that everyone involved in the whole structure of the industry is consulted and participates in the conversations to take the industry forward to a prosperous future.

Mr. David Chidgey (Eastleigh): In the Minister's discussions with the industry, was he made aware of its concern about the appalling record of investment in research and development in this country, which is the lowest of our competing nations? Was he also made aware that British Aerospace firms are being persuaded to move their research and development and their production facilities overseas, as they are attracted by better investment support? Will he give a commitment to improve the record for the funding of research and development in this country? Will he start by announcing that he will keep the civil aviation research and development programme in place unchanged—or, better still, improved?

Mr. Battle: I am not sure that I accept the premise of the hon. Gentleman's questions. We are supporting, or have supported, research and development either through launch aid, investment or in previous CARAD programmes. Decisions on the allocation of all Department of Trade and Industry budgets, including the CARAD programme, will be announced at the end of this month when the Department publishes its expenditure plans. I hope that the hon. Gentleman is encouraged by that.

Mr. John Smith (Vale of Glamorgan): Is my hon. Friend aware of the recent announcement of an investment at British Airways maintenance centre in Rhoose in my constituency, which will make it the only deep maintenance aerospace facility that can service Boeing's heavy 777 aircraft and make it a world leader? Is he also aware that south Wales now has one of the most advanced aerospace sectors in the country, which contributes almost £800 million a year to the local economy? The future success of the south Wales economy depends on continued investment in those areas.

Mr. Battle: My hon. Friend also champions the industry, and emphasises the link with the whole economy. We must not underestimate or undervalue that link. In the meetings and constructive dialogue that we have with the Society of British Aerospace Companies, which is the trade association for aerospace, we intend to work in partnership with the companies to ensure that our aerospace industry has a long and successful future.

Mr. Jeffrey Donaldson (Lagan Valley): The Minister will be aware of the importance of the aerospace industry to the economy of Northern Ireland, and in particular the employment provided by Shorts in Belfast. At present, Shorts, in partnership with Raytheon and other UK companies, is making a bid for the new, advanced,

stand-off radar system in the United Kingdom. Does the DTI have a role in the decision-making process on the awarding of that new project for an advance, stand-off radar system? Will the Minister tell us when a decision is expected as to who will be awarded that project?

Mr. Battle: The Department of Trade and Industry has a role, but, because a defence contract is involved, the final decision will be made by the Ministry of Defence. Our role is to represent the industry, and, having been consulted, to spell out the impact of the decision, whether that is positive or negative. I had the pleasure of visiting Shorts not long ago, and I believe that the excellence of its work will be taken into account when the decision is made.

Manufacturing Industry

3. **Mr. Tim Loughton** (East Worthing and Shoreham): What action he is taking to remove *(a)* financial and *(b)* regulatory burdens on the manufacturing industry. [77035]

The Secretary of State for Trade and Industry (Mr. Stephen Byers): The manufacturing sector, along with all business, will benefit from the framework for economic and financial stability put in place by this Government. I am currently reviewing all regulations that have an impact on business.

Mr. Loughton: Why, then, has the president of the Confederation of British Industry—along with the CBI itself—calculated that, over the lifetime of this Parliament so far, Labour has imposed more than £39 billion of excess charges on industry by introducing the national minimum wage, the working time directive and European works councils? Why has the president of the CBI said that the business horizon has darkened since Labour took office, and that unless the creeping paralysis of red tape stops, the only growth markets in 1999 will be in regulation?

Mr. Byers: I am disappointed to hear that rather selective quotation from what was said by the president of the CBI. I shall have a word with Sir Clive, and put him right. It is a shame that he was not the CBI representative at a meeting that I convened last Thursday, involving the CBI, the Institute of Directors, the British chambers of commerce and representatives of small business, to discuss constructively how we can lift the burden of regulation from business. That is a serious agenda, and one that I intend to pursue with vigour.

Mr. Christopher Leslie (Shipley): Will not manufacturing industry be helped considerably by the new small business service that the Government are setting up? Will it not help to cut through the thicket of bureaucracy and red tape that the Conservative Government put in place, and also help small firms with such matters as payroll administration?

Mr. Byers: I am sure that the Small Business Service will play an important role in helping what is clearly a vital part of the economy. We need a small business sector that is vigorous and prosperous, and we are introducing measures to ensure precisely that.

Mr. John Redwood (Wokingham): The way in which to sort out the president of the CBI is to do what he asked, and abolish the stealth taxes and extra regulatory costs that have been heaped on industry by this dreadful Government.

Does the Secretary of State realise that the pound has risen by 7 per cent. against the euro so far this year? Does he accept that means that British goods are now 7 per cent. dearer in relation to the French, German, Spanish and Italian goods produced by our main competitors, with which we ourselves are trying to compete? Will the right hon. Gentleman and the Chancellor of the Exchequer stop ducking the question of how many jobs will be lost as a result of their policies? They have made it too dear to make things in Britain, and as a result we have a balance of payments crisis and an industrial meltdown. Will the right hon. Gentleman tell us how many jobs will be lost, and will he tell the 474 people in his constituency who have lost jobs in the past six months what message of hope he has for them?

Mr. Byers: I can tell the right hon. Gentleman that we will not lose 1 million manufacturing jobs, as happened under his party's Government in the early 1990s.

If the right hon. Gentleman wants to talk about the value of sterling, he should reflect on the fact that, in the last 12 months of the Conservative Government—between May 1996 and May 1997—the value of sterling rose by nearly 20 per cent. That is the difficulty that the present Government face.

The right hon. Gentleman has form, of course: he was a Minister in the Department of Trade and Industry with responsibility for companies. In 1989, when he took office, there were 21,000 insolvencies; but then the Redwood magic began to work. In the following year, there were 33,000 insolvencies. In 1991 there were 55,000, and in 1992, when the right hon. Gentleman departed from the DTI—thankfully—there were 69,000. That is the right hon. Gentleman's record, and it is one that we do not intend to repeat.

Mr. Denis MacShane (Rotherham): Does the Secretary of State agree that stability must be the key? It is not just the rise in sterling, but the fact that, between May 1990 and May 1997, sterling changed value 87 times against the deutschmark. It is Tory instability that we have to put right.

We also acknowledge that, in helping business, the most charmless words in the British vocabulary are, "Good morning. I am from the Ministry in Whitehall and I am here to help you." What business wants is just the ability to get on with its success. In Rotherham, the chamber of commerce has merged with the training and enterprise council and incorporated the business link. Now there is a real partnership feel in the town. We are worried about whether there are any proposals emanating from Whitehall to pull all that up by the roots and replant them. Where it is working, let it get on with working.

Mr. Byers: I agree that, where things are working, they should be allowed to proceed accordingly, but the success that Rotherham United might be achieving is not reflected throughout the country. We have not only to build on best practice, but to recognise that, in certain parts of the country, we are not providing the service that small businesses need. We intend to do that.

Mr. Brian Cotter (Weston-super-Mare): In view of the great concern about the burden of regulation on small

business in particular, will the Secretary of State consider lowering that administrative burden by raising the threshold above which firms pay value added tax?

Mr. Byers: As I have said, there are a number of issues that we will discuss with the business sector to find out how we can lift the burden of regulation from business. We have started that process. It would be premature to identify today one particular proposal that may or may not be supported, but we intend to take a radical approach to the issue. I take it seriously. I intend to take action quickly to ensure that that burden can be lifted.

Mr. Geraint Davies (Croydon, Central): My right hon. Friend may be interested to know that this morning I visited Landis and Gyr Communications Ltd.—I do not know whether Opposition Members ever go to factories—which produces high-tech telephone systems. I was giving out Kaizen awards, which Opposition Members may not know are for converting innovative ideas into action and viable products.

Does my right hon. Friend agree that the role of Government is not just about finance and tax, but about creating an entrepreneurial atmosphere within the broader economy through the education and trade and industry systems, so that we can convert good ideas into saleable products in the global marketplace? May I bring the good wishes of Landis and Gyr to the House for the creation of a much stronger dialogue with the business community, something that I have personally been encouraging in south London?

Mr. Byers: My hon. Friend is a great advocate in south London for the initiatives that he has outlined. I assure him that the Government are committed to the knowledge-driven economy. The initiatives to which he has referred will play a key part in ensuring that we have world-class companies that are able to prosper in the environment of stability that the Government have been able to establish.

Investment Decisions

4. **Mr. Michael Jack** (Fylde): What assessment he has made of the most important factors determining new investment decisions by *(a)* small and medium enterprises and *(b)* other sizes of company. [77036]

The Minister for Small Firms, Trade and Industry (Mr. Michael Wills): Business told us in the consultation leading up to the Competitiveness White Paper that one of the main factors holding back investment in both large and small companies was the British record of macro-economic instability. As the right hon. Gentleman will be aware, the Government have now put economic management on to a more stable footing and are introducing other measures to encourage investment and enterprise.

Mr. Jack: If the situation is as good as the Minister has just enunciated, can he explain why chart A6 in the Red Book shows a falling level of business investment over the next three years?

Mr. Wills: Let us look at the record since the Government came to power. Last year, whole economy investment grew by 8.25 per cent., the largest annual rise for a decade. Business investment in the last quarter of last year rose by 5.5 per cent. It ended the year 12.3 per cent. higher than a year earlier. Long-term interest rates, which we know are crucial to long-term investment decisions by businesses, are at their lowest for 40 years. The facts speak for themselves.

Mr. Ian Pearson (Dudley, South): When large inward investors can get Government grants in euros, why cannot our hard-pressed small exporters get investment loans guaranteed in euros?

Mr. Wills: My hon. Friend makes an interesting point, which I shall be happy to consider when we look at how we can help small firms move forward, which is what we shall do.

Mr. Jonathan Sayeed (Mid-Bedfordshire): I recently conducted a survey of over 500 companies in my constituency and one of their complaints was the extra cost of the 1,940 net new regulations imposed by the Government. Micro-businesses—those with fewer than nine employees—said that that was costing about 17 per cent. on top of their normal costs and medium businesses said that it was costing an additional 7 per cent. Does the Minister agree that those extra costs are likely to translate into lost jobs?

Mr. Wills: We recognise the burdens that regulations can place, particularly on small companies. That is why, as my right hon. Friend the Secretary of State said, we will take this seriously and take action to help. We are aware of the problem. However, picking figures out of the air at random is not necessarily helpful. We need to look also at the benefits that some of the regulations can bring to business.

Business Charges

5. **Mr. Peter Bradley** (The Wrekin): What powers he has to oblige businesses to reduce their charges to customers; and if he will make a statement. [77037]

The Minister for Competition and Consumer Affairs (Dr. Kim Howells): The Government take the view that the consumer is best served when prices are set in a competitive market. The Government are committed to ensuring that there is strong competition in UK markets. We have strengthened the UK competition legislation and powers and the budget of the Director General of Fair Trading.

Mr. Bradley: Does my hon. Friend accept that the initiatives that he and his colleagues are taking to ensure that the consumer gets a fair deal are long overdue but warmly welcomed? Does he also accept that the studies and deliberations of the Office of Fair Trading can take an exceedingly long time to complete and that all of us as consumers, particularly those on low incomes, often cannot wait for the outcome? Can he tell the House what voluntary agreements he is discussing with the utilities and retailers to ensure that, while we allow a reasonable margin of profit for the shareholders, we also get a fair deal for the consumer?

Dr. Howells: I would certainly not contemplate a situation in which the Government, or still less officials

in Whitehall, decided on the proper price for a product. I reiterate the statement I made earlier, which is that I am far more interested in ensuring that there is proper competition in the marketplace, that the rules are fair, that companies can compete properly and fairly with each other, that there is transparency of pricing and that all consumers get the maximum amount of information that they require as close a possible to the point at which they buy the goods or services. That is what will drive down prices, and increase quality.

Cycle Industry

6. **Mr. Alan Simpson** (Nottingham, South): What representations he has made on behalf of the UK cycle industry to the EU's review of current rules governing product dumping. [77038]

The Minister for Trade (Mr. Brian Wilson): The Government supported the EU's review concerning anti-dumping duties on bicycles from China, which were due to expire last year. The Government will consider the proposals when they are issued by the European Commission, which is likely to take place in autumn this year. Duties are also in place on bicycle imports from Indonesia, Malaysia, Thailand and Taiwan.

Mr. Simpson: I am grateful for the Minister's answer. Will he press for a wider review of bike dumping than the EU is currently considering in order to close some of the existing loopholes? Will he pay specific attention to the problems that the United Kingdom cycle industry faces from, for example, Taiwan where the Government's research and development unit in T'ai-chung meets the entire costs, with no translated costs in the price of the cycles? Will my hon. Friend press for a review of the existing loopholes in the tariff system? If his officials will take him through the mystifying document referred to as the tariff, he will discover that if bicycles come in kit form—in parts—all the tariff and quota systems that the UK tries to impose can be bypassed. Does he understand the frustration of the UK cycle industry, which is trying to produce the whole cycle, but is being undercut by producers who come in with bikes with their kit off?

Mr. Wilson: I have made it clear that there are duties to cover bikes from Taiwan. I shall check whether it is with kit on or kit off. We are in constant contact with the industry. I shall be happy to investigate my hon. Friend's concerns. I am going to Taiwan on Sunday and I shall take advice on the matter that he has raised.

Assisted Area Status

7. **Mr. David Amess** (Southend, West): What recent representations he has received on the criteria for awarding assisted area status. [77039]

The Minister for Small Firms, Trade and Industry (Mr. Michael Wills): In the public consultation on the review of the assisted areas map, we received more than 300 representations on the criteria that should be applied.

Mr. Amess: Is the hon. Gentleman aware that I visited Europe last year and had a meeting with a European Commissioner to try to persuade him to give financial help to Southend? He clearly told me that it was a matter for Her Majesty's Government to nominate Southend for assistance. Is the Minister also aware that Southend has high unemployment, a low per capita gross domestic product and terrible transport problems as a result of Government cuts of £600,000? Will he support the bid by the Liberal-Labour controlled council for assisted area status for Southend?

Mr. Wills: The hon. Gentleman raises several concerns that are shared widely throughout the United Kingdom. We are considering all the issues and we shall make our decision shortly.

Mr. Gwyn Prosser (Dover): Is my hon. Friend aware of the particular problems of east Kent—the structural changes in employment, the loss of the Kent coalfields in my constituency, the loss of frontier jobs when the single market came in and the impact of the channel tunnel on ferry jobs? Is he aware that in the past five years of the present round of assisted area grants, we have been able to invest £160 million in the constituency and the surrounding area? Will he take all those special issues into account in his deliberations?

Mr. Wills: We are well aware of the concerns of my hon. Friend's area, not least because he has been indefatigable in pressing them on us over the past few months. We shall take them seriously.

Mr. Christopher Chope (Christchurch): About a quarter of the existing assisted areas will lose their assisted area status under Government plans. The Government have a treaty obligation to disclose their new assisted area plans and map by 31 March this year. The Minister has not been able to guarantee that the Government will do that. Is that because they want to conceal the truth about their plans for reducing the assistance to large numbers of people until after the local government elections in England and the elections for the Scottish Parliament and the Welsh Assembly?

Mr. Wills: I am surprised by the hon. Gentleman's question. The short answer is no. We are working towards the Commission's preferred deadline of 31 March.

National Minimum Wage

8. **Mr. David Winnick** (Walsall, North): If he will make a statement on the implementation of the national minimum wage. [77040]

The Secretary of State for Trade and Industry (Mr. Stephen Byers): I am delighted to say that in just seven days' time we shall bring an end to poverty pay through the introduction of the national minimum wage.

Mr. Winnick: May we first send our best wishes to the Minister of State, Department of Trade and Industry, my right hon. Friend the Member for Makerfield (Mr. McCartney), who we hope will soon be back with us? Would it not be right for all those who oppose the national minimum wage to try to live on less than £3.60 an hour? Will my right hon. Friend give a solemn and binding promise that under no circumstances will he

try to change the Conservatives' views on the national minimum wage? We want to hang their opposition to it round their necks at the next election.

Mr. Byers: I am sure that my right hon. Friend the Minister of State will be delighted to hear wishes from everyone in the House for a speedy recovery. I have spoken to him several times and he sounds as chipper as usual. I think that he will try to be back with us next week, to celebrate the introduction of the national minimum wage, which is wholly appropriate.

It was with some delight that I saw the right hon. Member for Wokingham (Mr. Redwood) on a television programme a few Sundays ago, wriggling about the Tories' position on the national minimum wage. After years of opposition to it, even they have realised that it is both popular and economically sound, especially at the level recommended by the Low Pay Commission. We calculate that more than 2 million people will benefit by its introduction next week. It will be interesting to see how the Conservatives respond to the popular support that it will attract.

Mrs. Virginia Bottomley (South-West Surrey): What does the Secretary of State advise me to say when I visit a pre-school in my constituency tomorrow to discuss concerns about its viability? There have already been local authority settlements that raid the shire counties and send the money to the north, and we now face further regulations, and in particular the minimum wage, putting in doubt the pre-school's long-term viability.

Mr. Byers: I suggest that the right hon. Lady draw attention to the more than £500 million that the Government are putting into pre-school provision, in dramatic contrast to the cuts that were implemented when she was a member of the Cabinet.

Mr. Tim Boswell (Daventry): May I first send the good wishes of Conservative Members to the Minister of State, the right hon. Member for Makerfield (Mr. McCartney), in his indisposition?

We have all noted the recent not inexpensive advertising campaign for the national minimum wage, which is a characteristic mixture of helpful information and unhelpful spin. Will the Secretary of State explain why that campaign, intended to inform the public, omitted to make any mention of the implications of the minimum wage for jobs? Will he comment on the analysis of the Organisation for Economic Co-operation and Development that high unemployment in the euro zone is closely related to over-regulation in the labour market and the presence of minimum wages?

Has the Secretary of State had a chance to study the recent report by Peninsula Business Services of Manchester, in whose poll of 2,200 small business, 65 per cent. of respondents expected that the introduction of the minimum wage would lead to job cuts or a reduction in recruitment; 67 per cent. expected a negative financial impact; and 69 per cent. expected problems of implementation, which the report summarised as

"a complex and tightly timed line of red tape for them to grasp over the past six months"?

The report concluded:

"and there is more to come."

Mr. Byers: That was clearly the Conservative party's case against the national minimum wage. It will be interesting to see how, given those severe reservations, the party will manage to turn round and endorse the minimum wage, which I predict fairly confidently that it will do before the general election. The Low Pay Commission was specifically charged with consulting small businesses about the level at which the minimum wage was to be introduced, and £3.60 is a responsible and reasonable figure. It will take millions of people out of poverty pay and stop them being exploited. That is what we are doing as a Government: operating for the many, and not the few whom the hon. Gentleman still seems to stick up for.

Manufacturing Industry

9. **Mr. Bob Russell** (Colchester): What plans he has to increase the funds provided by his Department to assist manufacturing industry with its exporting. [77041]

The Minister for Trade (Mr. Brian Wilson): I hope that all exporters, including manufacturers, will benefit from the creation of British Trade International. This is a unified DTI-Foreign and Commonwealth Office organisation, first announced on 12 March, which will in future have lead responsibility within Government for trade promotion and development. Current expenditure on export promotion is around £230 million.

Mr. Russell: So far, so good. However, I am sure that the Minister is aware of the terrible problems faced by exporters, and particularly manufacturing exporters. There is a need for more investment in overseas exhibitions and marketing for existing and potential manufacturing exporters, both large and small. May I draw his attention to Woods Air Movement in my constituency, which last year was voted UK exporter of the year, but which has had to lay off 60 staff because of the terrible conditions that it and all other exporters are experiencing? We need more help from the Government on exporting our best assets, and one way of doing that is by more exhibitions overseas.

Mr. Wilson: The hon. Gentleman makes several perfectly fair points. We run an enormous number of exhibitions, trade fairs and missions overseas, which are currently at a record level. In my view, the problem is about targeting and focusing the use of resources better, rather than simply adding to the amount of money that is spent—although I have no prejudice against that idea for the future.

We are spending a lot of money on export promotion, but we want to do it better. The export review, set up after the general election, has introduced many changes. We inherited a lot of good work, and we have added to it. The creation of British Trade International—with a sharp focus, and with Sir David Wright as chief executive—will be a major step forward for the work that the hon. Gentleman and I both want to be delivered effectively.

Kali Mountford (Colne Valley): In focusing on marketing and sales, will my hon. Friend the Minister make particular reference to the textile industry, which declined for 15 years under the previous Government, yet still produces £8 billion a year for Britain and is a useful industry and exporter? Will he ensure that the particular needs of textile marketing are considered?

Mr. Wilson: I agree strongly with my hon. Friend. The textile task force will recommend what we can do to

support more effectively an industry that is under enormous pressure. In response to the banana war, we have taken urgent action specifically to support the cashmere knitwear industry which, although it is obviously important in the Scottish borders, is important also in other parts of the UK. By doing so, we have protected the existence of the industry for the future.

Euro (Small Businesses)

10. **Mrs. Ann Winterton** (Congleton): What estimate he has made of the total cost to small businesses of preparations under the national changeover plan for conversion from sterling to the euro. [77042]

The Secretary of State for Trade and Industry (Mr. Stephen Byers): The cost to businesses will depend on the detailed approach that they take to any changeover. The best way to keep costs down for business and the economy as a whole is to plan ahead. The Government have started this by publishing the outline national changeover plan.

Mrs. Winterton: Is the Secretary of State aware that Lloyds TSB has estimated that the costs of changeover to the euro for small businesses will be £2 billion—a further cost, with absolutely no return, added to those imposed on small businesses by the Government? Will he provide an official Government estimate of the cost to small businesses of changeover, given that the Government publish every other cost of changes that they have introduced—for example, the working time directive?

Mr. Byers: As I said, it depends on the state of readiness of individual businesses, and on how they change their systems. In the period between where we are now and any decision that might be taken by the Government, Parliament and the British people on whether or not to join the single currency, there will be many opportunities for businesses to ensure that they are in a good state to adopt the single currency—if that is what is eventually decided.

Mr. Peter L. Pike (Burnley): Is not it unrealistic for us not to prepare? If we do not prepare for the changeover, we will lose more jobs in the long term, and that will be a great cost. Are not the Conservatives being totally unrealistic in terms of euro and the Government's preparation plan?

Mr. Byers: The Conservative Opposition are being unrealistic. They are an example of how political dogma can triumph over reason, and the right hon. Member for Wokingham (Mr. Redwood) is a particular example of that. Some 500,000 small businesses are already trading in the euro zone. They know what the single currency is all about because they are doing business in it and creating profits. That is what is happening in the real world. It is about time that the right hon. Gentleman and the rest of the Conservative party realised that they are well out of touch with the views of business on the single currency.

Mr. John Redwood (Wokingham): A company would be foolish to spend money on abolition of the pound before a referendum was held, not least because we would win that referendum and keep the pound. Will the Secretary of State assure companies that any changeover plan for a referendum will leave companies enough time for implementation after it has taken place? Does he accept that abolition of the pound will cost British business more than £10,000 million? Will he confirm that British business, including the Confederation of British Industry, has no wish to enter the euro at our exchange rate mechanism rate, which is close to the present market rate of sterling, and is all that is on offer from the Government?

Mr. Byers: The questions from Opposition Members have given us the whole variety of estimates being propounded. The hon. Member for Congleton (Mrs. Winterton) suggests £2 billion, and the right hon. Gentleman offers £10 billion. In reality, the cost will depend on the circumstances of individual businesses.

I was intrigued by the fact that the right hon. Gentleman could not stop himself smiling when he talked about winning the referendum. If we get to the stage of holding a referendum, there will be an interesting debate, but the important thing will be that British business is prepared for whatever outcome the referendum produces. The right hon. Gentleman's approach would ensure that British business was not prepared for the outcome of the referendum. We should prepare, then let the British people decide. Prepare, then decide, is the best approach for business and for Britain, and adopting it will ensure that a reasonable approach is being taken in an important area.

Fireworks

11. **Dr. Brian Iddon** (Bolton, South-East): If he will make a statement on progress made in improving the regulation of fireworks safety. [77043]

The Minister for Competition and Consumer Affairs (Dr. Kim Howells): I have no plans to introduce further controls on fireworks. The Fireworks (Safety) Regulations 1997 introduced a comprehensive framework of firework safety measures to protect consumers. I believe that the regulations played a significant part in reducing the number of firework injuries during the 1998 firework season, details of which I announced on 16 March.

Dr. Iddon: I thank my hon. Friend for that answer and congratulate him and the Government on reducing the number of injuries from fireworks. However, I am sure that he knows of another major and increasing fireworks problem, harassment on the streets. Has he considered the possibility that that problem will become even greater this year given the proximity of bonfire night and the millennium celebrations? Has he considered training more people to stage public displays, something about which the fireworks industry is concerned?

Dr. Howells: The regulation-making powers available to me under the Consumer Protection Act 1987 do not allow me to regulate for the safety of goods by introducing a statutory training scheme for operators of fireworks displays. Nor can I restrict the periods during which fireworks can be sold or let off. I must remind my hon. Friend that a total ban took effect on 31 December 1997 on the sale of bangers—*[Interruption.]* Not sausages, bangers.

It is probable that some retailers decided to risk selling off stocks of bangers held over from the 1997 bonfire season, and those bangers may well be responsible for some of the harassment on the streets referred to by my hon. Friend. Trading standards officers in various parts of the country have seized stocks of bangers and other prohibited fireworks in the run up to November, and I understand that there will be a lot more prosecutions of those who try that trick.

National Minimum Wage

12. **Mr. Alan W. Williams** (East Carmarthen and Dinefwr): If he will make a statement on the advertising campaign being planned by his Department to publicise the introduction of the national minimum wage. [77044]

The Minister for Competition and Consumer Affairs (Dr. Kim Howells): A comprehensive press, radio and television campaign is well under way. The budget for the campaign was recently increased from £2 million to £5 million. It will ensure that workers know their rights and employers understand their responsibilities with respect to the minimum wage.

Mr. Williams: I thank my hon. Friend for that reply. I congratulate the Government, the Front-Bench team and my right hon. Friend the Member for Makerfield (Mr. McCartney), who is not with us, on their excellent work over the past couple of years in establishing the minimum wage. It will be of great help in my constituency and in west Wales, where low pay is endemic and there are many small employers. What is his advice to people who work for such employers and are paid less than the minimum wage? That part of the economy is non-unionised, so they are concerned about their jobs and do not want difficult relations with their employers. Is there a helpline or intermediary to help assert the minimum wage?

Dr. Howells: There is certainly a helpline, which takes more than 3,000 calls a week. The Inland Revenue will be responsible for enforcement of the national minimum wage on behalf of my Department. With its expertise in checking records, it is ideally placed to take on that new and important work. It will respond to workers' complaints and issue enforcement notices requiring employers to pay the minimum wage and make up any back pay.

Mr. Desmond Swayne (New Forest, West): A significant omission from the current campaign is any reference to the abatement of the national minimum wage in respect of board and lodgings being provided as part of a settlement. Is the Minister aware of the difficulty that that poses for the adventure holiday industry? Will he reconsider those problems and what relief might be provided to that industry?

Dr. Howells: As I am sure the hon. Gentleman knows, the Low Pay Commission has been examining the subject. We are considering a copy of its report, which was delivered in the past day.

Small Businesses

13. **Dr. Vincent Cable** (Twickenham): What plans the Government have to reduce the burden of regulation on small businesses. [77045]

The Minister for Small Firms, Trade and Industry (Mr. Michael Wills): My right hon. Friend the Secretary of State has made it clear that one of the key tasks of my Department's new Small Business Service will be to help small businesses get to grips with regulation and provide them with practical assistance to cut the burdens of compliance.

Dr. Cable: Does the Minister accept that there is growing concern in small business about the growing cost of compliance with regulation and about the increasingly cumbersome tax administration associated with, for example, the working families tax credit and the proposed energy tax? To advance his agenda, will he issue an annual impact assessment of Government policy on small business, partly to reassure businesses and partly to discipline Government?

Mr. Wills: We recognise that regulations can impose a disproportionate burden on small firms. We want to do everything that we can to help. To set the hon. Gentleman's mind at rest, I shall run through some of the things that we have already done. We listened to the comments made on the national minimum wage regulations. My right hon. Friend the Secretary of State acted swiftly and decisively to deregulate in response to some of those comments. There is now no requirement to put details on pay slips or to keep detailed records.

We are bringing tax and national insurance administration together in April, which will provide real deregulatory gains for employers. We have asked the better regulation task force to review the impact of regulation on productivity. Only last week, we issued a consultation document seeking views on proposals to raise the Companies Acts threshold for small and medium-sized companies. We are establishing the small business service, which will provide small firms with practical assistance in the matter.

Fiona Mactaggart (Slough): Does my hon. Friend the Minister know of the concern of many small businesses that want to implement some of the new proposals, such as the working time directive and family friendly employment policies, but find it difficult because they lack a step-by-step guide on what to do? I have had representations on that from science, home security and other companies in Slough. Will he consider producing not only an impact statement but a guide for small businesses on how to implement regulations? They would welcome it.

Mr. Wills: My hon. Friend makes an extremely good point, as always. That will be one of the first tasks that the small business service will undertake.

Mr. Ian Bruce (South Dorset): I am sure that the unpaid Under-Secretary of State knows that the minimum wage is one of the big regulatory problems with which small businesses are grappling at present. Why do the detailed documents that have been distributed—they go

on at some length—refer to taking national insurance and tax off the minimum wage before it is paid, when the regulations do not allow people to do that?

Mr. Wills: The hon. Gentleman is concerned, characteristically, about my monetary status as a Parliamentary Under-Secretary, and I am grateful for his concern.

I have already said that we are deeply conscious of small firms' anxieties about the minimum wage. That is precisely why my right hon. Friend the Secretary of State acted as he did.

Offshore Oil Industry

14. **Mr. Gareth Thomas** (Clwyd, West): If he will make a statement on his Department's role in regulating the offshore oil industry. [77046]

The Minister for Energy and Industry (Mr. John Battle): The DTI regulates the searching and drilling for oil and gas, authorises pipeline works and the decommissioning of installations and the environmental aspects of those activities in close co-operation with other Departments.

Mr. Thomas: My hon. Friend will be aware of the widespread concern in north Wales about the activities of the offshore operator BHP following a series of oil spills into Liverpool bay. Is he entirely comfortable with the role that his Department plays as both sponsor of the oil and gas industry and its regulator? What assurances can he provide that his Department will adopt a co-ordinated and effective approach to regulation with the Department of the Environment, Transport and the Regions and the Environment Agency?

Mr. Battle: My hon. Friend refers diligently to the oil spillage, of which I am aware. However, it is difficult to comment on the details at present because the Department is prosecuting BHP for a serious spillage earlier in the year. Once the details of that investigation are known, further steps will be taken with regard to the later spillage.

The Department has an environmental unit that works closely with other bodies and Government Departments, such as the Joint Nature Conservation Committee and the Countryside Council for Wales, which has commented on the prospects of environmental damage. I understand that the spillage has caused no great damage to birds or to shoreline habitats to date. We have a structure in place that knits Government Departments and outside bodies together, and our record shows that we have prosecuted where necessary to ensure that the industry has a better environmental record.

Telephone Industry

15. **Mr. Bill O'Brien** (Normanton): What proposals he has for greater competition in the telephone industry; and if he will make a statement. [77047]

The Minister for Small Firms, Trade and Industry (Mr. Michael Wills): We will give a major boost to competition in the market for mobile and broadband services through the auction in the latter part of this financial year of radio spectrum for the provision of third generation mobile services. We will implement our manifesto commitment to open the market for entertainment services to BT and other public telecommunications operators from 1 January 2001. We will continue to work closely with Oftel and in the European Union to ensure that the regulatory system operates at home and in Europe to promote competition to benefit the consumer.

Mr. O'Brien: I thank my hon. Friend for that reply. I am concerned about the network for which British Telecom is responsible. It would appear that it has a monopoly over the network and the provision of telephone and fax lines outside large conurbations, where sparsity makes it more difficult for cable to provide a service.

I draw my hon. Friend's attention to an application that was made to BT in Leeds more than seven weeks ago. Promises were made but no response has been received. Representations have been made to London, but no services have been provided. I understand that this is not an isolated case. It is difficult to understand how BT can speak for UK plc when our constituents are receiving that kind of service. Will my hon. Friend investigate the situation and see whether more competition can be introduced into the network system over which BT has a monopoly?

Mr. Wills: My hon. Friend makes some cogent points. If he sends me details of the individual case, I shall be happy to follow it up.

More generally, we realise that there are some gaps in competition in the network, especially in rural and semi-rural areas. My hon. Friend might take comfort in the fact that there are three developments that may increase competition and produce extra benefits for consumers. First, number portability is being introduced, which should greatly increase the ease with which consumers can switch between operators. Secondly, the penetration of the cable companies may increase now that they have begun to get their networks in place—it may increase further when restrictions on the delivery of entertainment services are lifted in January 2001.

Finally, Oftel is consulting on access to band width and considering local loop unbundling, which will increase competition. The Government and Oftel will carefully consider the responses to that consultation. I understand that Oftel proposes publishing its initial conclusions in June.

Mr. Nigel Evans (Ribble Valley): Has the Minister held consultations on the changes to telephone numbers? Telephone numbers were changed only a few years ago and recently it was announced that they are to change yet again. That adds to the costs of people who have to change their letterheads and other items that include their telephone numbers. Can he reassure us that the change announced recently will be the last one for a long time?

Mr. Wills: We are well aware of the concerns that have been expressed about the changes to telephone numbers, and I acknowledge the hon. Gentleman's concern. The matter is one for Oftel, with which we are keeping in close touch. Obviously, we shall keep a close eye on the situation.

Telecommunications

16. **Mr. David Chaytor** (Bury, North): What plans he has to examine standing charges for telecommunications. [77048]

The Minister for Small Firms, Trade and Industry (Mr. Michael Wills): Oftel, which has responsibility for setting price controls in telecoms, has required BT to introduce a number of low-cost packages with lower standing charges for residential customers who use the phone less, to ensure that poorer consumers are not disadvantaged.

Mr. Chaytor: I thank my hon. Friend for that reply. Does he agree that the system of standing charges is inevitably unfair to infrequent users, and that that is a particular problem for single pensioner households? The unit cost for such households is inevitably higher than for more frequent users. Given the introduction of pay-as-you-go mobile phones, does he agree that many, if not most, single pensioner households would be better off by cancelling their BT contract and switching to such a phone? Will he assure the House that he will keep that matter constantly under review?

Mr. Wills: I assure my hon. Friend that I shall keep the matter constantly under review; if I did not, I am sure that he would ensure that I did so. I acknowledge his long-standing concern for the low paid. I can give him some comfort. BT's licence includes universal service obligations and Oftel has required BT to fund a number of low-user and limited-service schemes.

We are also considering how we can further help low-user, low-income households. In that context, Oftel has made some progress on disconnections—often a problem for such households. Oftel has set BT a target that residential disconnections should fall by 50 per cent. in 1998–99. BT has introduced a new code of practice that gives customers a range of repayment options as alternatives to disconnection. I am sure that my hon. Friend will welcome that because, as he knows, the telephone can be a lifeline for many of the households with which he is most concerned.

Mr. Patrick McLoughlin (West Derbyshire): Bearing in mind the comments made by the hon. Member for Bury, North (Mr. Chaytor), what representations will the Minister make to Oftel to ensure that people are informed that they might be better off using a mobile phone system, rather than paying BT's current rental charges—even with the low-user rebate?

Mr. Wills: I am sure that the hon. Gentleman will realise that it is not for Ministers to advise households on how to spend their income.

Electricity

17. **Mr. Richard Page** (South-West Hertfordshire): What representations he has received on the operation of the pool pricing system for electricity. [77051]

The Minister for Energy and Industry (Mr. John Battle): I have received a wide range of representations. There is now a broadly held view that the electricity pool—the wholesale pricing system—is in need of reform. I argued that it was a flawed market when we were in opposition and we have already announced a full programme to implement the reforms.

Mr. Page: I thank the Minister for his reply. Does he agree that, at the start, the pool process of pricing was a useful aid to privatisation, but that, as he has admitted and we now agree, it is time we moved on, especially to help large energy users who are currently disadvantaged because they are unable to take advantage of installing a gas generator for electricity due to the moratorium, and because they are hit by the high prices of the pool, which are sometimes 25 per cent. higher than those charged to the continental opposition? When does the Minister expect the outcome of the review to be announced, and when can we expect to see any changes?

Mr. Battle: The pool reform is under way, governed by the regulator, and it should bring price reductions of about 10 per cent. I find it slightly surprising that the hon. Gentleman should say that I have admitted that the system needs reforming, given that he was a member of the Government—a Minister at the very Department—who introduced the system, despite our arguing at the time that it was flawed. Such comments are rich coming from him now, although I am glad that he realises that the system needs to be changed.

I know that the pool is complicated. I often say that it is rather like the Schleswig-Holstein question, in that only three people ever understood it: one is mad, one is dead and the one who invented it has sadly forgotten why. I leave it to the House to decide into which category the hon. Gentleman falls.

Business of the House

12.31 pm

Sir George Young (North-West Hampshire): Will the Leader of the House give the House the business for next week?

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): The business for next week will be as follows:

MONDAY 29 MARCH—There will be a debate on the Stephen Lawrence inquiry on a motion for the Adjournment of the House.

TUESDAY 30 MARCH—Progress on remaining stages of the Employment Relations Bill.

WEDNESDAY 31 MARCH—Until 2 o'clock there will be debates on the motion for the Adjournment of the House, which will include the usual three-hour pre-recess debate.

Conclusion of remaining stages of the Employment Relations Bill.

The provisional business for the first week back after the Easter recess will be as follows:

TUESDAY 13 APRIL—Second Reading of the Health Bill *[Lords]*.

WEDNESDAY 14 APRIL—Until 2 o'clock there will be debates on the motion for the Adjournment of the House.

Second Reading of the Access to Justice Bill *[Lords]*.

THURSDAY 15 APRIL—Second Reading of the Youth Justice and Criminal Evidence Bill *[Lords]*.

FRIDAY 16 APRIL—Private Members' Bills.

MONDAY 19 APRIL—Second Reading of the Finance Bill.

Sir George Young: The House is grateful for next week's business and for an indication of business for the days after the Easter recess.

I am grateful to the right hon. Lady for responding to our request to change today's business, so that the House can debate the crisis in Kosovo. Will she make arrangements through the usual channels to find another day for the debate on defence in the world, which was scheduled for today? Can we have regular statements from the Government on the action against Serbia? As this is the last business questions before the scheduled Easter recess, will the Government make arrangements to recall the House if the situation requires it?

Will the Prime Minister make a statement on Monday on the Berlin summit, so that the House can assure itself about the security of the rebate negotiated by Lady Thatcher? Will there be a statement next week by the Minister for the Cabinet Office on the much delayed White Paper "Modernising Government"? There is still a backlog of promised debates: on the royal commission on long-term care; on reform of the House of Lords; and on the national changeover plan for the euro; and we still have not debated the crisis facing the European Commission following the publication of the audit report. When might the House begin to make a start on those?

Finally, we expect a date for the Second Reading of the Finance Bill very shortly. Can the House be reassured that the financial memorandum and any associated press releases will contain clear, transparent information about the Bill; and that the Chancellor will deny himself the smoke and mirrors that he used on the Budget, which got him into such trouble?

Mrs. Beckett: To begin where the right hon. Gentleman ended, I know it is not easy to follow all the details, but I did give a date for Second Reading of the Finance Bill: Monday 19 April. Of course there will be clear and transparent information about the contents of that Bill and of the Budget. I cannot guarantee in any way, shape or form that Opposition Members will like it, as it shows how well the Government are doing, but the information will be there.

I take on board the right hon. Gentleman's observations about the various debates that the Opposition would like to take place. I know that time passes quickly, but it does not seem so very long since the announcement about the royal commission on long-term care. However, we shall bear in mind the requests for debates on that and other subjects.

I thank the right hon. Gentleman for what he said about the arrangements for today's debate on Kosovo, which will be timely for the House, and of course I undertake to reinstate, at a suitable opportunity, the debate on defence in the world for which it has been substituted. The Government will endeavour to keep the House informed and will bear in mind the right hon. Gentleman's view that if events require it, a recall will be considered.

The Government's intention is that the Prime Minister will make a statement, probably on Monday, on his return from the Berlin summit, and that there will an announcement to the House within the next few days on "Modernising Government". The right hon. Gentleman will appreciate that those plans may be affected by our need, which he pointed out, to keep the House informed about other matters. However, the Government intend to make both those statements to the House next week.

Mr. Paul Flynn (Newport, West): Has my right hon. Friend noticed the unwelcome re-emergence of fat cats, in the shape of Mr. Jan Leschly, the chief executive of SmithKline Beecham? He is already on a salary of £2 million a year, and has today been awarded an additional salary and bonus of £91 million, bringing his earnings this year to £93 million. That company continually pleads poverty and claims that it needs to overprice its products to fund research. Is it not right that we stop that robbery of the health service by pharmaceutical companies and seek a debate and a decision on a new windfall tax on those companies?

Mrs. Beckett: My hon. Friend will have just had the opportunity—if he caught your eye, Madam Speaker—to raise those matters during Trade and Industry questions. I understand his feelings about the sums of money that he describes. The Government are keeping that matter under review in the aftermath of, and following our monitoring of, the recommendations of the Greenbury report and others.

Mr. Paul Tyler (North Cornwall): May I express our appreciation to the Leader of the House not only for ensuring that we had a speedy statement on Kosovo last night, which the whole House thought necessary and desirable, but for the change of business today?

Will the right hon. Lady consider the Government's growing tendency to make important announcements during the recess? The next recess will be short, so will she tell her colleagues that the House should first be informed about important Government statements on matters such as the Neill committee legislation, the Office of Fair Trading report on supermarkets, milk marketing and the Monopolies and Mergers Commission, and long-term care of the elderly, rather than those statements being made during the recess? I am sure that all those matters would be best reported to the House rather than announced by press statement.

Mrs. Beckett: Obviously, I am not fully aware of all my right hon. and hon. Friends' plans about announcements that might need to be made. To pick out one of the examples that the hon. Gentleman gave—the Neill report—my right hon. Friend the Secretary of State for Trade and Industry published a consultative document only today seeking views on those recommendations. That suggests that on that matter and some of the others that the hon. Gentleman mentioned, announcements may not be as imminent as he anticipates.

Mr. Eric Martlew (Carlisle): May we have time in the near future to discuss the closure of the Polestar print works in my constituency? Twelve months ago, I was approached by Mr. Richard Warner, a director of the parent company, who asked me to support the takeover of the company because it was being examined by the Office of Fair Trading and the Department of Trade and Industry. The takeover was agreed, and this month the company announced the closure of the plant with the loss of more than 200 jobs.

The work force believe that they were lied to at the time of the takeover and I am sure that I was lied to at that time. I want a debate so that we can discover whether the DTI was lied to, whether the Office of Fair Trading was given wrong information, and whether there is any possibility of the Government prosecuting the company for providing false information.

Mrs. Beckett: I share my hon. Friend's distress, and that of the constituents to whom he referred, at the events that he outlined. The fact that people feel, rightly or wrongly, that events have been manipulated to produce an outcome and that they have been misinformed is one of the things that makes dealing with merger policy particularly difficult. I fear that I cannot undertake to find time for a special debate on this matter in the near future, but my hon. Friend will have noticed that I have announced the pre-recess debate, in which, if he is able to catch your eye, Madam Speaker, or that of the Deputy Speaker, he may have an opportunity to raise the matter.

Mr. Nicholas Winterton (Macclesfield): I support my right hon. Friend the shadow Leader of the House in his request for a regular update on the situation and operations in Kosovo and Serbia. Does the right hon. Lady accept that that is important because it will counter any propaganda that is likely to come out of Serbia, which could mislead people who are deeply concerned about this operation?

Secondly, will the right hon. Lady ask a Minister of her Government to make a statement before we rise for the Easter recess on the problems facing much of manufacturing industry as a result of the banana war with the United States? The Government have indicated—the Prime Minister himself did so—that the cashmere industry would be compensated for loss of business. I am sure that the right hon. Lady is aware that many other sectors of manufacturing have been adversely affected—not least the candle industry. Candles from one company that are worth £50,000 have been sent back from US borders. Will she arrange a statement in order that the Government can compensate and deal equally and fairly with all industries that are affected?

Mrs. Beckett: The Government will indeed endeavour to keep the House fully informed about events in Kosovo, as I think all hon. Members recognise that we have.

The hon. Gentleman asked for a pre-recess debate. I remind him also that there will be a pre-recess debate on Wednesday. He will be aware that there was a debate—I believe—on Monday, in which these issues were aired. He knows that I share his concern for the fortunes of the manufacturing industry. I am confident that my right hon. and hon. Friends in the Department of Trade and Industry are doing everything that they can to take the right steps.

Mr. David Chaytor (Bury, North): In view of the publication yesterday of the House of Lords Select Committee report on radioactive waste management and the significant implications for future public expenditure—billions of pounds—as a result of its recommendations; considering that in this and the previous Parliament there was no debate on this major environmental dilemma; and in view of the enormous sensitivity of many of the recommendations in the report; will my right hon. Friend find time in the very near future for a debate on these extremely important matters?

Mrs. Beckett: I cannot undertake to find time in the very near future for such a debate, but I accept my hon. Friend's point that these are both important and extraordinarily difficult matters. I know that my right hon. and hon. Friends will welcome all serious contributions to the debate. As my hon. Friend knows, this is a very long-running problem, and will no doubt continue to be so.

Mr. Peter Brooke (Cities of London and Westminster): May I support the request of the hon. Member for Newport, West (Mr. Flynn) for a debate on the pharmaceutical industry, but for an alternative reason to that which he adduced: so that we can celebrate the companies' massive research programmes, which often stretch 25 years ahead, are a model to other industries and are one of the reasons why we maintain world-class companies in that field?

Mrs. Beckett: I am entirely at one with the right hon. Gentleman in welcoming the strength of the research effort in the pharmaceutical industry, its commercial success, and the success in delivering health care that that has brought. I suspect, though, that he shares the view of my hon. Friend the Member for Newport, West (Mr. Flynn) that, at times, some of the steps that are taken do not help.

Mr. Dennis Skinner (Bolsover): My right hon. Friend will have heeded the case in the constituency of my hon.

[Mr. Dennis Skinner]

Friend the Member for North-East Derbyshire (Mr. Barnes), involving a woman who had her breast removed when she did not, in fact, have cancer. Another case has now emerged in the north Derbyshire area, in the Bolsover constituency, and we know that not all the cases in which the pathologist was involved have been investigated.

As we know, my right hon. Friend the Secretary of State for Health is launching an investigation. It would be helpful if he could make a statement, so that we could call upon him to arrange an investigation of all such cases at the Chesterfield Royal hospital over the past 10 years, so that all the patients who have had treatment there, and who in some cases have had a breast removed, can be assured that everything was carried out properly.

Mrs. Beckett: As my hon. Friend correctly says, my right hon. Friend the Secretary of State for Health has announced an investigation. Perhaps it is a little early for him to come to the House with any fruits of that investigation, but I know that he shares, as does the entire House, the sympathy that has been expressed for the patients involved, after the terrible ordeal that they and their families have undergone. I am sure that my right hon. Friend is aware of the scope suggested by my hon. Friend for the investigation, but I undertake to draw it to his attention nevertheless.

Mr. Howard Flight (Arundel and South Downs): The Leader of the House is no doubt aware that PEPs and TESSAs come to an end in the near future, with the Government's new ISA being introduced. The Chancellor's statement on stamp duty has caused a large number of proposed ISA schemes to be cancelled, owing to its lack of clarity. Would the right hon. Lady please ask the Chancellor to get the Treasury to issue clarification of the implications of that statement, in order that ISAs can be offered?

Mrs. Beckett: If there is any confusion, I am sure my right hon. Friend would not wish that to harm the launch of ISAs or the opportunities being made available to people. I will draw the hon. Gentleman's remarks to his attention. The hon. Gentleman will have observed that there are Treasury Questions on the first day back, and also that there will be the Second Reading of the Finance Bill quite early on.

Mr. Richard Burden (Birmingham, Northfield): May I ask my right hon. Friend to ensure that, as soon as possible, notification is given to the House on the progress of negotiations between the Government and BMW to secure £1.7 billion worth of investment in the Longbridge plant? Of course I understand that those negotiations are at a delicate stage, and no one who wants a successful conclusion would wish to add in the Chamber to the rather frenzied press speculation. However, much is at stake—50,000 jobs. Can the House have notification as soon as possible?

Mrs. Beckett: I am well aware, as is the House, of my hon. Friend's long interest in and great support for the manufacturing plant at Longbridge, and of how much he, with his colleagues, has done to help to maintain sound commercial operations there. Again, I shall take on board his observations, and I am grateful to him for his understanding of the delicacy of negotiations.

Mr. Crispin Blunt (Reigate): I thank the right hon. Lady for finding another day for the defence in the world debate. Can she tell the House the reasons for today's business being held on a motion for the Adjournment, rather than on a substantive motion, which, I understand, has been the previous practice when troops have been put into action?

Mrs. Beckett: I sympathise with the hon. Gentleman, as there seems to rather a lot of misinformation on the matter. I perfectly understand that he may be under the impression that that is the natural precedent. Not so. There are only about two examples over the past 50 years when such a debate has been held on a substantive motion. One of those was in 1991 on the Gulf war, and that was by agreement between the then Government and the Opposition, because the Opposition wished to make plain their full support for the Government. The tradition and the norm have been that when our troops are in conflict, the debate is held on the Adjournment, so that no question can be raised about the overall support of the House for our troops at a time of peril.

Mr. Ben Bradshaw (Exeter): Will my right hon. Friend find time for an urgent debate on the role of the media during the current conflict? As a former BBC correspondent, I was appalled to hear the Radio 5 Live phone-in this morning. On a panel of five people, there were two Serbs, Mr. Paul Routledge—a Serb apologist, my hon. Friend the Member for Islington, North (Mr. Corbyn), and one retired Army officer—the only one of the panel of five who spoke in favour of the action, and he could not do so forcefully, of course, because he was not a politician. Does not my right hon. Friend agree that that is a complete abdication of responsibility by the BBC, on the day that our men and women are risking their lives for this country?

Mrs. Beckett: I know that my hon. Friend is strongly in favour of freedom of speech and freedom of the media, but many people will share his concern that that requires full exploration of all points of view, not merely of one. I doubt whether he would want us to debate that matter at this time, but I suspect that he and others will return to it.

Mr. John Wilkinson (Ruislip-Northwood): Could the Leader of the House ask the Home Secretary to come to the House on Monday to make a statement about the exercise of his responsibilities, to which the Law Lords referred yesterday in their opinion on the Pinochet case? Obviously it would be inappropriate for hon. Members to comment on the merits of the application for extradition preferred by the Spanish judicial authorities, but at the very least, should not we be able to question the Home Secretary on the cost of the whole matter, both to the British taxpayer and to our relations with Chile and to British interests in that country?

Mrs. Beckett: The matter is sub judice, as the hon. Gentleman is aware. I rather doubt whether such a debate could be held without straying beyond the matter of the

costs, but he will be aware that, in response to an undertaking that he gave at the Opposition's request, my right hon. Friend the Home Secretary will come to the House on Monday to debate the Lawrence report.

Mr. David Borrow (South Ribble): I am sure that my right hon. Friend will join me in congratulating the British film industry on its success at the recent awards ceremony in America, which reinforces the industry's importance to the British economy. Will she consider finding time for a debate in the House on the British film industry, so that the Government's policies and future policies can be explored in full?

Mrs. Beckett: The whole House will want to congratulate this year's Oscar winners; they are a source of great pride to us all. The Government are certainly endeavouring to support the industry in practical ways—for example, by the extension of tax relief. I fear that I cannot undertake to find time for a debate on the matter in the near future, but I am confident that my hon. Friend will find other ways of raising it.

Mr. Andrew Lansley (South Cambridgeshire): I am sure that the House will be grateful for the notification from the Leader of the House that the Health Bill *[Lords]* will be debated on 13 April, but will she speak to the Secretary of State for Health to encourage him to publish before that day the real waiting list figures for health treatment in this country and, in particular, to confirm that the number of people waiting to go on to hospitals' official waiting lists has gone up by 220,000 since 1997, nearly doubling the waiting list for the waiting list?

Mrs. Beckett: My right hon. Friend is always only too willing to publish waiting list figures; there is no attempt to keep them confidential. As we repeatedly remind Conservative Members, there has been no change whatever in the way that those figures are calculated since the Government came to power.

Mr. John Cryer (Hornchurch): Can we have a debate, or at least a brief statement, on speech therapists, of whom there is a national shortage? In my area, the shortage is particularly acute.

May I again ask about the possibility of bringing European Union questions back to the Floor of the House? They were kicked upstairs by the Tories in 1992, when Maastricht got a bit embarrassing for them. We are getting to a crucial stage in western Europe, with the introduction of the euro and the Commission collapsing in a sea of corruption and nepotism—something in which I took enormous delight. We need to put the activities of the European Union under the spotlight.

We also need to put under the spotlight the true record of the Tory party on Europe; it gave us the Maastricht treaty, the common agricultural policy, the common fisheries policy and took us into Europe in the first place—the Common Market, as it then was—without any mandate from the British people. It took a Labour Government to give us a referendum.

Mrs. Beckett: I know that my right hon. Friend the Secretary of State for Health shares my hon. Friend's concern about the availability of speech therapy in the health service. It is one of a number of important areas of expertise and professionalism in the health service that became run down under the Conservative party, and my right hon. Friend is endeavouring to address that problem.

I cannot undertake to bring EU questions back to the Floor of the House, although my hon. Friend mounts such a strong case that he almost tempts me to do so. Should EU questions come back to the Floor, we could also focus on the fact that the Conservative party gave up the British veto. Much as I am tempted to do as my hon. Friend asks, I cannot undertake that at present.

Dr. Julian Lewis (New Forest, East): Will the Leader of the House try to find time for the Deputy Prime Minister to come to the House next week to make a statement about the transport industry? London Underground has yet to receive any significant capital investment, whereas Railtrack has today announced an investment of no less than £27 billion of private capital. That is a remarkable contrast, and the House should hear about it from the Deputy Prime Minister when he chooses how he wants to proceed with the future of London Underground.

Mrs. Beckett: The whole House is aware that responsibility for the state of Railtrack and London Underground, and for the fact that the rail industry was starved of investment, lies squarely at the door of the Conservative party in government. I cannot undertake that my right hon. Friend will debate the matter in the House in the near future, but the hon. Gentleman may have noticed that he is due to answer questions on the Tuesday we come back after the recess, so the hon. Gentleman can seek an opportunity to raise the matter then.

Mr. Syd Rapson (Portsmouth, North): Is my right hon. Friend aware that all this week there is an exhibition in the Upper Waiting Hall of the Committee Corridor by SSAFA Forces Help? More than 30 million people in this country can take advantage of that charity, including current or former service men and women and any members of their families. Giving SSAFA Forces Help that exposure is intended to make all hon. Members aware that their constituents with relations who have been in the services or are service personnel can go to the charity for help. That could considerably assist hon. Members in their constituency duties.

Mrs. Beckett: I am grateful to my hon. Friend. As it happens, I am familiar with the work of SSAFA Forces Help, and I know what a tremendous charity it is and how much good work it does. I am happy to join my hon. Friend in giving it a little extra publicity.

Mr. Gerald Howarth (Aldershot): May I invite the Leader of the House to reconsider the answer that she gave my hon. Friend the Member for Ruislip–Northwood (Mr. Wilkinson) about the potential impact on this country of an adverse decision by the Home Secretary regarding General Pinochet? May I impress upon her the fact that the Home Secretary has enormously wide discretion in this matter, and that an adverse decision in respect of General Pinochet could have serious consequences for this country? It would be reasonable in this particular case—although not in every case—for the Home Secretary to come to the House so that we may hold him to account on this extremely important matter.

Mrs. Beckett: The hon. Gentleman may have misunderstood the reply that I gave his hon. Friend. There

[Mrs. Beckett]

is no suggestion that my right hon. Friend the Home Secretary will not come to the House on this matter. I was asked whether he would come to the House in the next few days, and I cannot promise that. The hon. Gentleman rightly identified the grave responsibility that my right hon. Friend holds in these matters, and I know of no one better fitted to hold it. The hon. Gentleman will also be aware that my right hon. Friend is meticulous in keeping the House informed of his responsibilities.

Mr. Phil Hope (Corby): May I welcome the fact that we are having an early debate on the Health Bill, which is coming back from the Lords after the recess? The legacy of staff shortages in the national health service is a problem that we inherited and that continues to dog the NHS. Kettering general hospital serves people from my constituency and is having to hold an open day for its modernised casualty ward to attract nurses into the NHS. I hope that the health debate will provide a good opportunity to examine in detail and with thoroughness new ways to recruit and retain nurses in the NHS.

Mrs. Beckett: I am grateful to my hon. Friend for his comments. I am glad to learn of the initiative taken by the hospital in his constituency, and I wish it success. He will be pleased to know that the recruitment hotline—the most recent innovation of my right hon. Friend the Secretary of State—is proving a stunning success. As of yesterday teatime, it had received more than 51,000 calls from people interested in either returning to or taking up nursing. That is encouraging, but I share my hon. Friend's view that there is much ground to make up.

Sir Patrick Cormack (South Staffordshire): Does the right hon. Lady accept that it is not normal practice for statements to be made on Fridays, when we deal with private Members' business, and that recently there has been a tendency to break with that convention?

Of course, if a statement of Kosovo were scheduled for tomorrow it would have to take priority, but I understand that a statement on quarantine may be scheduled. That cannot be described as urgent. Is such a statement to be made; if so, why should private Members' business be interrupted for a statement on a matter that is not urgent?

Mrs. Beckett: I respect the hon. Gentleman's concern, and the conventions of the House; but I think the hon. Gentleman will find that this is a convention that was honoured more in the breach than the observance when his party was in office. I realise that it is not always helpful for statements to be made on Fridays, and although the hon. Gentleman says that the statement that may indeed be made tomorrow is not urgent, he will know that we have not many days left before the recess, and also that a great deal of urgent business remains to be dealt with. The hon. Gentleman may not consider the question of quarantine to be urgent, but there is a good deal of interest in it, and a good deal of pressure for a statement to be made as soon as possible.

ROYAL ASSENT

Madam Speaker: I have to notify the House, in accordance with the Royal Assent Act 1967, that the Queen has signified Her Royal Assent to the following Acts:

Consolidated Fund Act 1999.

City of Westminster Act 1999.

BILL PRESENTED

Recycled Content of Newsprint

Mr. David Chaytor, supported by Mr. David Lepper, Mr. Stephen Pound, Mr. John Horam, Mr. Tom Brake, Mrs. Helen Brinton, Mr. John Austin and Ms Julia Drown, presented a Bill to increase the content of recycled paper collected and used in newsprint in England and Wales; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 23 April, and to be printed [Bill 76].

Points of Order

Mr. Desmond Swayne (New Forest, West): On a point of order, Madam Speaker. In his response to the report of the Select Committee on Scottish Affairs on multi-layered democracy, the Secretary of State for Scotland dwelt not on the substance of the report, but on his concern that it had been leaked. He did not say that it had also been leaked to him. Have you received any notice, Madam Speaker, that the Secretary of State will come to the House to explain exactly how he came to have a copy of the report from the hon. Member for Inverness, East, Nairn and Lochaber (Mr. Stewart), and to say whether he asked the hon. Gentleman for a copy or put any pressure on him to provide one? If you have received no such notice, can we expect a personal statement from the Secretary of State?

Madam Speaker: I think that there will be no personal statement. As the hon. Gentleman will know, this is now a matter for the Select Committee on Scottish Affairs.

Mr. John Hayes (South Holland and The Deepings): On a point of order, Madam Speaker—

Madam Speaker: Order. There has been a great deal of pressure from Members in all parts of the House for the debate on Kosovo, and I deliberately curtailed Business Questions in order to call all who wish to speak on this crucial issue. I do not want to waste the time of the House with frivolous points of order. If a point of order is serious I must take it, but I hope that hon. Members on both sides of the House will take the matter seriously, and will not use the House's time to raise frivolous points of order.

I now call the Foreign Secretary, who has come here specially to open the debate on Kosovo.

Kosovo

[Relevant documents: Minutes of Evidence taken by the Defence Committee on 24th March (HC 39-vii).]

Motion made, and Question proposed, That this House do now adjourn.—*[Jane Kennedy.]*

1.4 pm

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Robin Cook): Let me begin by making an apology. As the House probably knows, I have returned from the Berlin meeting of the European Council on Agenda 2000, which I think was the right thing to do; but we expect the negotiations to continue late into the night, and an RAF plane is on standby to take me back. I hope that the House will understand, given the circumstances, if I cannot stay until the end of the debate.

Last night, NATO air forces commenced strikes against military targets in Yugoslavia, supported by cruise missiles. The whole House will wish to salute the courage and professionalism of the British and allied crews that were in action last night, and will share the relief of their families over the safe return of all allied planes.

When he replies to the debate, my right hon. Friend the Secretary of State for Defence will deal more fully with the details of the military operation. I will open the debate by explaining why that action had become necessary, despite our determined efforts to find a diplomatic solution through negotiation.

The decision to commit service personnel to military action can be taken only with the greatest reluctance. No one in the Government did not want to avoid taking that step; if it had been possible to find a way forward by any alternative avenue, we would not have taken it. It was with regret that we came to the conclusion that there was no longer any alternative. Every member state within NATO came to the same conclusion. The decision to hand over to the NATO commanders the power to initiate air strikes was unanimous.

Last night, eight member states had planes participating in the operation. Others supplied essential back-up. NATO has demonstrated an impressive unity and resolve. Our best prospect of securing our objectives is through maintaining that unity and resolve.

The solid basis for that unity is our common revulsion at the violent repression that we witness in Kosovo. Since March last year, well over 400,000 people in Kosovo have at some point been driven from their homes. That is about a fifth of the total population. In Britain, the equivalent would be over 10 million people. We have seen villages shelled, crops burned and farm animals slaughtered—not for any legitimate military purpose, but as acts of ethnic hatred.

President Milosevic has been given repeated opportunities over that year to demonstrate his willingness to accept any solution that did not require military action. In June last year, he was warned to stop the repression against the civilian population. He did. He stuck to his word for six weeks and then the killing began again in August. In October, he signed up to the Holbrooke package. He agreed to reduce his troops in Kosovo to the level at which they stood before the conflict began; to co-operate with Organisation for Security and

[Mr. Robin Cook]

Co-operation in Europe verification monitors and to halt military action. He has broken every one of those undertakings.

President Milosevic not only has more army and security police in and around Kosovo than he is permitted; he has double the number agreed under the Holbrooke terms. At the end of last week, the OSCE was reluctantly forced to withdraw the verification monitors because of its concern for their safety. They were not receiving co-operation from the Belgrade forces. On the contrary, in its place, they were facing increasing intimidation.

Worst of all, the repression in Kosovo has again been resumed. Two months ago at Racak, 45 men, women and children were murdered. They were executed at close range for no other reason than their ethnic identity. In the past few days, another 25,000 refugees have been forced to flee their homes. We have all seen the television shots of homes burning while women and children flee on foot, not knowing where they may find a safe refuge.

I very much regret that the people of Serbia themselves are denied the same opportunity to see those pictures, which provide the truth about what their Government are doing in Kosovo. This week, President Milosevic closed down B92, the last major independent broadcasting station in Belgrade. It is able to re-broadcast to other outlets in Serbia only through an ISDN line supplied and funded by Britain. Journalists from the station who have interviewed me in recent weeks have been arrested, or are hiding in fear of arrest. President Milosevic's repression in Kosovo is paralleled by his suppression of freedom in Serbia.

I understand fully the motivation of those hon. Members who would rather have seen the conflict resolved through dialogue and negotiation. I myself would have preferred that, but it is President Milosevic who has frustrated every attempt to find a solution through dialogue.

It is also President Milosevic who has prevented us from finding a solution through the United Nations. Three times in the past year, we have sponsored resolutions on Kosovo in the Security Council—resolutions that called on President Milosevic to halt the conflict, to pull back his troops and to admit the International War Crimes Tribunal to investigate atrocities. He has responded to none of those resolutions. It is President Milosevic, not NATO, who is challenging the authority of the United Nations.

No nation has done more to seek a peaceful settlement for Kosovo than Britain. It was Britain that convened and chaired the Heathrow meeting of the Contact Group which sent Dick Holbrooke last October with a mandate to negotiate a ceasefire. It was Britain which then made a leading contribution to the verification mission to monitor the supposed ceasefire. It was Britain and France that jointly chaired the peace talks at Rambouillet and in Paris.

As a result of those talks there is a detailed peace plan which is fair to both sides. It would provide Kosovo with its own assembly, president, laws and internal security. It would also provide full protection for the Serb minority within Kosovo, including an elected body to protect and promote their language, religion and curriculum.

We have reached out to both parties to make peace. I am sorry to say that only one party has reached back. The Kosovo Albanians promised at Rambouillet that they would sign the peace accords after consulting their people. When we met at Paris they kept their word. They signed up to the peace accords in full, including the commitment to demilitarisation by the Kosovo Liberation Army. They were willing to compromise in the interests of peace.

I regret to say that the Serb delegation made no attempt at Paris to reach agreement. They took an even harder line than at Rambouillet. My colleague Hubert Védrine and I took the decision last Friday to suspend the talks, because there was no point in prolonging them while the Serb side was not negotiating in good faith.

Even then, it was not the last chance we gave President Milosevic for dialogue. Dick Holbrooke went again to Belgrade on Monday to find if there was any way, even at that eleventh hour, to find a solution through dialogue. When I spoke to him on his return from Belgrade, he told me that he had never found President Milosevic more defiant or less interested in dialogue. President Milosevic even insisted that there was no fighting by Serb forces in Kosovo.

We have tried repeatedly, right up to the last minute, to find a way to halt the repression of Kosovo Albanians through negotiation. It was not possible, and the person who made it impossible was President Milosevic.

We were left with no other way of preventing the present humanitarian crisis from becoming a catastrophe than by taking military action to limit the capacity of Milosevic's army to repress the Kosovo Albanians. We will continue with this action until we secure that objective, but President Milosevic can halt it at any time by signalling that he is willing to pull back his troops, to honour the ceasefire he signed in October and to accept in principle the Rambouillet peace plan.

This morning some of the broadcast media have been interviewing voices from Belgrade complaining about military attacks on Serbia. It would be helpful if, for balance, they also reflected the views of the Kosovo Albanians, who have long been pleading for NATO intervention to halt their villages being assaulted by armoured tanks and heavy artillery.

I defy any hon. Member to meet the Kosovo Albanians, to whom I have talked repeatedly over the past three months, and tell them that we know what is being done to their families; that we see it every night on the television in our own homes; that in the region we have a powerful fleet of allied planes; and yet that, although we know what is happening and have the power to intervene, we have chosen not to do so. Not to have acted, when we knew the atrocities that were being committed, would have been to make ourselves complicit in their repression.

Dr. Julian Lewis (New Forest, East): Does the right hon. Gentleman realise that one of the most warmly greeted statements made by the Deputy Prime Minister last night was the warning to any Serb forces or individual troops who committed atrocities that they would have to account for their actions in a war crime tribunal, no matter how long it took? Would he like to take this opportunity to reinforce that warning and to apply it to President Milosevic himself?

Mr. Cook: I welcome the hon. Gentleman's question. Judge Arbour has again confirmed that the remit of the International War Crimes Tribunal extends to Kosovo.

We shall hold personally responsible not just any field commander who is present when his forces carry out atrocities in Kosovo, but their political leaders in Belgrade.

Mr. Simon Hughes (Southwark, North and Bermondsey): In addition to that clear and important message, will the Foreign Secretary reinforce the message that was implicit in what he said a moment ago: that the people of Britain and our European sister countries want the people of Yugoslavia to have the same freedom as the Albanians to enjoy what they regard as important in Kosovo? We do not want to deprive them of that. The offer of such a settlement remains on the table today, as it has for the past six months.

Mr. Cook: We have repeatedly told President Milosevic and his Government that we want to find another relationship with Belgrade. If Belgrade changes its politics of repression and ethnic confrontation, we shall be willing to look at ways to build bridges between Serbia and the modern Europe. The tragedy for the people of Serbia is that they can see all the countries on their borders building bridges with Europe. Two of those countries are in the process of accession to full membership of the European Union. Others have developed trade agreements with the European Union. They are all building bridges that are closed to the people of Serbia solely because of the politics of their Government in Belgrade. If that changes, the relationship between Serbia and the rest of Europe can change as well.

The first reason why we took action was that we were aware of the atrocities that had been carried out and we had the capacity to intervene, but that is not the only reason. Our confidence in our peace and security depends on the credibility of NATO. Last October, NATO guaranteed the ceasefire that President Milosevic signed. He has comprehensively shattered that ceasefire. What possible credibility would NATO have next time that our security was challenged if we did not honour that guarantee? The consequences of NATO inaction would be far worse than the result of NATO action.

As a result of NATO's expansion to include Hungary, it has a common border with Serbia. How can we be committed to securing peace and maintaining the stability of NATO's borders while one of our immediate neighbours is conducting a violent military operation?

If we had turned a blind eye to the bloodshed and conflict over the border, the outcome would not have been peaceful. During the past year, President Milosevic has suffered from the delusion that he can defeat the Kosovo Liberation Army by confronting the whole Albanian population. The predictable result has been that the strength of the KLA has grown from a few hundred to more than 20,000. President Milosevic has been its best recruiting sergeant. As a result, the conflict is greater and it would have continued to get worse if we had not intervened to curb President Milosevic.

Mr. Tam Dalyell (Linlithgow): Will my right hon. Friend refer to relations with the Russians? I was talking to *The Economist*'s correspondent in Moscow, Edward Lucas, who asked what would happen to Russian cargo ships or aircraft that might be carrying arms to the Serbs. Are they likely to be intercepted by NATO forces? What is the position of the valuable contacts that my right hon. Friend the Foreign Secretary has had with the Russians over the Arctic fleet and the millennium bug? Has all that co-operation vanished?

Mr. Cook: I assure my hon. Friend that that contact and co-operation will not come to an end through any wish on our part. I do not believe that there will be any wish for that from the Russian Government. My offer of help with radioactive waste in Murmansk was very warmly received by the authorities there. I am confident that they will want to proceed with what they know is a solution to a pressing problem.

We also maintain regular dialogue with the Russian Government. I was present in Berlin last night when we interrupted our European Council in order that Chancellor Schröder, as President of that Council, could speak on the telephone to Mr. Primakov. Russia has been supportive throughout of our attempts to broker an agreement through negotiation. I regret the fact that we cannot find common cause on the need for military action, but I am absolutely confident that Russia shares our impatience with President Milosevic and that he must bear the main responsibility for the situation in which his country is placed.

Mr. Gerald Howarth (Aldershot): I heard on the radio this morning that the Prime Minister had said that he would talk to Prime Minister Primakov today. Given that it is extremely important that we should understand the Russians' sensitivities and do nothing that is too provocative towards them, has the Prime Minister yet had the opportunity to speak to Mr. Primakov, and can the Foreign Secretary report back to us on that conversation?

Mr. Cook: I understand that it has not yet been possible to make the arrangements for that call, but I agreed with my right hon. Friend the Prime Minister last night that we should seek to maintain the dialogue with Mr. Primakov as a matter of urgency. I will also seek to speak to my opposite number, the Russian Foreign Minister. We are very anxious to maintain dialogue.

I want to take this opportunity to respond to a point that I neglected when I replied to my hon. Friend the Member for Linlithgow (Mr. Dalyell). I am confident that the Russian Government will not seek to break the United Nations arms embargo on Serbia. I know that voices have been raised in Russia urging that; but as yet we have had no suggestion from the Russian Government that they intend to supply arms to Serbia, and I do not expect that they will do so. We will certainly want to confirm that when we speak to the Russians.

If we had not acted now, we would have been obliged to act in the future when the situation had become worse. If the situation had deteriorated and the conflict had continued, it would have spilled over into the neighbouring countries, at which point NATO would have been forced to act, but in more difficult and more dangerous circumstances.

We have withdrawn all our diplomatic and other Government personnel from Yugoslavia, and for some time we have warned all other British nationals to leave. There are several thousand British service personnel deployed elsewhere in the region, in Bosnia and in Macedonia. I repeat to the House the clear warning given by the Prime Minister, that any action that targets those personnel will be met with a response that will be swift and severe.

[Mr. Cook]

Responsibility for the present position lies squarely with President Milosevic.

Mr. Tony Benn (Chesterfield): Article 51 of the United Nations charter says that any nation that is attacked has the right of self-defence. Was the statement that my right hon. Friend has just made intended to contradict the legal right of Yugoslavia, under bombardment, to defend itself?

Mr. Cook: Certainly not. The statement that I have made is fully in line with article 51: if our troops are attacked, we will employ self-defence to protect them. We are acting clearly on the legal principle that the action is justified to halt a humanitarian catastrophe.

Mr. Cynog Dafis (Ceredigion) *rose—*

Mr. Cook: I will not give way again, if the hon. Gentleman will forgive me.

There is a pressing need to stop the crisis. The best way in which President Milosevic can halt further attacks on Serbia and on his forces is by halting the humanitarian crisis in Kosovo for which he is responsible.

This is not the first humanitarian crisis for which President Milosevic is responsible. In the early 1990s, he was at war first with Slovenia and then with Croatia. The massacres at Vukovar and the merciless bombardment of Dubrovnik were representative of a war driven by ethnic hatred. In the mid-1990s, Milosevic was the prime player in the war in Bosnia which gave our language the hideous term, "ethnic cleansing". Only after three years of fighting, in which a quarter of a million people were killed, did NATO find the resolve to use force.

It is President Milosevic's brand of ethnic confrontation that has brought a decade of violence and suffering to the peoples of the former Yugoslavia.

Mr. Dafis *rose—*

Mr. Cook: I said that I would not give way again. Others want to speak in this debate.

Now we are seeing exactly the same pattern of ethnic violence being replayed in Kosovo. The same reports have emerged this week of masked paramilitaries, separating the men of the village from the women and children. We now know what happened next when that happened at Srebrenica—all the men were massacred. We cannot allow the same tragedy to be repeated before us again in Kosovo. That is why our service personnel were ordered to take action last night, and that is why the House should back our resolve to halt any more ethnic cleansing being imposed by President Milosevic.

1.25 pm

Mr. Michael Howard (Folkestone and Hythe): The House meets today against a sombre background. The decision to send our young men and women into action is a most awesome responsibility. No one who has taken part in a Cabinet decision to authorise military action, as I have, can be insensitive to the difficult judgments that have to be made. No burden on Government ... more onerous.

This is also a sombre occasion for the House. As my right hon. Friend the Leader of the Opposition made clear on Tuesday, we support the Government's action. I know that the House will be united in its wholehearted support for the men and women who are taking part in the perilous action with skill, courage and great devotion to duty; for those who are backing them up, both in the area and at home; and for the families of those whose lives are at risk. Of course, we all share the relief the Foreign Secretary expressed that all our planes returned safely last night. But this House is an assembly of free men and women—it is not a rubber stamp. There are anxieties, concerns and doubts in all parts of the House, and they must be listened to with respect.

I believe that the action that has been taken is consistent with the requirements of a just war. There can be no doubt that what we have seen in Kosovo is a humanitarian crisis. We have seen it developing, growing and worsening for many months.

Who can forget the sight of families fleeing for their lives, their homes and villages razed to the ground? Who can forget the misery of those who have seen their loved ones brutally murdered? Who can forget the television pictures of massacres, such as that at Racak? There is a danger that statistics may mask the reality of the human suffering, but the facts are stark.

Since fighting broke out in Kosovo last year, more than 2,000 people have been killed, and hundreds of thousands have fled their homes. Relief agencies—who themselves have carried out their work tirelessly under impossible conditions—estimate that at least 25,000 Kosovar Albanians have fled in the last few days alone. They have done so in response to wave after wave of brutal aggression.

There are those who say that despite that aggression, despite the crimes against humanity that have been committed and despite the untold human misery that we have witnessed, NATO and the west should have stood by. I am not one of them. However, there are serious questions raised that merit a clear and comprehensive answer.

One of the requirements of a just war is that the suffering that is an inevitable consequence of military action should be less than the suffering that that action prevents. I have not been made privy to the detailed assessments of the matter, which NATO will doubtless have made—nor would I expect to have been. However, it is reasonable to assume—and I hope that I am right in assuming—that over the months that have been marked by a series of threats of such action, that careful assessment has been made of the consequences.

I have been critical in the past of the way in which those threats have not been followed through. Today is not the occasion to repeat those criticisms—sorely tempted as I was by the self-congratulatory tone of the Foreign Secretary's account of the diplomatic history of these matters.

There can be no doubt that last night's action was the product of lengthy planning and preparation. It must, too, have been the product of careful assessment, part of which will have included answers to the questions put from different quarters of the House last night and earlier in the week about what will happen after the bombing has stopped. I do not ask for detailed answers to those questions today. However, some matters appear to

be clear, and I should be grateful if the Defence Secretary would confirm my understanding of them when he winds up.

First, the dispatch of troops to Macedonia some weeks ago was carried out with the declared intention of entering Kosovo in order to keep a peace that had already been made and of enforcing a ceasefire that had already been agreed. That is a very different proposition from having troops fight their way into Kosovo to impose a peace that has not been made and a ceasefire that has not been put in place.

My right hon. Friend the Leader of the Opposition made it clear on Tuesday that the support that he was expressing did not extend to that situation. The Foreign Secretary appeared to agree on the "Today" programme this morning that there was no question of our troops being used to fight their way in. I hope that the Defence Secretary will confirm that that is indeed the position.

My right hon. Friend the deputy Leader of the Opposition asked last night whether clear criteria had been drawn up under which the success of the action would be measured. He did not ask for those criteria to be identified, and nor do I. However, I repeat his request for an assurance that criteria have been drawn up and will be used to assess the success of the action that is taking place. In due course, once the action has finished, we expect an honest report on those criteria, and on the extent to which they have been met.

Many questions have been raised about the legal basis for NATO's action. Those questions are serious, and they require comprehensive answers. Is it the Government's view that the relevant resolutions of the Security Council—resolutions 1160, 1199 and 1203—provide a sufficient legal base for the NATO action? Or do the Government contend that there exists in international law a general right to intervene to prevent a humanitarian catastrophe? Is it their view that the action breaks new ground in international law?

It is extremely important to be clear about these important questions. On "Newsnight" last night, the Minister of State went so far as to suggest that there is in international law an obligation to intervene to prevent humanitarian disasters.

The Minister of State, Foreign and Commonwealth Office (Mr. Tony Lloyd): A moral obligation.

Mr. Howard: The Minister did not use that word last night. If that is the Government's view, then I can only say that the obligation has been honoured more in the breach than in the observance. I hope that we shall hear a clear view from the Defence Secretary on whether or not that is the Government's view.

What is the Government's view of the observations of the Secretary-General of the United Nations? Is it the case, as reported in this morning's newspapers, that at the European Union Council in Berlin, references to endorsing the military action that has taken place were removed from a statement at the request of Austria, Sweden, Finland and Ireland? It is of the utmost importance that we have answers to those questions, and the greatest possible clarity in explaining and establishing the basis on which the Government contend that NATO's action is lawful.

I hope, too, that it will be possible for the Secretary of State for Defence to tell us more about events on the ground today in Kosovo. What reports are there of action by the Serb forces? Have there been further attacks on Kosovo Albanians, their villages and homes?

I believe that the whole House shares the hope that sooner rather than later, the Government of Yugoslavia will cease their oppression of the Kosovo Albanians and return to the conference table. The Rambouillet proposals were fair to all parties. As we know, they have been accepted by the Kosovo Albanians, although they fell far short of their ambitions. They should be accepted too by Mr. Milosevic. That would enable the action to be brought to an end without further suffering or casualties, without the further use of force. If the action continues, I hope that we shall have an assurance from the Secretary of State for Defence that he will continue to keep the House informed. In the absence of an acceptance by Mr. Milosevic that the repressive action by the Serbs against the Kosovo Albanians must immediately end, the Opposition support the Government in the action that they have taken.

1.36 pm

Mr. Menzies Campbell (North-East Fife): It is already clear that solemn though the language of the debate is, it is inadequate to meet the gravity of the circumstances. When we express support for our armed services, as I suspect every hon. Member would wish to, none of us should underestimate the possibility—some would say likelihood—of casualties, both civilian and military. It is a grave and solemn thing to send young men and women to war. Those in the House who oppose the action that has been taken should understand that those of us who support it do so in the full and certain knowledge of the depth of responsibility that we ask our armed forces to accept.

In the comfort of the television studio or the safety of the House of Commons, it is all too easy to underestimate the unmitigated horror of modern warfare. However, it is just as easy to underestimate the distress and suffering of the people of Kosovo, shelled out of their homes, their possessions looted and burned, and their lives traumatised by the relentless and unforgiving brutality of the forces under the command of Mr. Milosevic.

Some people in the House implacably oppose military action by NATO.

Mr. Robert N. Wareing (Liverpool, West Derby): I wonder whether the right hon. and learned Gentleman feels the same anxiety about the action taken by President Tudjman when Croatian forces drove 280,000 Serbs out of the Krajina. Those who survived the journey are refugees. Would he prescribe the bombardment of Zagreb? If not, what is the difference, because the Serbs believe that that is important?

Mr. Campbell: It is well known that the hon. Gentleman has a particular standpoint in relation to Serbia.

Mr. George Galloway (Glasgow, Kelvin): Answer the question.

Mr. Campbell: I will, but it is right that we should understand the standpoint of the hon. Member for

[Mr. Campbell]

Liverpool, West Derby (Mr. Wareing). At the time, my party, and particularly its leader, condemned what happened to the people in the Krajina. We consistently condemned the atrocities of both sides in Bosnia. We take no lessons on consistency on the problems of the Balkans from any party or hon. Member. Now let me get on.

Some people in the House implacably oppose military action by NATO. Some implacably oppose military action of any kind. Some opposed it in the Gulf war and some have opposed it in relation to Iraq since then. That is an understandable and entirely respectable position. However, I feel bound to observe that their case would be strengthened if their condemnation of Mr. Milosevic's actions were as vehement as their criticism of NATO. They say that there should still be negotiations. In response, I ask two questions: how long must negotiations last before it becomes clear that they are pointless, and what trust can we have in a Government who preach the virtue of negotiation while brutally persisting in a scorched earth policy in Kosovo?

Mr. Tam Dalyell (Linlithgow) *rose—*

Mr. Campbell: Forgive me. I must make some progress.

Kofi Annan said last February, when he returned from Baghdad in the understanding that he had reached an agreement with Saddam Hussein—an understanding that proved to be ill-founded—that diplomacy works. However, diplomacy works best when it is supported by the credible threat of force.

Mr. Dalyell: As the right hon. and learned Gentleman has posed two questions, may I put one to him? When has bombing by itself, without the use of ground troops, had the kind of success that many of us desire?

Mr. Campbell: Before the creation of the Dayton peace accord, there was a four-day campaign of air strikes on Bosnia of an intensity that had not been seen since the Gulf war. That campaign was instrumental in persuading the parties that it was better to seek a peaceful solution than to continue with the aggression and the warfare that had characterised their relations for five or six years. If the hon. Gentleman is saying that bombing, of itself, is not a policy, he is entitled to that view. Indeed, it is a view that I share—and I shall tell him why in a little more detail in due course.

If we say that diplomacy works best when it is supported by the credible threat of force, the logic of that position dictates that, when diplomacy fails, we must be willing to contemplate the use of force. No one could claim in this case that there was a rush to judgment in deciding on military action—indeed, some hon. Members believe that the Government have been dilatory in these matters. No one could claim that due warning was not given of the likely consequences.

We must ask ourselves: why are we here? We are here because of a humanitarian tragedy that has arisen not by accident of nature, but as a result of the persistent and calculated actions of Serbian forces in deliberately targeting ethnic Albanian citizens. That is what brings us here—that and Mr. Milosevic's refusal to agree to a settlement on the grounds that a NATO-led force could not be allowed to supervise such a settlement. That force would have the purpose not simply of protecting Kosovo Albanians and ensuring the implementation of the agreement, but of protecting those 5 per cent. of Kosovo inhabitants who are of Serbian origin and who need protection as well.

There need be no more bombs and cruise missiles: Mr. Milosevic has it within his power to bring the operations to an end. That is an end game to which I hope that all will willingly sign up. I believe that the behaviour of the Milosevic Government is such as to remove their moral right to govern Kosovo on the basis of a 5 per cent. Serbian population and its historical associations for the Serbs.

Kofi Annan said last night that these matters are the primary responsibility of the United Nations. That is certainly true, but they are not the exclusive responsibility of the United Nations. International law existed before the United Nations. I shall outline what I believe to be the factors that, taken together, justify the intervention. First, the clear purpose of the intervention is to halt the deliberate policy of systematic and brutal ethnic cleansing which is a clear breach of human rights.

The second factor is that the consequences of that policy are potentially destabilising to the region, with an inevitable and increased loss of life. The third factor is that every effort has been made to achieve a solution by negotiation; there has indeed been exhaustive diplomacy. The action that is taking place is consistent with United Nations purposes as set out in article 1 of the charter. Those who are familiar with the article will recall that it provides

"To maintain international peace and security, and to that end to take effective collective measures for the prevention and removal of threats to peace and the suppression of acts of aggression or other breaches of the peace."

The action is consistent with article 1, but it is also consistent with resolution 1199 where the Security Council expressed itself as gravely concerned about

"the excessive and indiscriminate use of force by Serbian security forces"

and

"Deeply concerned also by reports of increasing violations of human rights and of international humanitarian law."

The Security Council called on the Federal Republic of Yugoslavia

"to cease all action by the security forces affecting the civilian population and order the withdrawal of security units used for civilian repression."

In resolution 1203 the Security Council stated that it was

"Deeply concerned at the recent closure by the authorities of the Federal Republic of Yugoslavia of independent media outlets in the Federal Republic."

That policy at least seems to be consistently applied. The resolution also stated that the Security Council was

"deeply alarmed and concerned at the continuing grave humanitarian situation throughout Kosovo and the impending humanitarian catastrophe, and re-emphasising the need to prevent this from happening."

It demanded

"immediate action from the authorities of the Federal Republic of Yugoslavia and the Kosovo Albanian leadership to co-operate with international efforts to improve the humanitarian situation and to avert the impending humanitarian catastrophe."

That, in sharp language, sets out the obligations that those Security Council resolutions created and which have been breached in their entirety by the Milosevic Government.

Mr. Bowen Wells (Hertford and Stortford): Does the right hon. and learned Gentleman agree that resolution 1199 did not give explicit authorisation for the use of force? It merely stated that the Security Council decided

"should the concrete measures demanded in this resolution and resolution 1160 (1998) not be taken, to consider further action and additional measures to maintain or restore peace and stability in the region."

The question must arise as to why that further action has not been taken by NATO.

Mr. Campbell: The hon. Gentleman is correct. The resolution does not give explicit authority. I am endeavouring to set out the fact that the finding of authority need not be confined explicitly to resolutions of the United Nations Security Council. I have set out a number of criteria against which the intervention falls to be measured. One of those criteria is that the intervention is consistent, as I said, with both resolution 1199 and resolution 1203. As far as we are aware, the action is consistent and requires to remain consistent with the law of armed conflict—namely, that only minimum force is entitled to be used.

Furthermore, the intervention is consistent with article 52 of the charter, which provides that regional organisations such as NATO have a role, and that their role is authorised as long as

"their activities are consistent with the Purposes and Principles of the United Nations."

Article 52 states:

"Nothing in the Present Charter precludes the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action, provided that such arrangements or agencies and their activities are consistent with the Purposes and Principles of the United Nations.

In my judgment, it is clear beyond any question that there is adequate legal justification for the action that has been taken.

Let those who say, "This is a sovereign country in whose affairs we should never intervene," ask themselves this question: suppose the action of repression consisted of the use of biological weapons, which had the potential not only to achieve the mass destruction of the people of Kosovo, but to spill over into other countries. Could we still argue that there was no authority for intervention to inhibit and prevent action of that sort? We could not. I submit that that is clear corroboration of the justification for intervention in the current case.

Mr. Simon Hughes (Southwark, North and Bermondsey): Does my right hon. and learned Friend accept that for those of us who come to the view that the action can be supported only reluctantly, not least because it is the first time in our lifetime that we have acted against another European country, the other justification to add to the legal ones is that it is the common view of all the democratic partners in the regional organisation to which he refers that, in the interests of our continent and its peace, it is necessary to support the people of Yugoslavia against a Government who are interested in repressing them and their liberties, not defending them?

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. That is a speech, not an intervention.

Mr. Campbell: My hon. Friend has made his point and it is well worth making.

The Government's military aim has been adequately set out both by the Foreign Secretary and by the Secretary of State for Defence elsewhere, but there is as yet no clear political aim. I suggest to the Government that that clear political aim should be to damage the military infrastructure on which the Milosevic regime is based, to an extent that that regime is no longer willing to tolerate that damage and is persuaded—even compelled—to return to negotiation. If we are to achieve a stable and durable solution, that can best be achieved by the creation of a protectorate—

Mr. Alan Clark (Kensington and Chelsea): Ah, ground troops—half a million should do it.

Mr. Campbell: The right hon. Gentleman need not become over-exercised—I shall come to his point in a moment. The optimum outcome would be one that was achieved by negotiation, but if negotiation were to prove unsuccessful, we would be bound to consider other means at that stage.

It is wrong to say that we would never consider further military action, because we cannot predict the conditions or the circumstances of the time. One would want to take into account the extent of possible opposition, the likely effectiveness of opposition forces, the possible or probable levels of casualties on both sides, the availability of forces to carry out the task, and the political cohesion of the allies. If those factors sound familiar, they should: they are precisely the considerations that arose during the Gulf war when, despite all predictions to the contrary, the issue of going beyond the expulsion of Iraq from Kuwait and going on to Baghdad arose as a serious one for consideration by the allies. The decision on that occasion is known, but it was for consideration at the time, not by reference to a prescriptive position adopted in advance.

For any Government, military action is a serious test of political will. Perhaps the most serious test of political will facing those who embark on military action is to sustain that will if things go wrong, as they assuredly may. As long as the Government continue to display the political will that has lain behind the decision to commit British forces in the current circumstances, they can rely on our support.

1.54 pm

Mr. Donald Anderson (Swansea, East): My right hon. Friend the Foreign Secretary was right to return from Berlin for this debate. He will have been told about the response of the House to yesterday's statement and he will have judged from the comments today that there is at least this consensus in the House: we all recognise the gravity of the situation; we are all concerned about the safety of our troops and those of our allies; and we all recognise the enormous uncertainties.

[Mr. Donald Anderson]

There was—on this point perhaps, I part company with some hon. Members in our democracy—a certain inevitability in the move towards war once President Milosevic had rejected the deal that was on offer at Rambouillet and Paris. The reluctance to move towards war was demonstrated by this week's final attempt to find a solution and to issue a final warning to President Milosevic, who showed Mr. Holbrooke that he was still obdurate.

Why is there uncertainty? It is partly because of the recognition on both sides of the House that there is a lot of history in the Balkans; some may say that there is too much history in the Balkans. During the second world war, the Serbs were our allies. They had a magnificent role in fighting against the Nazis, while some who are now our allies were ready to collude with the Nazis at that time. The Serbs know the terrain; they have high morale; and they are united.

The uncertainty is due also to the recognition that bombs do not bring peace; but there is no consensus among our allies for ground troops to be committed to the quagmire and minefield of the Balkans. That was dramatically demonstrated in the United States, when the Senate only just voted—by 58 votes to 41—in favour of air strikes. There is no serious prospect of the US committing ground troops to the area, save after an agreement and only to underpin any such agreement. All our allies would display the same reluctance to commit ground troops.

There is recognition also of the great collateral political damage that will have been caused, not only to Montenegro, which was separating itself in part from President Milosevic and Serbia, but, more important, to relations with Russia. The Contact Group's consensus and political unity with Russia, which was acting alongside NATO, has been a great prize, and it is sad that we have forfeited that prize as a result of the bombing. We naturally understand the sensitivities in the Duma and why Premier Primakov has to freeze relations with NATO.

If some in Russia now threaten to break the embargo, however, we must ask whether they have already done so in part, and I cite the example of the Russian aircraft that was stopped in Azerbaijan two or three days ago. By breaking the embargo, they would wholly undermine the principled position that they purported to take at the Security Council of the United Nations, because they would be breaching a UN embargo. The collateral political damage must be put in the balance.

There is recognition also of the danger of mission creep and, because the area is so combustible, the danger of other states, including some of our NATO allies, being engulfed.

The problem that we must all also recognise is that, when the conflict ends, it may not be possible to re-establish the status quo ante. I heard the Deputy Prime Minister say yesterday that the Rambouillet package is still on the table, but that assumes a willingness on the part of the Serbs and Albanian Kosovars to live together in a new Kosovo. After the ethnic cleansing and Serbian heavy armour bombardments, which has destroyed villages, does anyone seriously expect people to live together in an autonomous Kosovo? That is very unlikely.

Mr. Cynog Dafis (Ceredigion): May I raise with the hon. Gentleman an issue that, surprisingly, has not so far been mentioned in the debate? Many fear that the bombing will enrage the Serbs and encourage them to retaliate on a large scale against the Kosovars. The issue has been raised by a Kosovar journalist in *The Guardian* today. He says that, unless ground troops are committed, there will be no way of averting a humanitarian catastrophe.

Mr. Anderson: That is part of the high-risk operation, but in spite of it, the Foreign Secretary and his NATO allies were right to go in.

Why do I say that? We must all recognise that President Milosevic was offered an excellent deal at Rambouillet. He would have retained the integrity of Yugoslavia; sanctions against his country would have been progressively reduced; and he would have secured protection of the Serb minority in Kosovo. All that, and the possibility of a new chapter in the relationship between Yugoslavia and Europe—our Europe—has been undermined as a result of his intransigence.

How do we justify the bombing, with all its high risks? As the Foreign Secretary has underlined, the very credibility of NATO was at stake. Having huffed and puffed and given so many final warnings, we would have been incredible, as we would on any future occasion on which NATO sought to threaten other countries, if we had crept away in the face of the very clear evidence of further bombing and further ethnic cleansing. I congratulate my right hon. Friend on the remarkable unity not only in NATO, including the three new members since 12 March, but among other countries that have suffered from the Balkan tragedy, such as Romania, which has shown total support for the action.

I will not go over the criteria of the just war theme in detail, but the cause is just on humanitarian grounds. It is absolutely clear that the Government and our NATO allies had exhausted all other means. The action has limited aims and methods. International law has moved on from when we said that the integrity of sovereign states was sacrosanct. That disappeared, or was at least diminished, with the formulation of the universal declaration of human rights. The matter was taken further following the Helsinki process in 1975, and recently with the development of the doctrine—not obligation—of intervention due to an imminent or actual humanitarian catastrophe.

Mr. Christopher Gill (Ludlow) *rose—*

Mr. Crispin Blunt (Reigate) *rose—*

Mr. Anderson: I shall give way only to the hon. Member for Ludlow (Mr. Gill), as many other hon. Members want to speak.

Mr. Gill: The hon. Gentleman is talking about the humanitarian tragedies around the world. Why does this

one deserve the intervention of NATO? Other tragedies are being played out in Africa, and elsewhere, on which western nations are apparently neutral.

Mr. Anderson: I shall answer that intervention head on. Of course there is morality in a humanitarian response. Of course we can be faulted for not intervening in other areas, such as Rwanda, where, between April and June 1994, 750,000 or 1 million people were massacred in a genocide. Perhaps we can be faulted for that, but, in the murky world of international relations, we must consider not only morality, but our interests. In this case, in our Europe, our interests are mightily involved because, as was said earlier, Hungary, which is now a member of NATO, borders Yugoslavia, and because we have the problem of more than a million refugees in our Europe already.

Mr. Blunt *rose—*

Mr. Anderson: No, I will not give way.

There is a real danger not only of the conflict spreading to the immediately neighbouring countries, one by one, but of Greece and Turkey, our allies, being brought in. Therefore our interests are mightily involved. I believe that the combination of our interests and morality justifies the intervention. That is the background.

The dangers, of course, are clear. It is, at one level, an intervention in a civil war. When one intervenes in a civil war, one intervenes on one side. We must be clear and warn the Kosovar Albanians that they should not take advantage of the damage to the military assets of the Serbs.

Of course the situation is murky. We must stress the limited nature of our aims. With all the high risks involved, I believe that this limited operation is, indeed, justified. However, we should beware of dressing up our aims too much in absolutist terms, as there would then be a danger of our being drawn along the road to using ground troops and to a much wider intervention.

We must stress that we will keep open all lines of communication between us and President Milosevic, and we must be ready to respond when there are serious signs of flexibility on his part. We should respond on a basis of principle and we should do so with caution, because of the past form, past actions and past prevarication of President Milosevic.

2.7 pm

Mr. Tom King (Bridgwater): I apologise to the Foreign Secretary and to the House for the fact that I was not able to be present at the start of the right hon. Gentleman's speech. No discourtesy was intended.

I join right hon. and hon. Members in recognising the manifest gravity of the situation that we face. I well understand the strong feelings in all parts of the House. I have lived through earlier debates of this kind. Strong feelings have been evident on those occasions too, sometimes evoked by the same right hon. and hon. Members as on this occasion.

Listening to recent broadcasts and hearing the right hon. Member for Chesterfield (Mr. Benn) and the noble Lord Healey making common cause on the matter reminded one how, on other issues, unexpected alliances may form, as similar criticisms are expressed.

I paid tribute to the Prime Minister for his statement which, by its clarity, conveyed to the House how grave the situation is and how dangerous the consequences could be. He said that the consequences of the action that he had authorised on behalf of the Government and the country could be extremely serious for our country. He added that the consequences of not acting could be more serious still. That is indeed the case.

I was struck by the comments of other speakers in the debate about the spillover which could flow from those actions. I was interested to read in the newspaper this morning that Secretary-General Solana had offered a security assurance to Romania, Bulgaria, Greece, Turkey, Albania and Macedonia that, if they were attacked as a consequence of the position that they adopted on the matter, NATO would come to their assistance. I am not sure whether that report is accurate, but it is a significant and crystal clear indication of how wide the implications of this action might be and how serious its consequences could be.

It is never easy to act. Comments and speeches similar to those that have been made recently were made before the Gulf war and before the Falklands events, and I could certainly make as powerful a speech as many right hon. and hon. Members on all the dangers and difficulties of the action that the Government have taken. I recognise the difficulty that the Government are experiencing, and my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard), the right hon. and learned Member for North–East Fife (Mr. Campbell) and the hon. Member for Swansea, East (Mr. Anderson), who is the Chairman of the Select Committee on Foreign Affairs, are also exercised over the legal basis of this action.

One of the features of the actions that we were able to take during the liberation of Kuwait was that, for the first time, the UN Security Council was able to act with full authority. The Security Council actually worked, because those events coincided with a period of paralysis during the transition of the Soviet Union into Russia. We did not face the prospect of the paralysis of the UN, which we had faced for the previous 45 years; whenever difficult issues arose in client countries of one bloc or another, the UN was powerless to act.

I say with great sadness that we appear to moving back to a situation in which the UN, in the Security Council, is not able to speak with the clarity that many believe a humanitarian crisis demands. Such a situation did not exist during the Gulf war.

My right hon. and learned Friend the Member for Folkestone and Hythe said that the European Union summit meeting communiqué has been withdrawn and that certain countries have dissociated themselves from these actions. I do not want to make a political point, but it is worth noting that those of us who have been concerned about a common foreign and defence policy being initiated under the authority of the European Union can see very clearly from that illustration why it is important to keep authority for defence policy out of the European Union. I listened for the names of those countries carefully; certainly three of them are neutral and they would be faced with problems in this sort of situation.

Sir Peter Tapsell (Louth and Horncastle): My right hon. Friend has made the extremely important point that

[Sir Peter Tapsell]

the United Nations works effectively only when one of the great powers, as in the Korean war, happens to be out of the field. The other side of that coin is that the veto powers were given to the great nations when the UN charter was drawn up, after careful thought, precisely to ensure that action would never be taken in the name of the UN which threatened the fundamental interests of a great power. That is one of the dangers today. Russia sees its interests as being threatened by an organisation whose actions are not fully endorsed by the UN itself.

Mr. King: I do not want to get into the territory of a discussion about the enlargement of NATO and the fears of Russia. However, as the right hon. and learned Member for North–East Fife said, although the permanent members of the UN Security Council—the great powers—have the power of veto and are able to block action, in no humanitarian catastrophe, no matter how great, should the world have to accept that it is paralysed. NATO is the only organisation with the power and effectiveness to act, to try to correct a totally intolerable situation, and the judgment of the vast majority of Members of the House is that we face such a situation now.

The interesting discussion about the lack of UN authority for the use of force extends to Operation Provide Comfort. I was involved in the arrangements for providing air cover and the prohibition of the flying of Iraqi aircraft over northern Iraq. Hon. Members will remember the pictures of the hundreds of thousands of Kurds on the mountain tops, freezing to death as they were pursued and persecuted by Saddam Hussein. During the follow-on actions at the end of the Gulf war, after Kuwait had been liberated, we imposed a no-fly zone for Iraqi aircraft and helicopter gunships. We did not have specific authority from the UN, but we acted under resolution 688, which

"appeals to all Member States . . . to contribute to these humanitarian relief efforts",

and

"insists that Iraq allow immediate access by international humanitarian organisations to all those in need of assistance in all parts of Iraq".

That operation has continued, without specific authorisation under the UN. Its conduct has been justified on the basis that it is implementing the humanitarian objectives of that UN resolution.

Mr. Alan Clark: Operation Provide Comfort was, within its own definition, a successful affair, but surely it is not correct to infer from that that an extended authority to bomb the civilian population of another sovereign country—in order to alleviate the suffering of civilians in that same sovereign country—is in any way parallel, or can in any way be justified, on the basis of humanitarian aid.

Mr. King: May I go on to say what I believe is the objective of this exercise, which may help my right hon. Friend? It is the degrading of military assets. He was a Minister with me in the Ministry of Defence at that time and he will recall that our planes, which were providing air cover over northern Iraq, were instructed to shoot down any Iraqi planes and to destroy any Iraqi weaponry that was used, either on the ground or in the air, to persecute the Kurds. Our planes were bombing military assets, if necessary, in northern Iraq. There is, perhaps, more of a parallel than he may have recognised.

Dr. Phyllis Starkey (Milton Keynes, South-West) *rose—*

Mr. King: May I make a little progress? I do not want to take too much time.

The example of northern Iraq leads me to my next point. I hear the facile statement that air power can never work and we are bound to need ground troops. We did not need ground troops in northern Iraq. I visited Operation Provide Comfort, which was a spectacular success, and we had one Royal Marine commando helping to provide humanitarian relief. Médecins sans Frontières was operating there as well. There was no Iraqi Government presence because the area was occupied by ground troops—Kurdish Peshmerga, who had a level playing field because they were not facing Iraqi air power and helicopter gunships or the sort of oppression that they had not been able to resist previously.

What interests me about Kosovo is the future situation on the ground. Degrading the military assets, capability and resources of the Yugoslav army—and, therefore, its ability to oppress the people in Kosovo—raises the question of how the Kosovo Liberation Army will react and what its activities will be if it has rather greater freedom of manoeuvre. I repeat the call made by the hon. Member for Swansea, East for restraint by the KLA, which is very important. I am sure that the Foreign Secretary will support that.

If the KLA seeks to exploit what the right hon. and learned Member for North–East Fife yesterday referred to as the semi-protectorate situation that will exist, the arguments for the action that the Government have taken will become extremely difficult to sustain. That action may be considered merely to have presented an opportunity for another side to oppress and to score some points in return. In such circumstances, subject to the position on the ground, air power can make a contribution.

I should make one further point, in parenthesis, before returning to my key plea to the Government. When the Prime Minister made his statement, I raised the question of support for our armed forces. I am seriously worried, because it is not sufficient to say in the House how splendid our armed forces are and how proud we are of them, unless we accompany those tributes with support. Our armed forces must have confidence that they will be supported. One of the features of the conflicts in the Falklands and in the Gulf was that the forces we put on the ground had the fullest possible support for the task that they had to undertake. I am worried about the overstretch that our forces will now face. The Prime Minister said that he was confident that our contribution could be sustained. I should be grateful if the Secretary of State for Defence would explain to the House how that will be achieved. To all other observers, it seems that we are facing an unsustainable situation.

The Government's action was the least worst of the alternatives. Having committed our forces to this action, they are entitled to support, provided that our forces know that there is an end objective. The objective must be to keep the political track open. We must continue to repeat the message that that opportunity for negotiation is

available and that the bombing need not continue. The offensive need not be sustained, provided President Milosevic responds to the approaches that have been made to him.

If those approaches are to be successful, they must be accompanied by a communications offensive in Yugoslavia. I was struck by something that I heard on the radio this morning. Someone who was interviewed in the street said that he did not know who to be more angry with, Mr. Milosevic or NATO. The challenge for the Government and for NATO is to ensure that people are more angry with Mr. Milosevic over the present events in Yugoslavia and Kosovo. If we win that battle, that—perhaps more than the bombs and the offensive—may persuade Mr. Milosevic to change his mind about the disastrous course on which he is embarked.

Some of us recently met the Chairman of the Joint Chiefs of Staff, General Shelton, when he was in London for NATO's 50th anniversary. He said last night at the Pentagon press conference that he was still hopeful that Milosevic would take the peaceful route. I do not know on what intelligence or better information that hope is based, but it must be the hope of all of us in the House. With maximum persuasion not just of President Milosevic, but of the people of Yugoslavia, I hope that that can be achieved.

2.22 pm

Mr. Harry Barnes (North-East Derbyshire): Nothing I am about to say excuses Milosevic, Tudjman and many other people involved in hideous acts of ethnic cleansing and attacks on populations who cannot defend themselves. However, I want to begin by pointing out that the former Yugoslavia was destroyed from outside, not from inside.

First, the former Yugoslavia was destroyed economically and politically. It was destroyed economically because of the requirement of international financial institutions that debts should be repaid to international banks at all costs, despite massive deprivation, problems with communication, agriculture and employment, and divisions between different areas of Yugoslavia because of those massive economic pressures. Its Government were obliged by the terms of the International Monetary Fund and others to cut social expenditure to meet their requirements.

The Yugoslavian tragedy is that the country has been placed in a position similar to many African nations. Almost all the tragedies in Africa are associated with similar economic conditions and backgrounds. Only a few nations, such as Tanzania, that have had considerable international debt have been able to avoid break-up and conflict such as occurred in Yugoslavia.

Secondly, the former Yugoslavia was destroyed from outside by the German-inspired recognition of the secession of two of the richest republics in Yugoslavia: Slovenia and Croatia. The recognition of Slovenia and Croatia and the conflicts that followed led to the crisis in Bosnia. We must recognise the background to the present situation for which the world community has a serious responsibility.

Mr. Gill: Is not the significance of the German recognition of those two states the fact that it happened at a time when the European Union was talking seriously about a common foreign policy? That shows that when national interests come into play, some countries will break away from the common approach and take action that proves to be damaging to the general good of the European political scene.

Mr. Barnes: I realise that the Conservative Government had some responsibility for agreeing to those arrangements and to that recognition. They responded to those pressures, and did not take action to try to sustain the position of Yugoslavia, to rebuild it and to encourage multi-ethnic links.

Mr. Andrew Tyrie (Chichester): Will the hon. Gentleman give way?

Mr. Barnes: I want to make some progress.

The economic and political circumstances that I have described enabled Milosevic, Tudjman and Izetbegovic to play the ethnic card. The horrors that we have witnessed are their responsibility and that of others involved in this terrible conflict. That card is now being played in the Serbian-KLA conflict in Kosovo.

Mr. Tyrie: The hon. Gentleman seems to have completely missed the most important cause of the collapse of the former Yugoslavia, which was the rise of Serbian nationalism driven by Milosevic. Milosevic initiated Serbian nationalism in a dispute in Kosovo, and that subsequently led him into ill judged military adventures in Croatia. The idea that the IMF or Germany alone were largely responsible for the collapse of the former Yugoslavia misses the key ingredient, which was Serbian nationalism led by Milosevic.

Mr. Barnes: My argument is that Serbian nationalism led by Milosevic was a key element in the conflict, but the circumstance that allowed him to play the ethnic card was the collapse of Yugoslavia through the economic and political pressures from outside its borders. That in no way excuses Milosevic. For a long period, the political leaders of Yugoslavia had not played the ethnic card: there was considerable pressure during the time of Tito and others not to do so. When the circumstances changed, Milosevic used it—initially in Kosovo. He met Serbs in Kosovo and gave in to the pressure. He later went to rallies where he played the ethnic card and has used it since in the most terrible way. He is utterly to be condemned.

However, we should not ignore the background to the collapse of the former Yugoslavia or deny our responsibility for it. If we do so, we shall be ignoring the fact that international action must be taken to ensure that such conflicts are removed from the world and other opportunities are advanced.

Dr. Starkey: If my hon. Friend is implying that western nations have responsibility for this situation, does that not make the argument even stronger that we should now intervene to stop the current undoubted humanitarian crisis?

Mr. Barnes: I suggest that my hon. Friend should wait to hear my conclusions. She may be somewhat surprised by them.

[Mr. Barnes]

Once the conflict had broken out between Croatia and the Serb paramilitary forces, it was difficult to find a means of preventing or containing ethnic cleansing from outside—although I noted the earlier observation by my hon. Friend the Member for Liverpool, West Derby (Mr. Wareing), on Krajina, that we might have been able to act against Croatia to that end. Two considerable powers were in conflict, both receiving logistic and political support locally that squeezed out those who were trying to establish peace and reconciliation. It was necessary to resort to different areas for defence.

In such circumstances, international intervention was awkward, although many brave people in the wider Yugoslavia stood up to press for peace and reconciliation. In the early days of the conflict, a "peace caravan" travelled through Croatia and Serbia. It was similar to the "peace train" that travels between Northern Ireland and the Republic in a bid to end paramilitary activities in that island.

When the conflict reached Bosnia it was three-sided, and it had changed in logistical terms. The paramilitary groups belonging to the Muslim forces were weaker, and were in defensive positions. I felt that effective external action could have been taken then, but it was not taken until late in the day. At the time, I advocated the use of United Nations forces in Bosnia to block the entry of Serbian and Croatian military supplies, which I thought would ease the tensions. I also advocated the establishment of safe havens—not the safe havens that were ultimately established, but havens that would be protected by United Nations forces, and would seek to create cross-ethnic municipal administrations. That might have led to a rebuilding of some of the characteristics of the old Yugoslavia, in which people were willing to work together. Instead, we had to wait and wait, until the bombings and the Dayton accords.

Now we return to Kosovo, where for the first time a major political leader—Milosevic—played the ethnic card. In June 1989, addressing 1 million Serbs, he claimed that armed conflict to establish a stronger Serbian stance should not be ruled out, even at that early stage. In the conflict between the Serbian troops and the KLA, ordinary Albanians are caught in the middle. Similarly, ordinary Serbs and, for instance, the Hungarian population in Vojvodina in the north have been caught up in the conflict, sometimes directly and sometimes in economic terms, as a result of hyperinflation and similar difficulties experienced by Yugoslavia. The sanctions regime did nothing to help; indeed, it exacerbated the problems to a disgraceful extent. We should have been concerned about the taking of such political action.

Mrs. Alice Mahon (Halifax): Sanctions are hitting the emerging democracy of Macedonia very hard. The people there are suffering through no fault of their own, when they are trying to assist the peace process.

Mr. Barnes: I am now opposed to the use of sanctions as political weapons by outside nations—whether against Iraq, Libya or Serbia—unless there are clear signs in the country concerned that the mass of the population feel that sanctions will help their purposes. When sanctions were imposed against South Africa, the African National Congress supported them. Those sanctions were justified, as became clear later when it was made plain that the ANC spoke for most of the South African people; but I am reluctant to support sanctions in different circumstances, partly because there may be knock-on effects in neighbouring countries.

Given the mess that confronts us now, it is too late to turn the clock back. In the current circumstances, we cannot build a multi-ethnic Yugoslavia, although that does not mean that we should not have such an objective. We must ask ourselves whether bombing is the only option in our attempt to protect the Albanians of Kosovo. Certainly, it involves serious problems. NATO, not the United Nations, is doing this; but we know that it could not be done by the United Nations, because it would not be passed by the Security Council. Given that fact, should we simply stand by without resorting to some other tactic?

We should be very worried about action that amounts to the invasion of a sovereign state; but should we rule out such action in all circumstances, even when the most heinous forms of human abuse are being perpetrated? However hard people try to ensure that only military objectives are met, there are bound to be civilian casualties. We must weigh that against the potential ending of the action of the Serb forces against the Albanians of Kosovo.

It has already been suggested that Serbian elements may retaliate by threatening to launch further attacks on the Albanians if the bombing continues. The Yugoslav people will hate the situation, and will turn to their Government for protection—a Government including fascists such as Seselj, whom we should certainly not encourage. Moreover, the conflict could well spill over into other areas that are already experiencing conflict. None the less, I feel that at this juncture there is no other honourable way in which we can seek to protect the Albanians in Kosovo.

No one is willing to risk putting ground troops into Kosovo itself; so how else can we seek to protect the Albanians? People might not expect me to say this, given the stance that I adopted in regard to the Gulf war, Iraq and other conflicts. I was opposed to bombing, on the ground that it was counterproductive. In reluctantly supporting the proposed action, I do not want to give NATO a blank cheque: our Government's continued support for NATO's action must be highly conditional, and we must be able to monitor it closely. At least the American Senate has been able to vote on what should happen. I think that our Parliament should be able to vote before our troops are involved. That, however, is a problem related to our constitutional system and the fact that our Prime Ministers operate using the royal prerogative—a wider problem, but one that we need to tackle.

In supporting NATO, we must constantly insist that only military targets should be hit—although civilians will of course be hit too—and that the action should stop whenever Milosevic moves towards a compromise. It is also advisable to persuade the Germans to end their involvement in the military activity, because of the reaction that it is creating among the Serbian population owing to their history. Those are not matters that we should take lightly. I accept that Germany has a democratic system; it is within the western community. It

is an entirely honourable nation, but given that Germany recognised Croatia and has joined in the attacks, the Serbians' perception of the matter is a serious problem.

Mr. Alan Clark: The hon. Gentleman is right to draw the House's attention to the sensitivity of using Germans. Does he know how many Serbians who are now being attacked by British and American aircraft lost their lives in the second world war helping air crews that had been shot down—

Mr. Denis MacShane (Rotherham): They are dead, now.

Mr. Clark: Of course they are dead, as the hon. Gentleman rather tastelessly interjects. They lost their lives helping our air crews to escape.

Mr. Barnes: They lost their lives helping our air crews to escape. A perfectly decent system began to be established in Yugoslavia after the war. It was a communist regime. It had the problems of centralism, although that was used to keep the forces together. It tried some decent experiments in economic democracy through worker self-management, which many of us had high hopes for. We wanted the political element of that system to be established at the same time, however.

There was great hope for Yugoslavia, which came out of the communist system with some economic potential, although there were still pressures. It could have been a nation that we would have wanted to be associated with, a nation to be proud of, a nation that we might have wanted to have all sorts of links with and connections in. If that had happened, we would not be in the mess that we are in today.

Mr. Frank Cook (Stockton, North): Will my hon. Friend consider the difference between the example that was posed by the right hon. Member for Kensington and Chelsea (Mr. Clark) and the position today? Is it not true that NATO is targeting military sites to dismantle a military capability, rather than indiscriminately bombing the Serbian population, so the comparison that has been drawn is entirely invalid?

Mr. Barnes: I seriously hope that what is being done is exactly what the Government described and said would be done—the NATO objectives. I hope that the people who are planning these activities do not decide that, for some strategic or other reason, other actions have to be taken, directed against civilian populations. That is why we must keep a eye all the time on what is taking place and be willing to condemn that which we feel is unacceptable. We may have to revise our assessment of what we think is justified, but the action, if it is restricted to those objectives and is examined by us carefully, is justified in current circumstances.

Because of the problems and needs of the area, we should look beyond the current situation and consider how on earth we can build and rebuild peace and reconciliation throughout former Yugoslavia. I shall suggest some things that we might do, but already a number of problems need to be confronted following the action that has taken place.

Why is it that the Novi Sad area in Vojvodina—right in the north of the country—has been attacked; it has a Hungarian-based population? Is that important for strategic reasons? The same argument applies to Montenegro. Why have attacks taken place in Montenegro? Is it that key radar and other installations needed to be taken out as part of the attacks on Pristina and Belgrade? If so, have they been successful? Will that be an end to activities in Montenegro, which is an area of Yugoslavia that has been attempting to detach itself more and more from the central regime in Serbia?

I hope that it is clear from my remarks that I believe that the correct position was determined by what occurred economically and politically outside Yugoslavia, and that we therefore have a great responsibility to seek to knit together again multi-ethnic institutions throughout the area—institutions in what are now new nations, and institutions between new nations; we should seek to work for that.

If I were to accept that that could not be done in Yugoslavia, I would pack up politics because I believe in people coming together, sharing, associating with each other, working together for their common interests and their common improvement. I believe that that can be done not only in a difficult area such as Yugoslavia, but in African nations and on a world basis. It is an objective that we should all have. We should look for the means by which to achieve it.

In doing so, we should seek to work with those people in former Yugoslavia who want exactly those things. It is not that no one there has thought through the problems and difficulties and still see themselves as Yugoslav, rather than Croatian, Serb, Bosnian, Albanian Hungarian or whatever; they see themselves as part of a common body together, and having common concerns and interests. There are people there with democratic spirits who are concerned with social well-being and social welfare. We should direct ourselves towards those objectives, rather than the easier objectives—things that are easier to identify. We are bombing those areas to try to get simple solutions. As necessary as that might be, it is no use if it is not part of a much broader picture, in which we should be involved.

Several hon. Members *rose*—

Mr. Deputy Speaker: Order. Before I call the next hon. Member to speak, may I inform the House that many Members want to speak? Shorter speeches will mean that some will not be disappointed.

2.47 pm

Mr. Bowen Wells (Hertford and Stortford): I preface my remarks by saying that of course no hon. Member welcomes the sight of the atrocious behaviour of the Serbs in Kosovo, or, indeed, in Bosnia-Herzegovina, Croatia or Slovenia. The activities that we have seen on television are to be wholly condemned. I bow to no one in my fury and condemnation of such atrocious humanitarian offences, but we have to conduct ourselves in a legal way, and in a way whereby we can consistently seek peace not just in Yugoslavia but throughout the world.

The hon. Member for North-East Derbyshire (Mr. Barnes) has reminded us of the background to the history of the conflict, which began with an action on the part initially of the German Republic under Mr. Genscher—I call it Genscher's revenge. Against the better judgment of the then Foreign Secretary, Lord Hurd,

[Mr. Bowen Wells]

he decided to recognise Croatia and Slovenia. That was an illegal action. It was outside the United Nations—it was outside all commonly perceived ideas of the UN and, indeed, of international rule of law. That is what started it. At that point, the Serbs, or all those who wanted to keep Yugoslavia together, were perfectly justified in taking up arms against that decision. They should at least have been given a proper hearing at the United Nations. The Security Council should have discussed the matter and, if it was impossible to keep Yugoslavia together because of the differences between the republics within that country after the fall of Tito and the end of the cold war, Yugoslavia should have been divided in an orderly way, however difficult and prolonged those negotiations might have been.

Mr. Frank Cook: Does the hon. Gentleman agree that the most provocative element of that episode was that the new Croatian constitution made the Serbs of Krajina into second-class citizens?

Mr. Wells: That is right. As a result of that action not being properly negotiated, many serious injustices took place and ancient passions were inflamed. We cannot ignore such passions because they keep coming to the surface, whether in Northern Ireland, Rwanda, Sierra Leone or anywhere where difficult human relationships have to be faced. That is why we should remind ourselves of what we are doing and of the fact that we must have the rule of international law, however frustrating it may sometimes be.

I want to talk about the legal aspects of what we have done because, in my view, it is illegal.

Mr. Wareing: On the recognition of Croatia, I am sure that the hon. Gentleman will be interested to know that an article written in *The Times* by the now Lord Hurd on 3 December 1991 supported the continued recognition of Yugoslavia and the non-recognition of Croatia. He changed his mind seven days later and I have an idea that that had something to do with the opt-out that Germany supported for us in the Maastricht treaty.

Mr. Wells: That is interesting speculation. I also looked up the report of the Foreign Affairs Committee, of which I know the hon. Member for Liverpool, West Derby (Mr. Wareing) is now a distinguished member. The 1991 report shows Douglas Hurd giving evidence and saying that he opposed the recognition of Croatia and Slovenia. I asked him why he eventually went along with the recognition. He said that we had so recently established the foreign affairs pillar of the Maastricht treaty, in which the European Union agreed to work together on foreign affairs, that he thought it would be discourteous to Germany, which said that it would unilaterally recognise Croatia, if we did not go along with that. I think that that was major mistake.

I want to look at the legalities. I saw the Minister of State, Foreign and Commonwealth Office, the hon. Member for Manchester, Central (Mr. Lloyd), on "Newsnight" last night with Jeremy Paxman. They were talking about the legality which, if I quote the hon. Gentleman correctly, revolves around the necessity of upholding the view of the United Nations on the issue of whether gross offences against humanity were being committed, since one of the objectives of the United Nations is to prevent such offences. I wonder whether the Minister or his officials have looked at research paper 99/34, produced by the Library. It talks about article 2(4) of the UN charter which states that

"all Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the purposes of the United Nations."

The Library paper states:

"It has sometimes been argued that the prohibition in Article 2(4) on the use of force 'in any other manner inconsistent with the purposes of the United Nations' implies that the threat or use of force in a manner consistent with those purposes would be legal. However this is not a position that is universally accepted."

Indeed it has not been accepted and we need to be on our guard. Since the end of the cold war we have begun to transgress the normal international rule of law on these matters. My right hon. Friend the Member for Bridgwater (Mr. King) remarked on our intervention in Turkey to defend the Kurds, with which I entirely agreed. That was covered by the same article as that under which we were acting to prevent Saddam Hussein's takeover of Kuwait. This matter is not covered by that article.

We are getting into the habit of consistently going in on one side of a civil war in many countries—this is one of them. The arguments given to us by the Foreign Secretary today were the arguments of a partisan. His arguments, and therefore those of the country he represents, were on the part of one side of a civil war. That precludes the Foreign Secretary, this country and its allies bringing about a proper peace which can be seen to be just and acceptable by all sides of a civil war. Civil wars are the most difficult, protracted and bitter disputes in which countries can indulge.

In the light of the illegality of—

Dr. Starkey: Will the hon. Gentleman give way?

Mr. Wells: I will not give way at the moment.

On the television last night we saw President Yeltsin talking passionately about how the wrong action was being taken. We could see then the intervention of another partisan, this time on the side of Serbia. Russia is, of course, dangerously allied with China, which is a major friend of Albania and has been for many years.

By ignoring our obligations to take these matters back to the UN and back to the frustrations of the Security Council—I understand those frustrations—which is what the Secretary-General, Kofi Annan, has said we should do, we are in danger of beginning to fight a civil war on two sides. It would involve Russia, its friends and allies and China on one side, with the United Kingdom, the European Union and the United States on the other. That is not likely to produce peace. We must try to produce peace in this tragic situation. That may involve force, but if that force is to be applied, and seen to be applied, even-handedly, it must be authorised and backed by the entire United Nations, including the major powers of Russia and China.

We must tell our Government, the European Union and the United States to go back and negotiate. They should bring in Russia and China and talk and talk and talk.

Dr. Jenny Tonge (Richmond Park) *rose—*

Mr. Wells: I must give way to a fellow member of the Select Committee on International Development.

Dr. Tonge: I am interested in what the hon. Gentleman is saying; but does he not think that all those avenues have already been explored, and that talking has gone on for long enough? If his solution is to return to the negotiating table, how will he protect the people of Kosovo while that happens?

Mr. Wells: The people of Kosovo will have to be protected and we shall have to find a means of doing so. [HON. MEMBERS: "How?"] I am being tempted to go on for longer than I anticipated. A ceasefire must be negotiated in the same way as one was negotiated last September. The idea that there cannot be negotiations and that a ceasefire cannot be—*[Interruption.]*

Mr. Deputy Speaker: Order. The hon. Gentleman may be saying things with which other hon. Members disagree, but he must be given a hearing.

Mr. Wells: We should not despair of securing a reasonable ceasefire and a protection mechanism. That can be achieved and the effort has to be made. However, I agree that we must prevent continued violence by the Serbs against the Kosovars and a regrouping and rearming of the Kosovars to fight a more vicious war.

Dr. Starkey: Will the hon. Gentleman give way?

Mr. Wells: No, I shall not give way. I hope that the hon. Lady will have an opportunity to speak.

I should like to make just one more point before I finish—I know that a lot of others want to speak. We have heard from the Government and from every quarter in NATO that ground troops will not be used except as peacekeeping forces. The wool is being pulled over our eyes. A bond to the peace table cannot be produced simply through the use of missiles and air forces. Ground troops will have to go in and they are going to have to fight their way in. I expect that the Foreign Secretary will come to the House and say that NATO has been forced to use ground troops. Make no mistake—this policy will lead to the deployment of ground troops and to the exacerbation of the situation. Turkey may be brought in and the affair may enlarge until it engulfs Europe.

3.2 pm

Mr. Tony Benn (Chesterfield): The House knows that I am opposed to the action that has been taken. I hope that there is a Division tonight. If there is, I shall vote against the war.

I may secure more agreement in the House when I say that this debate should have taken place months ago. Some of the speeches that we have heard show that the House contributes experience and knowledge to issues in a way that a Foreign Office brief cannot. If the Foreign Secretary had heard the speech of the hon. Member for Hertford and Stortford (Mr. Wells), with which I agreed, he would realise that it was wrong for British troops to be committed to war without the House of Commons discussing the matter. That is not just a constitutional question. The Government could have tabled a motion in support of their action whenever they liked. They did not do that because they did not think that Parliament mattered. I say that with some feeling.

We agree that there is a terrible humanitarian crisis. It is a civil war. For anyone who has any doubts about my view of Milosevic, let me explain. I am bitterly opposed to Milosevic. Why? Because, faced with a political problem, he used force—the same reason why I am against the Government's action. If Milosevic had had any sense, he would not have withdrawn autonomy from Kosovo and he would have realised that the problem had to be resolved by getting round the table with the Kosovars, but he did not do that. NATO has come along and repeated the mistake on a bigger scale.

Dr. Julian Lewis *rose—*

Mr. Benn: I have only a short time, because so many people want to speak. I hope that the House will allow me to continue, unless I provoke anyone unduly, which I do not mean to do. I have an opinion, but I do not intend to express it in language designed to provoke.

When we are told that so many extra thousand people have become refugees in the past few days, we have to recognise that the air strikes have made the situation worse. The monitors have been withdrawn because of the bombing, so there is nobody there to look after the area—and faced with the likelihood of an attack, the Serbs have moved their troops across the country. Whether their troops are there to repress the Kosovars or to defend their border I do not know, but if this country were threatened with a possible invasion, we would send people all over to prepare.

I do not accept for one moment the reason given by Ministers for the war. They say that it is a war for humanitarian purposes. Can anyone name any war in history fought for humanitarian purposes? Would the Red Cross have done better with stealth bombers and cruise missiles? Of course not. War is about power, for the control of countries and resources. The other humanitarian crises that have been mentioned are informative—the Kurds, the Palestinians and the people of East Timor. The British Government are still arming the Indonesian Government when they are repressing the people of East Timor. What is the basis of that? I am not asking the Government to go to war with Indonesia, but do they have to go on arming the oppressors?

Those arguments create doubts about the credibility of the operation. Up to 5,000 Iraqi babies die every month according to the Quaker Irishman Denis Halliday, who was in charge of the United Nations oil for food programme. Is that humanitarian? When I hear Ministers say that we have gone to war to prove that NATO is credible, by God I shiver. The argument that we have to kill people to show that we are strong does not carry any weight with me or with the rest of the House.

Many people have spoken about the history, including my hon. Friend the Member for North-East Derbyshire (Mr. Barnes). Kosovo has been in Yugoslavia for many centuries. The Yugoslavs were under the Turks for a long

[Mr. Benn]

time and fought them very hard. Then they were under the Austro-Hungarian empire, which they also fought very hard. The Archduke was killed at Sarajevo by a Serb nationalist. I have been to the spot where it happened.

During the war, the Nazis set up a fascist Croatia and, as the right hon. Member for Kensington and Chelsea (Mr Clark) said, hundreds of thousands of Serbs died. Fifty years ago tomorrow, Prince Paul of Yugoslavia signed a treaty with Hitler. The following day he was overthrown by Simovic. In the House of Commons, Mr. Churchill, who was not talking about the leadership of any particular Yugoslav Government, said:

"I therefore turn to the story of Yugoslavia. This valiant, steadfast people, whose history for centuries has been a struggle for life, and who owe their survival to their mountains and to their fighting qualities".—[*Official Report*, 9 April 1941; Vol. 370, c. 1592.]

When the Serbs took on Hitler, Russia was neutral and America—the great America—had not come into the war because it had not yet been attacked at Pearl Harbour. The Serbs took on the Nazis and until the day that I die I shall be grateful for that.

If I may be allowed one other personal reference, I joined the Home Guard that week. I was 16. I was given a tin hat, a uniform, a gas mask and a rifle and was sent out at night with a bayonet because we were told that the Nazis might land by parachute. We were also told that they might come disguised as nuns. I am glad that I never met a nun on those nights. By God, even if we forget our history, the Serbs do not forget. A Serbian woman of about 85 rang and told me the story. She said that she was in Belgrade when Simovic overthrew Prince Paul.

The House suffers from its lack of knowledge of history. I was in a debate on television with a fellow Labour Member of Parliament who said that he thought that the Serbs had fought with the Germans. I do not blame him for not living through it, but an interest in history is a requirement for credible politics.

My hon. Friend the Member for North-East Derbyshire rightly pointed out that the International Monetary Fund broke up Yugoslavia by imposing such a debt that the richer republics thought that they would do better outside. As the hon. Member for Hertford and Stortford said, Genscher helped to break it up. He boasted when he left the German Foreign Office that the disintegration of Yugoslavia was his greatest achievement. Why we went along with that—whether it was as a trade-off for our Maastricht opt-out—is a matter for speculation, but it is certain that we did and now we are witnessing a war for control of the Balkans.

The Kosovo Liberation Army—some people might call them terrorists, but I do not want to use extravagant language—is armed and supported by the Germans and the Americans. Who did the Americans put in charge of the monitoring forces? Ambassador Walker. And what was he doing 10 years ago? He was financing the Contras against the Nicaraguan Government under the authority of Reagan, for whose actions Clinton has recently apologised. Is it not worth looking back a little before the day that we were born? We have provided the KLA with an air force and called it NATO. That is what it wanted all along. We are told that Kosovo is to be a protectorate. Has international law advanced to the point where, if we do not like a country we can take one of its provinces and call it a protectorate? That reminds me of Victorian England, which was a bit before my time.

This is a war of aggression, I regret to say, because the United Nations is the only body authorised to use force, but Britain and America will not go to the Security Council, because they are afraid that Russia would use its veto. Russia has a greater geographical interest than we have. The Americans can hardly use the veto as an argument, as they have used 27 vetoes to protect Israel when the Security Council would have disciplined it for many breaches of resolutions, including when it invaded southern Lebanon.

What this is all about, apart from the domination of the Balkans, is the setting up of NATO to replace the United Nations. Poland, Hungary and the Czech Republic have been brought in. It seems to me that, with all those countries' problems, the need to rearm would be one of the lowest priorities of all, but the arms industry in America will do very well out of the extension of NATO. NATO is redefining its objectives. Its main objective now is to cut itself loose from the discipline of big power unanimity, which lies at the heart of the UN charter.

It upsets me when British Ministers describe anything that the Prime Minister and the President do as "the international community". That claim does not bear examination. We are in a minority in the world on many issues. I greatly regret the fact that we take our orders from Washington. That is not because I am in any way against the Americans, as some of the most radical traditions in the world are American.

Six months ago, the Americans bombed Sudan on the grounds that chemical weapons were being made there, and the British Government went along with it, but nobody believes that there were any chemical weapons in Khartoum. We took our orders from Washington. I do not want to be disrespectful, but when President Clinton makes a statement, I no longer feel obliged to believe that it is necessarily the truth.

I do not want to be a scaremonger, because we do not know what will happen, but bombing does not usually achieve its objective, although it may have some marginal influence. The Prime Minister said that it would take 100,000 to 200,000 ground troops to occupy Serbia, and I doubt whether the Americans are ready to put in that number of bodies, because of the Vietnam war. They would be happy for the Europeans to go in, but the Americans would be happier outside in their stealth bombers and behind their cruise missiles.

The Serbs have always fought extremely hard. There is a danger of the conflict spreading. As my hon. Friend the Member for Linlithgow (Mr. Dalyell) asked, if Russia decides to send support to Serbia, will the planes be shot down and the ships attacked? Will it be held to be a breach of the United Nations charter? We are breaching it, but we are told that that is for humanitarian reasons.

People talk of appeasement. Some of the most valiant chairborne soldiers in the country live in the House of Commons, some of them on the Labour side. Anyone who has been in the Army knows what the chairborne troops are: they fight from their office desks. There was no appeasement of Hitler before the war: Chamberlain supported him. That is a much more serious charge.

Anyone who has read the captured German Foreign Office documents will know that Lord Halifax, the Foreign Secretary, was sent to see Hitler in Berchtesgarten—I have the transcript at home—and said, "Herr Chancellor, on behalf of the British Government I

congratulate you on crushing communism in Germany and standing as a bulwark against Russia." Like it or not, that was not appeasement but support. If we had taken a position against Hitler earlier—I am not suggesting a war—we could have stopped the matter there.

We represent our troops. I do not know if there are any pilots from Chesterfield, but their wives or families may well be there. We had no chance to speak for them before they were committed to battle. It is not right to send young men and women into battle and then shelter behind them. In the Suez war in 1956, I had a letter from an RAF pilot in Cyprus who wrote, "I am in the RAF and I think this is a war of aggression. What shall I do?" I wrote back and said, "I share your view, but I am not telling you what you should do, because you are under orders as an officer." It is not reputable to hide behind the troops whom we have sent into battle.

I want to say something else, which I hope is not too strong. I wish there were more interest in soldiers who fought in previous wars. What about the Gulf war veterans exposed to depleted uranium? Where is the support from the Government for them? Our boys in uniform are lauded as heroes when they fight, but later they have to queue up at the dole office and try to get a means-tested grant. They are told that we do not have the money. Why? Because it has been diverted to a humanitarian war to kill more people.

Mr. Tony McNulty (Harrow, East): What my right hon. Friend is saying is extremely interesting but will do nothing at all for the people of Kosovo. What is the alternative strategy?

Mr. Benn: My hon. Friend may not come to the House often, but I have been arguing it—*[Interruption.]*

Mr. Deputy Speaker: Order. Until now, the debate has very good-natured and temperate. We must keep it that way.

Mr. Benn: I know that it is very offensive to people to hear an argument that they do not like, but I am giving it and—*[Interruption.]*

Mr. Deputy Speaker: Order. There is a lot of noise in the Chamber. The worst thing that can happen is if the Deputy Speaker keeps getting to his feet, so that no one gets to speak except the Deputy Speaker. I do not want that.

Mr. Benn: I will come to the question of what should be done at the end, which is where one would normally put one's proposals. There is great opposition to the war, and not only from a little left-wing clique, as was demonstrated by the speech of the hon. Member for Hertford and Stortford. Henry Kissinger is against the war, as are 41 senators. Sky Television had a poll yesterday—although I do not have much time for Murdoch or polls—and 55 per cent. were against the war and only 45 per cent. in favour.

Do not believe that wars are popular. They are marvellous the day they break out and everybody is happy, as they sell newspapers and boost ratings and make commentators into world statesmen but, by God, when the consequences become apparent there might be a very different attitude. I was opposed to the Suez war and spoke against it in the House. Looking back, I have no regrets for issuing a warning on that occasion.

We are asked what should be done. The hon. Member for Hertford and Stortford told us: the United Nations should convene a peace conference, without the threat of bombing that came from NATO. The Russians and the Chinese would support that, the bombing would halt and the humanitarian aid would go in. If we are in a jam, so is Milosevic. He has to find a way of living with the people of Kosovo. For him to be faced with the reality that confronts him is the best chance of peace, but killing people does not automatically solve problems. It did not work in Iraq.

No amendment has been tabled, as that is not permitted, but as in the Norway debate in 1940, we can vote against the Adjournment. I shall do that tonight, with a very heavy heart. I have been in the Labour party for 57 or 58 years and have been a Labour candidate 17 times in parliamentary elections, and I never thought that I would be asked by my party to vote for a war against the charter of the United Nations, in a way that could make the situation that confronts the world far more serious.

I hope that the House will accept that for me to go into that Lobby tonight will be one of the most difficult things that I have done, but it is something that is absolutely essential if we are to stand true to the values on which the Labour party rests, of internationalism, peace and the peaceful settlement of disputes.

3.19 pm

Sir Patrick Cormack (South Staffordshire): Nobody could for a moment doubt either the sincerity or the passion of the right hon. Member for Chesterfield (Mr. Benn). He is an adornment to the House, and rightly won a recent award as speech maker of the year. I pay tribute to him as a parliamentarian par excellence and I share his love of history, but I am afraid that I cannot share his interpretation of it. I believe that his speech, passionate as it was, was profoundly wrong in many particulars.

The right hon. Gentleman said that he could not remember a time when we went to war for a humanitarian cause. I would say that going to war against Hitler was going to war to suppress evil.

Mr. Benn: In all fairness—this is an important point—we did not fight Hitler because of his persecution of the Jews; we fought because he challenged the power of the west. When Hitler died in 1945, the obituary in *The Times* did not mention the holocaust. I contributed in a minor way to the war, but that war was not about human rights—it was a bit more than that.

Sir Patrick Cormack: I am afraid that the right hon. Gentleman and I will have to agree to differ on that. *[Interruption.]*

Mr. Deputy Speaker: Order. The hon. Member for Hackney, North and Stoke Newington (Ms Abbott) must be quiet in the Chamber. She has come in late in the day, and I can hear her quite often. I enjoy listening to her, but not at the moment.

Sir Patrick Cormack: Hitler was monumentally evil, and we went to war to defeat the monumental evil that Hitler represented.

[Sir Patrick Cormack]

My hon. Friend the Member for Hertford and Stortford (Mr. Wells) made an excellent speech—but, again, it was a speech with which I could not agree. He made some perfectly valid and interesting points about the recognition of Croatia. However, he did not say that at the time Croatia was being recognised—December 1991—Milosevic's tanks had already done terrible damage. Milosevic had already unleashed an onslaught against innocent people. His evil was already apparent.

I do not like to say, "I told you so", but I wish to refer to the very first debate that took place in this House on the Balkan war. It took place in the small hours of the morning on 12 December 1991—a debate on the Consolidated Fund, which we do not have now. I initiated the debate on the situation in Croatia because I was deeply disturbed by what was happening. I said that we should take as a reason for intervening the fact that Dubrovnik, a world heritage site, was being shelled, and that there was proper reason for us to put in a naval and air patrol to deter Milosevic at that time.

I said in the debate:

"I hope that a message can go out that there is a new resolve in the west and that we are determined to ensure that the killing, the destruction and the brutality stop".—[*Official Report*, 12 December 1991; Vol. 200, c. 1162.]

It did not stop, because it was not possible for the west to get together and to act against Milosevic.

A year later, I went to Edinburgh at the time of the Edinburgh summit to take part in a rival summit, called to highlight the problems in Bosnia. At that rival summit, the then Foreign Secretary received most courteously Haris Silajdzic, the Bosnian Foreign Minister, who made one of the most moving speeches that I have ever heard.

Haris Silajdzic said that we may have thought that there was nothing worse than killing a child, but there was—killing a child after having tortured it. He said that we may have thought that there was nothing worse than raping a woman with the most ghastly force, but there was—doing that, and then herding women into rape camps and killing them. It is under Milosevic that those things have happened, and they have happened year after year.

We have seen nearly a decade of unmitigated evil under the leadership of one of the evil geniuses of the 20th century. If NATO has any justification at all, it must have a moral imperative. To allow these things to happen in our continent is, frankly, shaming to us all.

I support without reservation and with absolute fervour what the Government are doing. I support totally the statesmanlike and supportive speech from the shadow Foreign Secretary, my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard), today. I am delighted that Members on the two Front Benches are in such accord—as they should be at a moment of international crisis.

I regret that action has taken so long, as does my right hon. and learned Friend, but I understand that the Government—like the Conservative Government over Bosnia—tried time and time again to bring Milosevic to the negotiating table, to get him to agree and to get him to act as a decent human being.

Let us not forget Edmund Burke:

"The only thing necessary for the triumph of evil is for good men to do nothing."

Perhaps good men have not done enough, quickly enough. Milosevic has been in power now for a decade, and has laid waste to Bosnia and caused tremendous damage in Croatia. Now he is suppressing—with a brutality that has not been surpassed since the days of the holocaust—the Albanian people of Kosovo.

There have been atrocities on all sides, of course. Of course, things have taken place of which we would all feel deeply ashamed. However, the great majority of those deeds of evil have been committed at the behest of Milosevic. It is right and proper that we should be taking action, and I rejoice at the fact that it is the whole of NATO that is taking action. As the Deputy Prime Minister pointed out last night, and as the Foreign Secretary underlined this afternoon, this is a united NATO action, supported by all the nations of NATO—that means the new nations, also.

Yesterday, I had the privilege of talking to the Hungarian ambassador. Hungary is one of the newest entrants, and it now forms—as the Foreign Secretary said—NATO's border against Serbia. Is there anything strategically or morally defensible in allowing the rape of a people and the laying waste to a country just across the border from NATO by a man who is obsessed with power and motivated by evil? That is what the action is about.

There are great risks, and the risks are greater because we have taken a little longer than we might. However, we should not be speculating about difficulties this afternoon. We should be giving the united backing to our troops that they deserve. We should accept that those who are in charge of the operation are not tyros who know nothing about military strategy or aerial bombardment; they are men and women of great experience and distinction who know how to conduct a campaign. I believe that they will be able to conduct a campaign with precision, and that they will be able to avoid as many civilian casualties as possible; we profoundly hope and pray that they will.

If Milosevic is brought to his knees—either at the negotiating table or, more rightly, in the dock—we shall have achieved something notable. In this House today, we should be supporting our Government and our troops, who are engaged in a crusade against evil. That is what the action is about.

3.28 pm

Mr. Ken Livingstone (Brent, East): If my right hon. Friend the Member for Chesterfield (Mr. Benn) divides the House tonight, it will be the first time in my 12 years in the House that I will find myself in an alternative Lobby on an issue of international politics. I have had no disagreement with my right hon. Friend's principled opposition to what has happened in many other conflicts. Like him, I have no doubt that the question of Iraq and Kuwait was solely about oil.

However, in my constituency, I have seen over the last decade a stream of refugees—many of them tortured—coming from Milosevic's war zone. I can confirm virtually everything that the hon. Member for South Staffordshire (Sir P. Cormack) said. I believe that Milosevic has used the worst evil possible to rise to political power, to divide his people, to trade on fear and to operate a regime of systematic mass rape, murder and genocide.

The only scandal that remains with western Governments is that we have not indicted Milosevic for war crimes. Too often, we have had to co-operate. Too

often, we have negotiated with him while, year by year, he has dragged his feet as his butchers have worked their way through one part of the former Yugoslavia after another.

I agree with my right hon. Friend the Member for Chesterfield that one is mad to consider any political issue until one has looked at the history.

When I consider the history of Yugoslavia, however, I find many matters that my right hon. Friend has not discovered. Like most analysts of this conflict, he started with the second world war, and the heroic Serb opposition to Hitler. I salute that service, but Yugoslavia was not created during the second world war. Nor was it created with the consent of its component peoples. Yugoslavia is a totally artificial state, created by the great colonial powers at Versailles in the aftermath of war. I cannot conceive of any role for a socialist in defending that legacy of Victorian imperialism.

Yugoslavia was cobbled together across an international dividing line that had existed for 1500 years. The eastern and western Roman empires bisected the land between what are broadly the Croat and Serb areas. It was divided then between the west and the Ottoman empire. A nation was later created by imperial powers for their convenience at the end of the first world war, without consultation with any of the component populations. It brought together people who had a history of warfare, and who shared no common religion and no common language. It is simply amazing that Yugoslavia survived as long as it did.

I remember being in the House in 1991 when the then Foreign Secretary told us, in the aftermath of free and democratic votes by the peoples of Slovenia and Croatia, the British Government's view that there should be no change in the status of Yugoslavia. I asked why. Why, when we celebrate our own independence and nationalism day after day, were we denying the rights to exercise the same freedoms to people who had been subordinated in a wider federation?

When Yugoslavia was set up, it was not a democracy; the old, feudal Serb monarchy dominated it. In the 1930s, Albert Einstein organised a round robin of protest, which was signed by many Members of the House of Commons, denouncing the use of terror by the Serb monarchy against the Croat leadership. That fact is conveniently forgotten when we try to understand why, when the Germans marched in, so many Croats lined up with them. The world had ignored the systematic brutality of the Serb monarch.

We were lucky that Tito—a great statesman—managed to hold the whole package together. But from the moment of his death, it started to unravel. Tito died in 1980. In 1981, there were protests and demonstrations throughout Kosovo as Albanians demanded stronger autonomy and the upgrading of their regional status to equivalence with that of the other six component republics.

The Albanians were not the only ones making demands. In Serbia, the Serbian Academy of Sciences began to stir up nationalism with a notorious report, published on 24 September 1986, that talked about historic injustices to the Serb people. The nation was starting to fall apart.

What would any responsible leader do in that case? Would he try to pull people together? Would he try to build safeguards, or to recognise legitimate demands? Or would that leader do what Milosevic did: go to Kosovo to whip up a fury that could be ridden to power?

Many of my friends on the left view the former rulers of Yugoslavia as wonderful old communists. When one reads the internal debates of the Yugoslavian Communist party in the late 1980s, when Milosevic rose to power, one finds that the old communists warned, one after another, "Beware of what you are doing. Beware of what you are unleashing." There should have been more condemnation of Milosevic then and when he suspended the effective autonomy of Kosovo in 1989.

If we had moved decisively with air strikes when Milosevic first sent his troops into Slovenia—I, along with Mrs. Thatcher, was one of the first Members of Parliament to call for the use of air strikes to stop that armed intervention—we might not face the current disaster. We might not have seen the slaughter and the dismemberment of Bosnia.

What we are seeing is not western or Yankee imperialist attempts to establish control of the region. Let me tell the House why 41 American senators have voted against intervening: they see no interest, and no bounty, in it for America. Intervention is simply about human rights and, frankly, they don't give a damn about that. They are not incipient members of some new Marxist peace party; they are simply saying, "There's nothing in it for us, and who gives a damn if Milosevic is killing Albanians?"

Throughout the 1990s in my constituency, where there is a substantial Muslim community, I have seen the most horrifying stream of refugees. I saw people who had been tortured and driven from their homes because the west was so slow to act in Bosnia. I denounce the atrocities on both sides. The fact that the west was silent as Tudjman organised the driving out of Serbs from Krajina was an outrage. Frankly, he should be under indictment for his crime and for the liquidation of whole Serbian areas in Krajina.

However, that does not justify what Milosevic is doing now to the Albanians. What did Milosevic do when the Krajina refugees arrived in Belgrade? They were not allowed off the train. They were not allowed to seek comfort among their Serb neighbours. They were sent, against their will, to the Albanian areas of Kosovo to tip the balance of the population there. Even now, when Milosevic can have no doubt about the resolve of the west, what were the last images we saw? Serbian tanks systematically obliterating one Albanian village after another.

What about a breathing space? If we were to stop this action, would Milosevic stop the destruction of the Albanian areas in Kosovo? Of course not. He would recognise that breathing space for what it was—a sign of weakness. He would press on, seizing every day, week and month to carry on his ethnic cleansing.

Where my right hon. Friend the Member for Chesterfield and I diverge is that we see different parallels. I see this action not as another Vietnam, but as a classic parallel with the rise of Hitler in Germany. Hitler rose by exploiting fear of the Jews; Milosevic has risen exploiting fear of Muslims. We heard Hitler demand, "All Germans within one state." That is exactly the cry we hear now from Milosevic—"Intervene in Slovenia, in Croatia, in Bosnia; seize the areas so that all Serbs come under one Serb nation." Europe cannot be

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governed in that way. Nationalities are scattered across Europe, and there is no way to draw up ethnically pure communities.

Mr. Dalyell: Curiously enough, I agree with much of what my hon. Friend is saying. Would he address one point, however? If this action is about saving villages, is not the only way in which to do that to send in ground troops? People are reluctant to send in ground troops, but I must ask—gently—whether bombing by itself will do anything other than strengthen Milosevic's hold on his own people. It is a terrible dilemma.

Mr. Livingstone: I hope more than anything that the bombing will deter Milosevic. But we must not let him think that because some voices in the west are raised against the bombing, he need simply hold on long enough for us to lose our will. If the bombing fails, we must not give up. We must not step back and say, "Sorry, we can do nothing more." If the bombing fails, there will be a legitimate debate in the House of Commons and other Parliaments about the need to intervene with ground troops. Let Milosevic consider that the alternative. It is not a matter of whether we continue bombing or stop it; if the bombing does not persuade Milosevic to treat his own people as human beings, the west should not step back and ignore the situation.

If I had seen any sign over the past decade that all this was part of some imperial plan by America, I should oppose it. However, even with all the horrors of Bosnia, Clinton was eventually forced to move only with the greatest of reluctance after American television showed pictures of Bosnian men starving to death in camps. At every stage, Britain and America have been reluctant to act, and slow to act. There has been no grand imperial grab for power. Everyone would rather avoid the problem.

If I have one criticism of successive British Governments, it is that they have been slow to react and have allowed a monstrous tyrant to continue. Others have complained, saying, "Why intervene in Kosovo when horrors happen around the world?" I agreed with my hon. Friend the Member for Tottenham (Mr. Grant) who denounced the fact that the west stood by for so long while genocide happened in Rwanda.

We are no longer in a world divided along ideological lines. In those days, the superpowers often kept some reasonable order in their own areas. The end of the cold war has made a more dangerous and deadly world for many minorities who find themselves on the wrong side of an international border.

It is the duty of the nations that have the military power to protect individual communities from systematic genocide by evil regimes. Milosevic is not a democrat. Every election is rigged, and the media are controlled. I imagine that the vast majority of the Serb people would be happy to see the back of him. Where the west has the power and uses it wisely, I will support intervention. I would have supported immediate intervention in Rwanda.

I disagree with my right hon. Friend the Member for Chesterfield. If on his way home tonight, my right hon. Friend the Member for Chesterfield saw a woman being raped by a group of thugs, he would intervene at the risk of his life. Why should we as a nation stand back when the same thing has been happening on our doorstep for the best part of a decade? My socialism and driving moral force are not defined or constrained by lines drawn on a map, certainly not when they were drawn by imperial powers at Versailles in 1919.

3.41 pm

Mr. Alan Clark (Kensington and Chelsea): We have been waiting for a little while now for the Foreign Secretary to come to this place to deliver an account rendered of his ethical foreign policy and the ups and downs that have attended it. We are still waiting, but he entertained us with a highly specious speech. Much of his reasoning was faulty. He never touched on the central rationale that he should have addressed: why the bombing and killing of civilians in one part of a country are likely to ameliorate the killing of civilians in another part of that same country. He illustrated his argument with absurd analogies such as the claim that 400,000 people in Kosovo are the equivalent of 10 million in the United Kingdom. He referred to the anxieties of the Hungarians, for which there is no evidence. There is no reason why the Hungarians should be anxious. They border not Kosovo, but north Serbia. They probably favour what Serbia is doing in the interests of a strong and stable Serbia. This chain reaction or domino effect argument that people, including the Prime Minister, use is invalid. They never sustain it with historical argument, or even by example.

I must first make a disclaimer by complying with the usual obeisance to the courage and professionalism of our armed forces. Nothing that we say here must be thought to criticise or undermine that. One of my sons was decorated with the Gulf medal and Omani cross. With many of my family having had military careers, I hope that my credentials will sustain my protestations.

British service men have a very clear idea of when they should be committed to action and risk their lives. Hon. Members may have read Sir Michael Rose's book. Our service men are clear about the credentials of those who oppose Serbia. I know from my immediate contacts that many of them regard the Kosovo Liberation Army as a bunch of thugs deeply involved in the drug trade who operate refugee rackets in this country. They do not see why they should stand idly by while the KLA, too, perpetrates its atrocities.

I cast no doubt on the sincerity of my hon. Friend the Member for South Staffordshire (Sir P. Cormack), but a sustained propaganda movement in the dissemination of information has been running for a long time. It has all been consistently anti-Serb, right from the start. The Bosnians maintained a high-powered public relations machine in New York which constantly fed United Nations debates. There is no doubt that many atrocities were committed by those opposed to the Serbs in earlier encounters in what the House agrees is essentially a civil war. We are debating whether to intervene on one side in a civil war. Much of the information is faked, cooked up by PR machines or without real basis. If my hon. Friends or Labour Members do not believe me, they should read Sir Michael Rose's book.

Sir Patrick Cormack: My right hon. Friend is delivering a most extraordinary speech. Does he deny Srebrenica and the appalling atrocities committed against

Bosnia when it was—rightly or wrongly—a fully recognised sovereign state? Does he deny that those things happened?

Mr. Clark: I am saying that an expensive, sophisticated propaganda machine has operated over a long period in one direction. We are not debating history or Srebrenica. For an impartial, objective look at these things, hon. Members should read Sir Michael Rose's account. We are debating whether we are doing the right thing in bombing on a massive scale. One has only to read the headlines in this morning's newspapers to see the triumphalism of many accounts. Last night, I saw a happy scene of young people laughing and joking in a national park in Belgrade. The BBC commentator gloatingly said that they did not have any idea of what was coming in their direction.

Mr. Vernon Coaker (Gedling): Does the right hon. Gentleman deny that what is happening in Kosovo is ethnic cleansing? I was there with UNICEF, the United Nations Children's Fund, a couple of weeks before Christmas. There can be no doubt that the Serbs under Milosevic are trying to achieve ethnic cleansing in the area. With my own eyes, I saw schools that had been shelled and health centres that had been razed to the ground. People talked of families that had been taken out and killed. Refugees were streaming out of Kosovo. That is not propaganda, but the reality of Kosovo.

Mr. Clark: I defer to the hon. Gentleman's personal experience. I do not doubt that he told the House what he saw. But we are debating whether we are within our rights and whether it is proper for us to bomb a sovereign country, effectively an act of war, without the authority of the United Nations or of this House of Commons, in pursuit of the interests of one side in a civil war. Civil wars are horrendous. The hon. Gentleman saw many appalling scenes. Very well; he saw them. They were in the course of a civil war. He did not say what he saw the KLA doing or whether he followed it around. I do not want get into those details. They are not central to this debate. We are debating whether the House should authorise our taking sides in a civil war in the Balkans.

Let us consider the legalities. We are doing this outside the authority of the United Nations. It is no good cooking up the small print of various resolutions; we are acting outside the authority of the UN Security Council. We are told that we have to do it, as the right hon. Member for Chesterfield (Mr. Benn) said, because we have to show that NATO has the macho will to do it—that, if it does not follow up, no one will believe in NATO any longer. One may ask what that matters, but it a pretty thin argument to justify intervening in a civil war.

There are other aspects to which the House should direct its attention. What is the legal position on liability consequent on actions taken in a war that is ostensibly under the auspices of NATO? Suppose, as is highly likely, that one or more cruise missiles land on a factory in south Belgrade making baby materials. Will that company have cause to take action against the Ministry of Defence? Surely it will. What is the basis for that action? Serious consequences flow from recklessly scattering high-explosive ordnance over a country with which one is not legally at war, and those consequences will be addressed in terms of civil liability. Perhaps the Minister will tell us about that in his winding-up speech.

There is an even more serious aspect about which I wish to warn the House. It is likely that the bombing will not work. The Prime Minister, in one of his more facile and idiotic soundbites—to which he is greatly addicted; he repeats them so often that hon. Members get sick of hearing them and we give him a little wave—said that the intention of the last round of bombing was to put Saddam Hussein back in his cage. What does that mean? It is ludicrous. The Prime Minister would not be drawn as to the meaning of that statement—and he certainly would not confirm whether Saddam Hussein was back in his cage.

Given the opportunity, it might be worth our asking the Prime Minister whether he wants to put Mr. Milosevic back in his cage. We could then question the Prime Minister a little more about what that means. I predict that Mr. Milosevic will not go back into his cage, according to any rational reckoning of the meaning of that statement. The bombing will intensify, the targets will become more diffused and then the first hints will be trailed—initially, by commentators and by others in the friendly press and media, and then possibly through oblique answers to questions in the Chamber—and we will be told it will be necessary to commit ground forces up to a certain level, under certain conditions and in certain localities, with appropriate restraints imposed on their actions and so on. We will find that we are committed to taking sides not just from the comfort of our chairs or the safety of our stealth panels, but on the ground. Our kith and kin and our children will be serving in a mountainous guerrilla-dominated location.

The House should think carefully about that prospect. We should not allow ourselves to be conditioned gradually over the ensuing weeks and months into regarding that action as first inevitable and then desirable. The entire Chamber must resist such an outcome.

3.53 pm

Mrs. Alice Mahon (Halifax): I oppose the NATO military action in Yugoslavia. The action has not been endorsed by the United Nations—I do not care what fancy words or phrases may be used—it does not have the unanimous support of the Contact Group on Kosovo, and it contravenes the sovereign status of a recognised state. I oppose the action mainly because I think it is likely to cause more civilian casualties and could lead to an escalating conflict in south-east Europe.

I listened carefully to the Opposition Foreign Affairs spokesman, the right hon. and learned Member for Folkestone and Hythe (Mr. Howard), who talked about a "just" war. He said that the suffering caused should be less than the suffering that we are seeking to prevent. However, I believe that the suffering in south-east Europe could be much worse as a result of this action.

I make it absolutely clear that I have no truck whatsoever with President Milosevic. I saw his barbarous handiwork at first hand when I visited Bosnia and Vukovar in Croatia. Some 80 per cent. of that once beautiful Danubian city has been reduced to mostly rubble, and much of what remains standing is mined. If there were ever a monument to the futility of bombing, it is Vukovar. The present generation should study that lesson.

I have also talked to the Krajina Serbs about mass expulsions and I visited a mass grave. I will not join in the demonisation of the whole Serb nation because it is

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stuck with a monstrous, barbarous leader any more than I will condemn Albanian Kosovars for the murderous activities of the KLA. Hon. Members should stop impugning the motives of those of us who oppose more killing, because we all approach this situation from a different angle.

I have been a member of the civilian affairs committee of the North Atlantic Assembly for seven years. For the past two years, I have chaired the sub-committee for security and co-operation in south-east Europe; so I recently visited many of the countries involved, either directly or indirectly, in the present conflict. A few weeks ago, my hon. Friend the Member for Halesowen and Rowley Regis (Mrs. Heal) and I visited Macedonia, where we had frank discussions with the leading politicians—both Albanians and Macedonians—in the Government. Albanian MPs told us stories about the killings perpetrated by the Serbian Black Hand gang in Kosovo and we discussed language problems and so on.

It is claimed that ethnic Albanians make up 25 per cent. of the population of Macedonia—although most people accept that the number is far greater. The refugees streaming over the border from Kosovo to live with relatives in Macedonia are swelling those numbers. The Macedonians to whom we spoke are extremely worried about the situation. They realise that allowing the NATO extraction force to be stationed in Qumanova in Macedonia is viewed by the Serbs as an unfriendly act. However, they were willing to allow that in order to do their bit towards securing peace in the area.

I asked the Macedonians whether they would allow their territory to be used as a base for aggressive acts against Yugoslavia. Every person said that they would not allow NATO or anyone else to use Macedonia as a base from which to attack either Serbia or Kosovo. It is against the Macedonian constitution to allow its territory to be used for hostile acts against any nation.

I have already mentioned by way of intervention how the sanctions against Yugoslavia are hurting Macedonia. The Federal Republic of Yugoslavia is the largest market for Macedonian products. A serious economic situation is developing, which is very damaging for the Government as unemployment and poverty increase. It probably led to Macedonia's taking the rather naive decision to recognise Taiwan, which has had wide repercussions and prompted the Chinese to use their veto to end the United Nations preventive deployment force—UNPREDEP—mandate in Macedonia.

My committee and I visited EXFOR, the NATO extraction force, and we received excellent briefings from General Valentin and General David Montgomery. One could not help but be impressed by the efficiency of the extraction force. However, the generals pointed out the difficulties and dangers that they faced simply in trying to extract the OSCE observers. They explained that the helicopters could not fly if the weather closed in and that it was extremely difficult to extract a couple of thousand observers if particular bridges or roads were mined. It made me think about the difficulties associated with waging a ground war in that kind of terrain.

I want to refer to the peace process at Rambouillet because my right hon. Friend said that Belgrade was the stumbling block as it refused to negotiate. I have a copy of the Serb contribution to the peace process, "The Basic Elements of Substantial Self-Government in Kosovo". I also have a draft copy of the agreement that NATO tried to impose; there is little difference between the two documents. There are two sticking points. First, an ambiguous passage in the NATO draft document could lead to a referendum that would take Kosovo away from the Serbs. There is no question but that such a referendum could lead to separation and a separate state. The second sticking point is the proposal to put NATO troops on Serbian territory; the Serbs will not go along with that. That was confirmed when I met the deputy ambassador of Yugoslavia and many other Serbs.

The Serbs said that they were presented with an ultimatum, not a negotiating ploy. I think that the Serb case deserves to be put before the House. That is not to condone any of the atrocities that have been committed, but it is only fair that the House hears the Serb case. How would we feel if events in Northern Ireland had escalated out of control and the rest of the world—some of whom thought that we were not doing too well there—had issued an ultimatum through a military alliance, telling us to accept an agreement because, if we did not accept their terms, Aldershot would be bombed? We would be outraged and in uproar. We have to realise how Serbs think about their country. We must try to get away from the massive propaganda that we hear.

The Serbs have refused to capitulate to our ultimatum and, as we know, the result is the bombing, which I think is profoundly wrong. Far from making Milosevic more unpopular, it will strengthen his hand. The natural process by which he might have been removed will now be halted.

In Yorkshire, we have the largest Serbian community in the country. This morning, I spoke to some Serbs from Halifax. They are heavily represented in organisations such as ex-service men's clubs and the British Legion. Younger Members of the House often do not want to dwell on the second world war; they always look bored and sometimes shout down those of us who speak of it. Some of us are old enough to have experienced that war. I can just remember it; when I was a little girl, every male member of my household was involved in the war. My father was away for years. Some men did not return and some returned badly injured. We are entitled to talk about that experience.

War is a terrible thing, which follows its own dreadful course. At terrible cost, the Serbs held the German army at bay. We cannot escape history; that is what happened. I am a member of the British Legion and I go to the cenotaph and see Serbs there. They are some of our oldest and dearest allies. The Serbs who contacted me are incredulous that we are bombing their country—a European country. They do not like Milosevic; they want to get rid of him too, but they do not see why we should be bombing Serbia.

In respect of the instability in the region, it was excellent that we put in place the partnership for peace. We began to build up extremely good relations with the Russians among the various parliamentary organisations and at other levels. That work has now been put on hold. My committee was to visit Russia in a couple of weeks' time, but we have been told that they do not want us. Who can blame them? At present, Russia poses no threat to us, but that is not to say that it will not do so in the future.

The bombing of Serbia will give great encouragement to Zhirinovsky, Lebed and other more sinister people waiting in the wings in that destabilised country.

The other day, the Russian Foreign Minister said these chilling words:

"If a fire burns in Kosovo, and it follows into Macedonia and Albania and Bosnia-Herzegovina, then another large war in the Balkans would be ignited."

It is not beyond the bounds of anyone's imagination that that could happen.

We must start talking again. We have put at risk countries in that area. The words of the Montenegrin leader should make us all sit up and listen. He said:

"I believe that the bombing of the FRY would strengthen the regime of Mr. Milosevic. For this reason, I have always maintained that instead of air strikes we should persist with political talks, to find a solution that would bring about long-term political stability in Kosovo."

He is a man who is bravely leading Montenegro along a different path and, for his troubles, he too got bombed last night.

I agree with other speakers who have said that we should get the United Nations in and start a peace conference. We should involve the Russians, the Chinese or anyone who is interested in stopping the bombing. We should make the KLA and the Serbs sit around the table. Let us not forget that the KLA has killed hundreds of Serbs in Kosovo; there is a civil war, although one side is more heavily armed, and I accept the practicalities of that situation.

Of course, I hope with all my heart that our forces keep from harm, but I also wish with all my heart that not another Serb is killed by bombs launched by NATO. I take a simple, practical view: if a NATO bomb kills a Serb, it is NATO and the NATO countries that are responsible for those killings.

4.6 pm

Mr. Mike Hancock (Portsmouth, South): I am grateful for the opportunity to take part in the debate. I think that none of us—certainly not the Foreign Secretary when he spoke today or the Prime Minister in his statement earlier this week—would say that we have a death wish or hatred for the Serbian people. Nothing could be further from the truth. On both sides of the House and throughout the country, the reaction is the same now as it was for events in Iraq. As far as we were concerned, there was no fight with the Iraqi people, but we were against the Iraqi regime. That is also true of Serbia. As long as Milosevic leads a regime that is so intrinsically evil to the people whom he claims to represent, and he is prepared to punish them in such a severe and hideous way, the natural reaction of all decent people is to be repelled by that and to want to try do something about it.

Like many hon. Members who have spoken today, I have visited the area on several occasions. Before I went to Kosovo and Albania, I thought that I had seen the worst things that I would see in my life. I had seen children die through hunger in the deserts of Africa and had seen people locked up in the hideous asylums of Romania and other countries of eastern Europe. I had seen civil rights atrociously denied to people right across the world.

However, nothing had prepared me for what I saw on the borders of northern Albania and in Kosovo. My group travelled by helicopter and landed in a place where a firefight had just finished. We saw people who had been shot and their heads hacked off and left as an example for other villagers. That is a horrendous sight. We saw children shot, then stabbed and mutilated. We saw women who had been raped, not once but several times, then shot or hanged as an example to others. Those events are horrendous to contemplate. Those were not rare occurrences; they were everyday events for the people of that region, as they had been for some considerable time.

As the right hon. Member for Kensington and Chelsea (Mr. Clark) said, it is right and proper to put aside the suggestion that the KLA are blameless. Far from it. I also witnessed the atrocities that they had committed. They had killed unarmed civilians, as an example to others; they had shot and then mutilated the bodies of Serbian soldiers who had surrendered. The suggestion was made, "In a civil war in a country like ours, nobody surrenders to anyone. The minute you stop shooting, you're dead." That cannot be right. The Prime Minister spoke for all those who believe that it is not possible to watch the scenes that we have seen on our television screens, or to read the graphic details in our newspapers as we have done, and then, as a nation and as a member of NATO, to stand by and let it continue.

There has rightly been criticism that these events were allowed to continue for so long, but no one who has said that the bombing is wrong has come up with a viable solution that stops the killing. Everyone who has spoken has been unable to suggest an alternative to bombing Milosevic, depriving him of some of the killing kit that he has at his disposal, and perhaps shocking the people of Serbia into realising that Milosevic has got it wrong.

Listening to the World Service today, I was staggered to hear interviews with people in Serbia who were surprised that bombing had occurred. Right up until 7 o'clock last night, some of them had believed that Milosevic would once again pull a magician's trick and somehow con NATO and the rest of us into calling off the bombing. Today, the Serbian people are in a state of shock, horrified that, for the first time, bombs and missiles have been targeted on them.

Hon. Members are right to say that what we have done is horrendous to contemplate. Anyone who saw the Prime Minister talking about it in the House this week could not have failed to see the strain and tension in his face. The right hon. and learned Member for Folkestone and Hythe (Mr. Howard) spoke of his own conflicts of conscience when he, as a member of the Cabinet, had to make similar decisions. Anyone who feels that the action is being taken to protect and defend NATO's macho image must be mad. Human beings have had to make those decisions in respect of other human beings who are dying.

It is right to repeat the statistics. Twenty-five per cent. of the population of the region of Kosovo have been forced to move from their homes, which have been destroyed. Thousands of people have been killed, and tens of thousands wounded or injured, either by direct action or by having to endure terrible trauma and forced movements across the region. European Union countries currently hold 1 million refugees from that region. Those people have been forced to move from their homes because of a regime led by a madman that is so evil that it believed that that was the right thing to do.

How on earth can we reason with people who genuinely believe that it is right and proper to massacre women and children, blow up their homes, or force them from the

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region in which they live? How can we reason with people like that? How can hon. Members who say that we should have gone on talking believe that there is a genuine solution to be found at the negotiating table? Of course there is not. The Serbian people have the answer in their hands: they have to decide whether they want to be governed by a regime that disregards human life in such a cavalier manner.

It is despicable to suggest that we are acting for any other reasons than the right ones. The right hon. Member for Chesterfield (Mr. Benn) is extremely selective in recounting history to support his argument, and he should have stayed in the Chamber throughout the debate and heard some of the rebuttals. He claims that it is better to talk than to drop bombs, but he did not make a single suggestion as to how that would prevent one more person from being killed. In his well crafted speech, the Foreign Secretary spelt out the method of negotiation that had been exhausted. Did he not say that, when Milosevic agreed to call a halt, it lasted all of six weeks? That simply gave him, his armed forces and the Serbian police an opportunity to regroup and return with an even more heavily mailed fist to inflict pain and suffering on the people.

No one can be sure that the bombing campaign will be sufficient to knock sense into the heads of the Serbian people. I greatly doubt whether it will ever be possible to knock sense into Milosevic's head. However, I hope that the Serbian people will realise that this is being done to bring peace to the country and to stop the murderous actions that have been carried out, supposedly in their name. I hope that they will see sense.

From the three occasions that I have visited the area, I know that it is not hard to find some who want a Greater Serbia, in which the people of Slovenia and Croatia are reunited with their Serbian brethren. Equally, one does not have to go far in the region of the legions of the KLA to meet those who believe that their only salvation is a Greater Albania.

Mr. John Hayes (South Holland and The Deepings): The hon. Gentleman is speaking with some passion, but I want to be clear as to his argument. He says that he is not absolutely sure that the action being taken will bring the Serbs to heel, yet with his next breath, he tells us that the aim of the mission is to bring peace to the country. To anyone with a sense of logic or common sense, that does not hold up.

Mr. Hancock: Others who have spoken in the debate and who previously questioned the Prime Minister have suggested that we should go on talking. My point is that no one—not one of us, not the Prime Minister, not the President of the United States, and not the generals leading the campaign for NATO—can say that they believe that this action alone is a solution, but we hope and pray that it will be. Most reasonable people hope that we do not have bomb again, and that enough harm will have been done to ensure that people see sense; but none of us—even the hon. Member for South Holland and The Deepings (Mr. Hayes)—can claim to be sure. I hope that we can achieve a solution.

Mr. Jeremy Corbyn (Islington, North): The hon. Gentleman is making a clear case for continued bombardment to ensure that some sort of talks take place. However, if that does not happen, is he prepared to support the deployment of ground troops? At what point do they stop: do they occupy the whole country, or merely parts of Kosovo? We deserve to be told by those who support the bombardment exactly what the endgame is.

Mr. Hancock: The hon. Gentleman has made the point that I put to the Secretary of State for Defence when he came before the Select Committee on Defence yesterday morning. I asked the right hon. Gentleman, "What do you do if, at the end of the day, you have to commit ground forces?" His reply was the same as the Prime Minister's: "It is not our view that we will have to face that." Nobody wants that, but we all have to keep at the back of our mind the possibility that we might be confronted with a nation that has been bombed into a unit of resistance and that can be overcome only by land forces being sent in to protect the people.

Sir Peter Tapsell: So that is the policy is it?

Mr. Hancock: No, I do not think it is. It is a possible end scenario, and certainly the most painful end scenario that could ever be contemplated. That is why we must be seen to be united today in what we want from the campaign in which NATO is exercised on behalf of the whole of the civilised world.

Mr. Galloway: That is absurd.

Mr. Hancock: The hon. Gentleman might think so, but his behaviour on these issues is, on occasion, beyond satire.

We owe it to those who are today putting their lives on the line to try to prevent further loss of life. We need to know what the next stage will be, but nobody wants to contemplate deploying ground forces. We must hope and pray that what we will do today, tomorrow and probably for another few days will be successful in achieving negotiations for an agreement that we can defend with land forces.

Like my right hon. and learned Friend the Member for North-East Fife (Mr. Campbell), I am 100 per cent. certain that we need a protectorate so that we can guarantee the lives of the people in Kosovo because they deserve no less and no more than most of us readily take for granted.

4.21 pm

Mr. Syd Rapson (Portsmouth, North): I do not usually participate in debates in the Chamber because I do not see the sense in speaking for speaking's sake. I became aggrieved once when it was assumed that because I did not speak, I was in favour of one side of the argument or another. That assumption was made by an hon. Member to whose view I was totally opposed. Sometimes it is necessary to stand up and declare a position because we owe it to the electorate who put us here.

This is a grave situation that has underlined to everyone in the country the effects of warfare, especially on families, but we are particularly aware of those effects in Portsmouth.

I have great admiration for many hon. Members who have spoken. The hon. Member for South Staffordshire

(Sir P. Cormack) excelled himself, as did the right hon. and learned Member for North-East Fife (Mr. Campbell) and others. There are people here who can say what needs to be said in a far clearer and more defined way than I can, but as a Member of Parliament, I cannot see the pictures of people being raped and murdered and their villages being torched, and do nothing.

I do not have a solution other than the one that we have. It is dangerous to have cold feet once we have started a campaign. At this stage, we should be forceful and united. As events progress, we may have to reconsider our actions. Hopefully, there is a will in the House to escalate those actions if it is necessary. If we do not believe at this stage that we have more power at our disposal and are prepared to go to greater lengths, we should not have started the campaign. Once we have committed service people to engage the enemy, it will be necessary for the House to have unity of purpose. Nothing is more demoralising to people risking their lives in a foreign country on our behalf than to realise that Members in this House are undermining the policy for reasons that they believe are good, but which are dangerous for the troops in action.

Mr. John Randall (Uxbridge): Will the hon. Gentleman therefore agree with me, and many hon. Members, that that is the very reason why we should have had a proper and full debate before our armed forces went into action, and that it is a disgrace that we were unable to do so?

Mr. Rapson: I have been a Member of the House for only a short time, and the House's processes work on the basis that the decision-makers are better informed than a debate in the Chamber would necessarily be. Decisions are made and we then debate the issues, as we are doing now, in an Adjournment debate, without a vote. It would be dangerous to have a vote to say whether we should go ahead with this action. That might be anti-democratic, but it is the best way. I have one power because I have a single vote, which is equal to that of every other Member. Many hon. Members are much more experienced, knowledgeable, clever and worldly, but at the end of the day, one vote cancels out an opposite vote.

Mr. Corbyn: Will my hon. Friend think carefully for a moment about his argument that the House should not take a vote on these matters? We are sent to the House as Members elected by our constituents. The House has the ability to ask a Government to make war, or not to make war. Under royal prerogative, that power is limited; but does not my hon. Friend think that we have a responsibility to make a decision on this matter—I am opposed to the bombing—and to answer to our constituents for it? We should not just abdicate that responsibility.

Mr. Rapson: My hon. Friend makes a good point, but I am only giving my view, which is that, although I have been in the House for only a short time, I think that the process that we have always used is right, and I do not want to change it.

Some hon. Members have given us a history lesson today. It is necessary to remember the past, but we must also consider the present. Many of the people whom I represent are much younger than me. They think about what is happening and are concerned and angry about the television pictures that I have already mentioned, and which have been better described by Conservative Members. My constituents want something to be done, and they get frustrated if we do nothing. It is no good preaching history lessons to them and trying to justify our actions according to events that occurred 50 years ago. We must be guided by history in our actions, but we must consider the present, because situations change. I respect people's views and sensitivity about the Luftwaffe, the German air force, but events have moved on and Germany has changed, as we have seen, and it has a democratic structure. We must weigh such considerations against what is happening on the ground.

My view is one of simple support for the Government because I can find no reasonable alternative that is better, and it is imperative that we protect our service people who are in action. I state clearly and precisely that if it is necessary to upgrade our action to pursue the objective of bringing Milosevic to the negotiating table to settle an agreement for peace in that country, we must be prepared to do so. The situation could escalate and might be fearful, but if we do not have the necessary resolve now, it would have been better not to have started our action.

Mr. Hayes: I want to ask the hon. Gentleman a question, and it is not meant to be a clever question. He has spoken with great humility, unlike the hon. Member for Portsmouth, South (Mr. Hancock), and said openly that the action may have to be escalated and that the situation might be fearful. Does he believe that there is a mandate from the British people for that decision? Would people in his constituency and elsewhere agree with him? My instinct, following the events of the past few days, is that that would be a tight judgment, and the Government should not assume that the majority of the people would agree with them.

Mr. Rapson: The hon. Gentleman makes a good point. The public are, perhaps, more fearful than we are. I am prepared, as a Member of the House, to be accountable for the action escalating, if necessary. If we are to enter a fight, we must win the fight; otherwise we should not enter it. I must live with that and support that decision. I am aware of the escalation scenario and what could happen if Russia became involved. We could be facing a sophisticated enemy. Then, escalation could be enormous—I realise that.

We must however have the resolve to say to our Front-Bench team, the Secretary of State and others involved that this House is prepared to support them in an escalation of action, if necessary. I am one who is prepared to do so at this stage. I hope that other hon. Members will realise the necessity to make that very clear, rather than, during our first debate since the conflict began, expressing worry and getting cold feet. I do not have cold feet.

I can be accused of being an armchair soldier; unfortunately, that is all I am. I have been elected as a Member of Parliament; all I have is a voice and a vote to use as necessary. I must take the responsibility of making a decision on behalf of my electors. I am here to do that; the Government have my full support—and more if they ask for it in future.

4.31 pm

Mr. Shaun Woodward (Witney): There can be no doubt that, today, we are nearer to a large-scale conflict on mainland Europe than we have been at any time in NATO's history over the past 50 years. The questions before us are whether we can make this work, rather than whether we will make it work, and whether we can contain the conflict. In his address to the American nation last night, President Clinton spoke of the importance of engaging in the Balkans precisely to contain the conflict. It was interesting that, unlike our Prime Minister, President Clinton found time yesterday to talk to the Russian President.

Although there were extremely good reasons why the Prime Minister could not be in the House last night, many hon. Members feel that he, and not the Deputy Prime Minister, should have made the statement, especially given that Serbia has today announced that it believes itself to be in a state of war. It is significant and sad that, for a debate on a very grave issue, so few hon. Members are present on either side of the House. I am afraid that that is one of the reasons why many people outside the House feel that this Chamber is no longer as great as it was. Rightly, many will ask why, on a day of such importance, so few hon. Members are present.

It is critical that we discuss the issue of containment because the conflict in the Balkans runs the very severe risk of spreading out of control. In talking about containment, President Clinton did not reflect on just what might happen if the conflict were to spread out of control. It is right that we have begun to focus—I raised this following the statement last night—on the problem of Russia.

Historically, Russia is Serbia's closest ally. There can be no doubt that, in Russia, there will be two consequences of the bombing. Nationalist sentiment will be inflamed in a country which is already inherently unstable. The response from the Russian Government and the Russian Parliament is in itself at the moment divided and mixed. In the past 24 hours, Russia has spoken of "unlawful acts of NATO" and "undisguised aggression", and said that it will

"consider revising its relations with NATO."

It has warned NATO leaders that

"should the military conflict expand, Russia reserves the right of taking adequate measures, including military ones."

We must ask what on earth Russia means when it refers to the conflict expanding and to reserving the right to take adequate measures, including military ones, if it does so.

It is possible simply to dismiss this; it is possible to say that such words are simply verbal threats. That is a very dangerous and serious calculation to make given that we know that Russia is in a very difficult political position at the moment. It is a very difficult calculation to make given that President Yeltsin has issued a statement that Russia is

"discussing further steps in the wake of NATO's air strikes."

Mr. Tom Clarke (Coatbridge and Chryston): I am sure that the hon. Gentleman would agree that we have heard very sincere, excellent and heartfelt speeches. I regret that I must intervene on a point that might be seen as controversial. Despite the explanations, the hon. Gentleman criticised the Prime Minister for not being present last night, and went on to tell us about the Russian view. Does he think that President Yeltsin is the best person to speak for Russia at this time?

Mr. Woodward: It is jolly interesting that we have heard from President Yeltsin. It would be unkind to refer to last night's statement, except to say that it is my belief and that of my constituents that, when young men and women are risking their lives for this country, the Prime Minister should be in the Chamber. I am simply reflecting and representing my constituents' views. I should be delighted if the right hon. Gentleman came to my constituency and discussed his views with my constituents.

The Foreign Secretary has said that he does not believe that the Russian arms embargo will be lifted, but the Russian Parliament has called for a resumption of arms sales to Yugoslavia, which Russia's beleaguered arms exporters will undoubtedly back. We must recognise that action in Kosovo will aid future extreme nationalists in Russia. It will certainly make President Yeltsin's position more precarious. The long-term effects of the policy will undoubtedly stir up anti-west sentiment.

Having said all that, I am not making an argument for not continuing with the action on which we have embarked. We must prosecute this cause. It would be ludicrous if, after a day or two of difficulty, NATO somehow suddenly decided to stop the bombing. The result of that in Kosovo would be a final solution such as the ethnic cleansing that we have seen so far. It would be a green light to Milosevic to do whatever he wants in Kosovo. This is the policy that we have, and this is the policy that we must continue. However, that is not an excuse for the Foreign Secretary, the Prime Minister and senior members of the Government not to enter into greater and fuller diplomatic negotiations with countries such as Russia which will find it difficult to support the action.

There are many, including some European Union leaders and Governments, who are very concerned about NATO's course of action. Part of the reason for that is that they are not clear why—specifically—we are taking this action. What is the specific objective of the bombing, and as such, when will the bombing end?

The Prime Minister has described a range of aims and hopes that he would like to be fulfilled by his policy, but which takes precedence? If the goal is to stop the atrocities being committed on the people of Kosovo, will the bombing continue until the humanitarian aggression ends? If the goal is to degrade Serbian military capability, at what level will we deem it to have been so degraded that we stop bombing? Indeed, to be frank, is it realistic to think that simply degrading military hardware will bring an end to ethnic cleansing? We may manage to bomb all the tanks, but there is low-grade warfare, too. A soldier can simply throw a hand grenade through the window of a house, and up goes the house.

This is a very different campaign from the one fought in Iraq. I supported the action in Iraq. I now support the action that we are taking in Kosovo. However, the Government need to be far more careful and much clearer about what the specific objectives are. If the goal is to bring Milosevic back to the table or to persuade him to agree to the Rambouillet statement, and if he refuses to come, does that mean that the bombing simply goes on?

The problem is that nobody knows the specific objective that lies behind the Prime Minister's stance. It would be fitting for the Foreign Secretary and for the Prime Minister soon to tell the House explicitly not the military tactics, but the military objectives. Can they be defined?

Serbia has now declared itself to be in a state of war. Can the Foreign Secretary tell the House whether that is different from a declaration of war by Serbia, and what difference that makes? What is the difference between being in a state of war, and declaring war? Can he tell the House what position that leaves Britain and NATO in? Are we, too, in a state of war with Serbia? Is NATO in a state of war with Serbia?

What will we do if Milosevic, evil and skilful as he is, uses the attack to strengthen his own position—to kill even more? We know that he is closing down his own media. If his position is strengthened, where does that leave the Government's future strategy?

On Wednesday, Montenegro's President Djukanovic said that Milosevic was intent on an irrational policy of confrontation with the entire world. Today, Djukanovic's Administration is in mortal danger. To what extent does the Foreign Secretary believe that the action that we have taken and the response that may be forthcoming from Milosevic will put the leadership of Montenegro in jeopardy?

What action will we take if that leadership falls? Will the restoration of that leadership, if it should fall, become a secondary and binding condition for the cessation of hostilities against Milosevic and Serbia? Will the bombing continue until that leadership is restored?

There are grave risks in taking no action. Clearly, that is no longer an avenue for us to pursue. We are no longer debating whether we should take action, but we need to be clear about what on earth that action is likely to achieve. For example, it is ludicrous to suppose that all over Kosovo and Serbia, tanks are not being dispersed. They are hardly going to be left together in car parks for us to bomb. Of course, the ideal place to park a tank is in the middle of a village in Kosovo. We may hit it; we may not.

Those may be risks worth taking, but let us beware: there will be dreadful pictures for the country to see. Last night the Deputy Prime Minister constantly sought refuge in the theme, "We see it on the television. Something must be done." That could come to haunt the Government in an entirely different way from the way in which they see the situation now.

There is a danger that the bombing will lead to an escalation of violence against the Kosovars. As one Serbian leader said, the Serbs might be inclined to finish the task off in Kosovo. That raises a crucial question for the Government. How realistic is it to think that without the use of ground forces or anti-personnel weaponry, we can stop individual Serb units from killing ethnic Kosovo Albanians in the villages? The risk is an even greater bloodbath.

We may well see an escalation of the crisis. What will be the effect of that, and what will be our response if Milosevic succeeds over the next few months in destabilising the entire region? For example, he could push Albanian Kosovar refugees into Macedonia. He would destabilise Macedonia's ethnic balance and would end up drawing Greece, Bulgaria and Albania into a wider quarrel. He could destabilise Bosnia, inciting Serbs to attack Muslims again, or take on western targets from the peacekeeping force.

What would be our response to that? Would it be to give him an extra 200 Tomahawk cruise missiles tonight—an extra punishment beating? Would we extend the bombing a little longer, or take out another village? To what extent has the Foreign Office calculated the possible extent of the instability?

There are worrying signs from the United Nations. It is foolish for any hon. Member to dismiss the authority and the legitimacy of action that comes from the United Nations. If we use it as a stick to beat Saddam Hussein and tell him when he cannot act, we cannot now choose to ignore it ourselves. Rightly, questions are asked about the legitimacy of our actions. To ignore those questions would be foolish in the extreme and could jeopardise the resolution of future conflicts. My hon. Friend the Member for Hertford and Stortford (Mr. Wells) spoke extremely lucidly on the matter.

Again, can the Foreign Secretary tell the House why, if we have the necessary resolutions behind the action, the Secretary-General of the United Nations does not stand fully behind NATO's action? Why, yesterday, when the Secretary-General described this as

"a grave moment for the international community"

did he not endorse fully and clearly the action that NATO was taking? Can the Foreign Secretary tell the House what steps he is taking to establish the full support of the Secretary-General?

One of the more unfortunate moments in the Deputy Prime Minister's statement last night came when I asked him whether he could tell me whether the Security Council was meeting last night. He had nothing to say. He did not know. The issue is too serious to be handled by those who do not know.

Lives are at stake in Kosovo, on both sides of the argument. The lives are at stake of all the young men and women who are flying and engaged in action tonight, including those from Brize Norton in my constituency, from where the refuelling operation and some of the communications operations take place. This is serious business, and we cannot have a statement from the Deputy Prime Minister, made because the Prime Minister is not in the country, when the right hon. Gentleman did not even know whether the Security Council was meeting and did not consider it necessary to pick that up as a reference.

We cannot have a situation in which, by the time of the debate today, the Prime Minister, who is committing our forces to fight, still has not spoken to his Russian counterpart. That is dilatory. The Secretary of State for Defence shakes his head, but the Foreign Secretary was asked at the beginning of the debate whether contact had been made, and he said that it had not. If the right hon. Gentleman wishes to contradict the Foreign Secretary, I am sure the House would be delighted to hear that contact has been made and the content of it. The right hon. Gentleman does not rise. That suggests to the House that there has still been no contact.

The Secretary of State for Defence (Mr. George Robertson): It is interesting that the hon. Gentleman, who continues to speak about the Foreign Office and the Foreign Secretary as though no Minister from the

[Mr. George Robertson]

Ministry of Defence was present, has at last recognised that I will be replying to the debate, not the Foreign Secretary, who has gone back to Berlin.

The Foreign Secretary made it clear that the Prime Minister intends to speak to Prime Minister Primakov. As far as I know, it has not yet been possible for that contact to be made. It takes two to make a telephone call. The Prime Minister will, I know, be speaking to Mr. Primakov.

Mr. Woodward: I am grateful for the right hon. Gentleman's intervention. Had he been in the Chamber when I began my speech, he might have understood a little more of what I was saying. None the less, we are glad to see him now.

In the light of the speeches that have been made, and as he is with us and willing to rise to speak, can the Defence Secretary tell us whether it is realistic to say that we will not use, in any circumstances, ground troops to make a peace? Can he tell us categorically not that the Government have no plans to use ground troops, but that they will not do so? Again, I give the Defence Secretary the opportunity to reply.

The Parliamentary Under-Secretary of State for Defence (Mr. John Spellar): We have had 18 minutes of this.

Mr. Woodward: We are asking difficult questions, but they are also serious. Conservative Members support the Government, but the Government would do well to remember that two thirds of the 16,000 people involved in today's BBC poll were against military action in Serbia. Ministers would do well not to mock those Conservative Members who wish to lend their support, because they may find that the going is not always easy and that lives are lost. At those moments, they will be grateful for the House uniting behind them and not dividing against them.

Mr. Coaker: Does not the hon. Gentleman think that his constituents, and mine, would think it indefensible if their Government and their Parliament stood aside from what they have seen on television? People are being massacred and driven out of their homes. Would not our constituents then say, "What are you doing about that?"?

Mr. Woodward: In today's world, the greatest danger faced by anyone in any western democracy who is involved in defence and foreign affairs world is the cry from those who see pain, anguish and slaughter on their television sets. The response from viewers, rightly, is, "Something must be done." The danger for a Defence Secretary, a Foreign Secretary, a Prime Minister or a President is that there is a knee-jerk reaction and something is done.

Mr. Coaker *rose—*

Mr. Woodward: No, I will not give way again.

The response in a number of conflicts around the world is, "Something must be done, so we'll do it." That ends up with soldiers coming home in body bags. This is not an easy situation for the Government; no Conservative Member pretends that it is straightforward for the Government, but we ask for clarification and credibility for a policy that can be built and maintained if the public know where actions will lead, not where they may lead.

We did not fight against the aggression of a Nazi dictator in the second world war because we thought that it might just lead to victory; we were fighting for victory, whatever the cost and whatever we would win. Such resolution is staunch. Having embarked on military action, is the Defence Secretary prepared to pay the price that must be paid to win and to prosecute the cause to its end—even if that means ground troops going in, not only to keep a peace but to make a peace—or is that a price that he would not pay?

I am sorry that the Defence Secretary has to defer to the Foreign Secretary, but the Foreign Secretary went to Rambouillet. At its beginning, he told that conference that we would commit up to 8,000 troops to keep a peace. Does that offer still stand and are there any circumstances in which we may move from peacekeeping to peacemaking? The Foreign Secretary was absolutely clear in his statement and, if the Defence Secretary would like, we will find it for him. *[Interruption.]* Is the Defence Secretary intervening?

Nothing could be more disastrous than the House dividing on this matter and the Government losing the support of the Opposition, but the Government should not take that support for granted. A lot of people up and down this country strongly believe that the actions taken last night are not justified and that British interests are not involved. Many of us—probably most of us—believe that taking action was the right thing to do, but the Government must be careful of their arrogance and their complacent treatment of the House to ensure that, over the next few days, they keep the entire House on their side.

4.54 pm

Mr. George Galloway (Glasgow, Kelvin): The hon. Member for Witney (Mr. Woodward) says that he supports the Government; to me, it sounded for all the world like the support that the rope gives the hanging man. Almost every Conservative Member, with certain honourable exceptions, has supported the Government in that vein.

Tests of public opinion have been undertaken in the past 24 hours, although they have been limited. Telephone polls, vox pops carried out in the streets by the newspapers and telephone calls to Members of Parliament—as well as the empty green Benches behind me on the Government side of the House and the paucity of Government supporters who will enter the Lobby tonight to vote positively to support this war—all show that this is an enterprise that the British people are very reluctant indeed to support. That is at a time when the bombing has only just started and the action is at the apex of its popularity. As my right hon. Friend the Member for Chesterfield (Mr. Benn) said; wars are always popular on the first day—when the first world war was declared, people hung out bunting, blew trumpets and marched to the enlistment offices—but war has a habit of swiftly turning sour.

It is a funny old world. How things change. Several Conservative Members, notably the hon. Member for Hertford and Stortford (Mr. Wells) and the right hon. Member for Kensington and Chelsea (Mr. Clark),

made clarion, powerful speeches. They argued powerfully for the centrality of the United Nations and for international legality, and against this war.

Mr. Corbyn: My hon. Friend makes the point well. Does he believe that, by bypassing the United Nations over this bombardment, the ability of NATO countries to have any influence over the UN in the future will be limited? Perhaps more seriously for the rest of the world, the UN will feel that it is impossible to intervene in any situation because NATO will act unilaterally and ignore its views.

Mr. Galloway: It is my view—which again I share with my right hon. Friend the Member for Chesterfield—that one of the main reasons why we are engaged in this operation is that an attempt is being made to substitute NATO for the United Nations. America cannot count on getting its way on each and every issue in the United Nations, but it is the overwhelmingly dominant partner, politically and militarily, in NATO.

If people do not understand the anxieties of Russia about the burgeoning muscularity and expansionism of NATO, I refer them to the wonderful exchange on "Newsnight" this week between Mr. Gorbachev and Mr. Paxman. Mr. Gorbachev was being pressed by Mr. Paxman on what he had to worry about from the expansion of NATO. Mr. Gorbachev replied, "Mr. Paxman, if you really don't understand why Russia is worried about the expansion of NATO, why on earth are you working for the BBC?" NATO, with this new-found role, is about to face de jure as well as de facto new realities. That is one of the reasons why we are having this debate.

Once upon a time, Liberal Democrats were men who wore beards, sandals and long, woolly jumpers. They believed in the United Nations and they believed in peace. Increasingly, with each campaign, they come before us not in woolly jumpers but in ever-grander military uniforms. I give the right hon. and learned Member for North-East Fife (Mr. Campbell) this advice as a friend and an admirer—I even have money on him in a forthcoming contest. It is that the brass on his admiral's uniform is becoming ever-more blinding. I have watched with wonder the Liberal Democrats' mounting infatuation with matters Balkan over the past few years. They have followed the old man—the departing leader of the Liberal Democrat party—wherever he wanted to go. "War war" is the Liberal Democrat slogan. Another—we know this, because we were told so by the right hon. and learned Gentleman—is "Vote Liberal for a European ground war". The Liberal Democrat party is the only party in the House that is openly calling for the insinuation of ground forces, including our own, into the morass that is the Balkan battleground.

As I say, it is a funny old world, and we have seen it all this afternoon. My right hon. Friend the Member for Chesterfield, whom most would agree to be worthy of some respect, was heckled by an individual who was in the Chamber briefly, only to leave for a long period, only to come back. Perhaps he will heckle me next. He is an individual whose name most hon. Members would not even know.

Dr. Julian Lewis: As a regular attender of the Chamber, I must say that I know that individual's name perfectly well. I know his constituency, and I know that he comes here regularly. I do not think that he heckled the right hon. Member for Chesterfield (Mr. Benn); I think that he intervened in a perfectly respectable way, and was dismissed in a thoroughly irresponsible way.

Mr. Galloway: No doubt, the hon. Member concerned will be greatly strengthened by the support that he has just received from a former Secretary of the Newham, North-East constituency Labour party. I am sure that he will find it very comforting.

I appeal to my hon. Friends, in particular, to curb their tendency to go over the ball at right hon. and hon. Members who hold a different view from the majority of Members. This is an assembly of free men and women. It is not a football stadium to which people come with scarves and rattles to support their side, come what may, right or wrong. This is a free Parliament.

Mr. McNulty: I will not bother to respond to the point about attendance, but I was not going over the ball. I was not at a football game. I asked what I thought to be an entirely genuine question—"What is the alternative?"—and I received no response other than further hot air.

Mr. Galloway: I will not be drawn further down that road.

This morning, *The Independent* reported—exaggeratedly, but it had a point—that I was jeered by my own side last night when I raised a point about the participation of German forces in the bombardment of Yugoslavia. *The Independent* was right, up to a point: I was jeered. Let me say this to my hon. Friends. Each of us must approach these matters through the portals of our own experience, and I have some experience—a little more than my hon. Friend the Member for Harrow, East (Mr. McNulty), I venture to suggest—of the Balkans as an area, of its politics and of its history.

For a short time, I was president of the British Albanian Society. Many years ago, I visited Kosovo with the former Member of Parliament for Epping Forest, Mr. Norris. On our return, Mr. Norris memorably said that most MPs did not know whether a Kosovar was something you ate, drank, licked or drove, and that was true.

I have written a book about the Balkans—about Romania—and I have travelled widely there, so I think I have the right to put the point of view that I am about to put. I am against the operation for many reasons; some are legal, some political, but I wish to dwell on the practical. This is an operation that will not work: it will not achieve the ends that are claimed for it. I believe that it will not only fail to dispose of the age-old—centuries-old—hatreds and enmities of the Balkans, but pour petrol on already dangerous flames. The operation is unbalanced and disproportionate.

Let me deal first with the lack of balance. I made the point to the Deputy Prime Minister last night; he did not deal with it. Everyone has concentrated on the suffering and bloodshed in Kosovo. As I say, as someone who visited it long ago, I am second to no one in my concern about that, but one of the reasons why there is such suffering and bloodshed is that there is an armed separatist war going on in Kosovo.

Mr. John Austin (Erith and Thamesmead): Will my hon. Friend give way?

Mr. Galloway: I shall later.

[Mr. Galloway]

An armed separatist insurrection is going on in the territory of Serbia.

Mr. Austin: Will my hon. Friend give way?

Mr. Galloway: Let me develop my argument.

Armed separatist rebellions are going on in many places. I could deal with them all day and night, but I will deal with just two. An armed separatist rebellion is going on in south-east Turkey. It has been for decades. About 13 million Kurds support, to a greater or lesser extent, the activities of the PKK, the armed separatist rebels in Turkey. Whether any of us support them or not is, for these purposes, irrelevant. No hon. Member is calling for a NATO bombardment of Turkey because it has dealt in the harshest possible way with that armed separatist rebellion, and that is not least because Turkey is a member of NATO and, indeed, its air bases are regularly used by NATO forces to fly punishment missions against other countries.

It is accepted by all Governments, including the British Government, that Turkey has the right to fight to maintain its territorial integrity. I hazard a guess that, no matter how brutal and how bloody the Turkish Government's efforts to quell the Kurdish rebellion in the south-east of its territory become, there will be no international bombardment of Turkey to force it to desist. Still less will anyone call for British and other forces to invade Turkey and to establish a protectorate in its south-east provinces. I am willing to bet my salary for the rest of the time that I am in the House of Commons that no British Government will ever support such a call, but that is exactly what we are doing in the case of Kosovo.

For all the crocodile tears that have been shed in the debate about the need for the Kosovars not to try to exploit the situation, or to push the boundaries out further, the Kosovo Liberation Army has a clear goal. Let me quote the leader of the Kosovo Liberation Army, Hashim Thaci, in the newspapers this morning:

"Independence of Kosovo will not come as soon as we hope. It all depends on our organising and on our fighting in Kosovo in the future."

We have allowed ourselves to be hijacked as the air force of the Kosovo Liberation Army in its attempt to win separation for that territory from Serbia, which, in international law, possesses Kosovo.

I do not deal with the extent to which I think the Milosevic Government have grotesquely exacerbated the national tensions in Serbia. When they cancelled—Milosevic himself made the decision—the autonomy of Vojvodina and Kosovo almost a decade ago, they set a clock ticking, and started a process that was bound to lead to the violence and bloodshed that we see today. I merely ask the British Government to take great care, because the arguments that they are advancing for intervening in the civil war in Yugoslavia will be advanced by others in other theatres and will, at best, show the Government to be guilty of double standards and, at worst, lead the Government into ever-more bloody and complicated territory.

Mr. Menzies Campbell: I do not challenge for a moment the hon. Gentleman's right to make this sort of speech. He and I have faced each other across the Chamber and in television and radio studios on many occasions where we have had robust exchanges and, I hope, always managed to respect each other's point of view. The hon. Gentleman made a powerful case against intervention. What would be his alternative action or non-action? If he were presented with the right of decision and no bombing campaign had begun, what would be his proposal?

Mr. Galloway: I shall come to that towards the end of my remarks. As the right hon. and learned Gentleman knows, it is normal to put one's proposals at the end. I hope that he will have patience.

Since television has been mentioned, I shall digress briefly. I have lost count of the number of people who have said today, in support of the action, that we had to do it because of what we saw on our television. That is an extraordinary notion. As the hon. Member for Witney made brilliantly clear, when we see something on our television, something must be done, even if that something makes matters worse. It leaves aside the reality that, when appalling suffering takes place in areas where television cameras are disinterested or find it difficult to reach, as in Rwanda—in Rwanda it was both—absolutely nothing will be done.

The making of policy, and especially the making of war, is a hazardous business if it is to be predicated upon the scissors of the editor of "Newsnight" or the emotive commentary of Kate Adie. We must have a better basis for going to war and conducting international relations than that which is seen on our television screens.

There are conflicts or humanitarian catastrophes—to use the vogue word—all over the globe and the Queen does not have enough soldiers to address every one of them. If we are to deal only with those that are thought televisual enough to make it on to the transitory editorial choices of the British or other media, we will be drawn into a very selective use of international force.

When I hear that we must do this because we have to show NATO's credibility, I am reminded of nothing more than the arguments for the starting of the first world war in the very place that we are discussing today. The railway timetables were such that there was an inevitability about the need to go to war at that time. One should only take decisions about war and peace after the most serious evaluation and calculation of the effects of that war. It should not be because, if we did not go to war, somebody might argue that we did not have the cojones or the macho attributes referred to by the right hon. Member for Kensington and Chelsea (Mr. Clark). We must have better reasons than that.

Mr. Austin: A few moments ago, and last night when my hon. Friend put a question to the Deputy Prime Minister, he gave the impression that the Serbian repression against the Kosovo Albanians was in response to a terrorist KLA separatist, secessionist movement. Given my hon. Friend's understanding of the history of the Balkans, will he accept that, under the Tito constitution, the Kosovars have their own federal assembly, their own separate representation in the federal presidency, their own national bank and supreme court—essentially internal autonomy with Serbia—all of which was taken away by Milosevic? When Ibrahim Rugova

tried, through constitutional means, to establish a civilian administration, which was successful for a while, it was greeted with repression and the full force of the Serbian forces long before the KLA had any legitimacy or support among the Kosovars?

Mr. Galloway: Not only do I accept that, I said it a few moments ago, although not as eloquently as my hon. Friend—I mean that sincerely. Milosevic set the clock ticking with his decision to strip Vojvodina and Kosovo of their autonomy.

That leads me neatly to my penultimate point. The break-up of Yugoslavia, including the process that led to the stripping of autonomy from the territories that I have mentioned, is the primary reason why we are discussing the issue today. When I mentioned German participation yesterday, it was not just because I wanted my right hon. Friend the Deputy Prime Minister to imagine how it seems to Yugoslavs to see a German aeroplane dropping bombs on them, given the history of that territory in the lifetime of many people there and in this Chamber, but because Germany played a despicable role in the break-up of Yugoslavia. My right hon. Friend the Member for Chesterfield was right. Mr. Genscher, once the permanent Foreign Secretary of the Federal Republic of Germany—a fellow Liberal of the right hon. and learned Member for North-East Fife—boasted in his memoirs that his greatest achievement in politics was the break-up of Yugoslavia. That break-up unleashed all the dark, sleeping forces of ethnic hatred and rancid nationalism that have emerged out of the swamp of the Balkans and are eating each other up.

On the admirable Nicky Campbell's programme on Radio 5 this morning, the airwaves were blocked with people of Serbian background and people of Albanian background phoning in. The hatred that they felt for each other was so poisonous and so violently expressed that it would have given even the most gung-ho supporter of the Government's policy second thoughts. When a civil war is as complex, deep and full of hatred as this one, intervening on one side—as we have done—has to be fraught with danger.

My final point—I shall put my proposals soon—is that the Government are making a big mistake taking Russia for granted. I beg them not to be complacent about Russia. They should not imagine that Russia's poverty will make it comply with whatever the west decides. That poverty and instability make Russia a potentially ultra-dangerous feature of the equation. My right hon. Friend the Foreign Secretary seemed to say today that, because he had offered the Russians money to deal with the Arctic fleet, they would go along with our actions and return to business as usual. If he did not mean that, I apologise, but, if he did, it is a dangerous argument.

Dark forces stalk the streets of Russia, too. Russian nationalism is on the march, not only in the Duma and the Kremlin's corridors of power but, most importantly in the streets, in the ranks of the millions of unemployed and under-employed and in the ranks of the army, which feels humiliated and underpaid, maybe even unpaid, with weapons that may not be dependable and with an uncertain future.

No one should underestimate the strength of the Russian people's association with Serbia. They are co-religionists, with a common culture and strong historical ties. Even now, Russian citizens will be volunteering to go to the front line of the struggle. It is only a matter of time before the Russian Government are prevailed on to break the so-called embargo. The idea that there can still be an arms embargo on Serbia when 13 countries are bombing it is ludicrous, as is the idea that there can be non-intervention by Russia when there is massive intervention by those countries.

People say that negotiation was tried and talks went on ad nauseam, but negotiation was not properly tried, as NATO wanted to keep Russia out of the equation because it wants a NATO-imposed pax Americana. There will be no solution without negotiation and no meaningful negotiation until the Russians are brought into the centre of the process.

Instead of sending German troops to police the peace in Kosovo, we should consider sending thousands, perhaps tens of thousands, of Russian troops. The process will not be a peace process if it leads to the dismemberment of Serbia, which will never accept the removal of Kosovo from its territory—if we were in Serbia's shoes, neither would we.

We run the risk of unleashing even more dark forces in Serbia and Kosovo. In the pause between the bombing, there will be more bloodshed, not less. The more bombing there is, the more bloodshed there will be. The greater the risk of collateral and civilian damage, the more pressure there will be from the real hard-liners in Serbia. If hon. Members think that Milosevic is the worst that Serbia has to offer, they have not looked closely at Serbian politics. The real hard-liners will unsheathe their swords and a terrible, terrible night will have begun.

Mrs. Mahon: On a point of order, Mr. Deputy Speaker. I have just received a wire from Reuters, saying that the Italian Government say that the Serbs have suspended the offensive in Kosovo following the strike and that it is time for fresh diplomacy. I wonder whether my hon. Friend the Minister can enlighten us on whether that is true.

Mr. Deputy Speaker (Mr. Michael Lord): That is not a point of order for the Chair, but I am sure that the whole House heard the hon. Lady.

5.23 pm

Mr. Edward Leigh (Gainsborough): We have heard some passionate and powerful speeches, not least from the hon. Member for Glasgow, Kelvin (Mr. Galloway), in an excellent debate. Many right hon. and hon. Members appear to have firm views and a clear understanding of what they believe should be the solution. I do not know what the solution to the problems of the Balkans is, and I suspect that the House, which has been grappling with those problems for the best part of 100 years, does not know either.

It has been said about Ireland that, in 1914, we were discussing the fields and steeples of Fermanagh and South Tyrone when the great tide of the first world war rose up and drowned the steeples, and that, as the war ended, the water subsided and the same steeples and fields of Fermanagh and South Tyrone emerged again to exercise the House. The same could be said of the Balkans. We have been discussing these issues from Gladstone onwards. Frankly, none of us has any solutions. One of the most charming speeches made today was by the hon.

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Member for Portsmouth, North (Mr. Rapson), who spoke with great humility and from the heart, and did not pretend to have a solution.

I want to sound a few warnings. I want to follow up what the hon. Member for Kelvin said about Russia. I do not claim to be an expert on the Balkans, but I am married to an Orthodox half-Russian. Over the years, I have come to know a little about the Russian soul and psyche. I give a solemn warning to the House and to the Government: they must not underestimate the intense pan-Orthodox and pan-Slavic feeling in Russia today. We may find it hard to understand, whether we are religious or not, but the Orthodox faith is a national faith of the Slavic people. We may be unleashing a tiger that we cannot control.

The House should not underestimate the intense feeling in the Russian soul at present that their nation has been utterly humiliated in the past 10 years. There are extraordinary parallels between Russia today and the Weimar republic. We should not underestimate the intense humiliation in Russia caused by the fact that Ukraine, which the Russians feel to be a part of their soul and of their country—it is known as "little Russia" in Russia—has been taken from them. It may be obvious, but we are embarking on something dangerous.

I cannot match the experience of the right hon. Member for Chesterfield (Mr. Benn), but in my 16 years in the House of Commons, I have not known such a grave moment. I have studied the history, and I have never known the House of Commons to be so disunited on the day after we have declared war. It is a pity that we did not have the debate before, but nobody could claim that the House of Commons is united in supporting the Government's action. This is a grave and serious issue.

I want to try to be constructive, as well as sending a warning. The only country that has any influence with the Serbian leadership is Russia: Russia is the key. Unless the Government, the American Government and NATO can engage the Russian Government speedily, we could be embarking on a dangerous course.

I do not take sides between Croats and Serbs—I am completely neutral. However, no one should underestimate Serb sentiment and determination. We are not dealing with an Arab conscript, sent into the desert to try to invade some oil wells. We are dealing with a people who believe in their heart of hearts and with an absolute passion that Kosovo is an integral part of their homeland. We may dismiss the view, but they believe that, for centuries, they have stood on the frontier of Christendom. We may think it ridiculous to think in terms of history all the time, and the hon. Member for Portsmouth, North said that we should think of the present. Of course, but if we are to understand the situation, we must understand what motivates the Serb people whom we are now bombing.

I am afraid that those who ignore history will receive an unpleasant lesson. Every single Serb schoolboy and schoolgirl knows that in 1389, in the Battle of Kosovo Polje, the Serb forces were defeated and, as a result, the country was overrun by the Ottomans in 1459. It may seem extraordinary that we are talking about that, but that is what they believe. Every single Serb schoolboy and schoolgirl knows what Prince Lazar said as he went into that battle:

"It is better to die in battle than to live in shame. Better it is for us to accept death from the sword in battle than to offer our shoulders to the enemy."

It is not a question of good guys and bad guys. There have been the most appalling atrocities committed by both sides. However, the Serb nation has a greater responsibility; I do not deny that for a moment.

We must understand that it was intensely controversial in Serbia when Kosovo was given autonomy in 1974. Serbian writers claim that up to 200,000 ethnic Serbians had to leave Kosovo. It is true that Kosovo is dominated nowadays by ethnic Albanians, but it was not always so. The people of the Serbian nation believe that they are being forced to leave their own homeland. The House may not like that point of view, but the Serbians believe it, and that is why they will never surrender that part of their nation.

Mr. Tyrie: It is true that that point of view is strongly held in Belgrade. It is also true, however, that the Serbs left Kosovo in an economic migration to a higher standard of living, largely in Belgrade. They did not leave as a result of any forced emigration caused by the Albanian community.

Mr. Leigh: A memorandum that has been widely distributed in Serbia talks of ethnic Serbians having been massacred, raped and forced out of their homes. It may be overblown; it probably is, and I am sure that my hon. Friend is right to say that the prime motivation may have been economic migration. However, the Serbians believe that they are gradually being eased out of their own homeland. We must recognise that point. If we fail to do so, we shall never make progress.

Kosovars—the ethnic Albanians, that is—are not being offered an independent Kosovo. They are being offered autonomy. That is not in itself some simple solution on which western politicians can all agree. Autonomy is highly controversial to the Serbian people.

I want to speak briefly about international law. It is obvious that there is no justification for this action under international law.

Mr. Menzies Campbell *indicated dissent.*

Mr. Leigh: I have heard what the right hon. and learned Member for North-East Fife (Mr. Campbell) has said, but there is no justification under international law for bombing a sovereign state because one is horrified by what is being done within that state's boundaries.

Mr. Campbell: Is it the hon. Gentleman's opinion that no matter what the nature of the enormity being inflicted by a Government on their people may be, there will never be circumstances in which intervention would be justified?

Mr. Leigh: I was talking about international law, but the right hon. and learned Gentleman returns with an argument that I must accept. Let me put it to one side, however, while I continue to talk about international law.

We are creating a new international law—one that proclaims the point of view advanced by the right hon. and learned Gentleman. If we accept that new international law, we must ensure that we are not accused of hypocrisy. We must enforce the new international law that there should be no hiding place for dictators or for Governments who oppress their people. We must enforce that new law fairly and equally throughout the world.

What has gone on in Turkey throughout this century? What happened to the Armenians? What happened to the Kurds? I submit that what happened in those cases is of far greater barbarity and horror than even the horrors inflicted on the Kosovar Albanians. The hypocrisy of our debate—what I find utterly sickening—is that people are dressing themselves up in moral outrage on behalf of the Kosovar Albanians, but they are not prepared to intervene to help the Kurds because Turkey is too powerful and too useful to the western alliance.

By all means, create a new international law, but be fair. Do not forget what is happening in Africa. Do not think that because these people are Europeans, we should be concerned about them, but not about the massacres in Africa. We know that this new international law will never happen. We do not have the will or the resources.

We are going wrong because there is a feeling that we are dealing with an appalling dictator, a Hitler figure, who will try to eject the Albanian population entirely or murder them. I make no apologies for the Serbian leadership, but I assure the House that the people in those villages have lived together for centuries. If we blunder in, we could make the situation much worse. I believe that we have, by our blundering, our lack of will and our in-out approach, made the situation in Bosnia far worse.

Sir Patrick Cormack: Does my hon. Friend deny the reality of the massacres in Bosnia or Kosovo, or that Milosevic is responsible for them?

Mr. Leigh: Of course not. I do not defend Milosevic in any way. I do not deny what is going on. I am saying that we must not assume that if we do nothing, the massacres will continue and the entire population that has existed there for centuries will be evicted. That is extraordinary reasoning.

The massacres and difficulties could be exacerbated by outside pressure. The Serbian army has 239 M84 tanks, 65 T72 tanks, 785 T55 tanks and 181 T34 tanks. The safest place for those tanks now is in the Kosovar villages. We could make the situation far worse by intervening in this way.

No one can say what will happen if bombing fails to change the Serbian leadership's mind. It is absurd for the Liberal party to suggest that we can turn Kosovo into a protectorate, and that the British Army, which is already 86 per cent. committed– committed to a greater extent than at any other stage of its peacetime history—could enforce a peace on the ground in a wooded, hilly area against one of the toughest fighting peoples in the world. The area is like Wales, not an empty desert. I cannot believe that the Liberal party, with all its fine traditions—

Mr. Menzies Campbell: Oh, come on.

Mr. Leigh: What are the Liberals trying to convince the House of? We all know that the British Army will never be committed to this area in any event. We all know that this is fundamentally an exercise in hypocrisy. What is so moral about being prepared to bomb from the air and use cruise missiles, inevitably killing some innocent civilians? How is it moral to bomb from afar, but not be prepared to send our people to enforce the peace? I do not believe that there is any morality in that.

It is true that we have intervened before. In 1914, we were prepared to go to war to help the Belgians; in 1939, to help the Poles; in 1990, to help the Kuwaitis; in 1982, to help the people of the Falklands. In all those cases, we were prepared to commit our ground troops. We had the moral strength, the feeling of outrage and the determination to commit our own people on the ground to enforce just solutions.

Even in Iraq—and I had grave doubts about bombing that country—there was a military plan in place. I hate the term "degrading capability"; I prefer to say that we are "at war". At least in Iraq we were trying to bomb chemical facilities and possible nuclear installations. What are we bombing in Yugoslavia? If Milosevic is determined to ethnically cleanse the Kosovar people, he does not need tanks or chemical weapons. He has 30,000 troops on the ground, but he would need only a few gendarmes. We cannot bomb just these people. The House of Commons must be prepared to send Britain to war and to endorse the action on the ground—but we cannot do it. Therefore, this action is the most grotesque hypocrisy.

I shall end as I started: with Russia. In an attempt to make ourselves feel better, we are putting at risk the world order and our friendship with Russia. The House of Commons should have had an opportunity to vote on this action before we sent in our aeroplanes.

Mr. Deputy Speaker (Sir Alan Haselhurst): I must make an appeal for shorter speeches if many more hon. Members are to be heard in the time remaining.

5.41 pm

Mr. Frank Cook (Stockton, North): If I must be brief, I shall start by reminding the House that I represent Westminster on NATO's parliamentary assembly. I am vice-president of that assembly and vice-chairman of its defence and security committee. I am a member of the joint monitoring group that oversees the work of the permanent joint council, which is a channel directly between NATO and Russia. In addition, I am the special rapporteur on the reform of the Russian armed services and special rapporteur on the reform of the Ukrainian armed forces.

I am very dissatisfied with this debate. We have heard one or two good speeches, but an awful lot of ignorance has been displayed. There has been a stream of invalid comparisons, sloppy logic and selective historical references. That angers me because we are discussing serious issues.

It is grotesquely inaccurate to say that these matters have not been debated. Ten months ago, I took part in a Rose-Roth seminar held at Lake Ohrid in Macedonia, which was attended by senior politicians and diplomats from every Balkan country. Someone said that Russia has not been involved in the discussions, but I must tell the House that Russia was very well represented at that meeting. I discussed these issues with Vladimir Ryzhkov, who was Russian deputy Prime Minister under Chernomyrdin; with Volotnikov, a very influential Communist; and with General Popkovitch and other people who carry real weight in Russia.

The dialogue has continued for months. The Kosovars who attended the seminar in Macedonia were split down the middle: one half wanted autonomy and the other half wanted independence. When we attended the Organisation

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for Security and Co-operation in Europe parliamentary assembly 10 days later, one Kosovar on the rostrum was arguing with another on the floor of the hall. They yelled abuse at each other in much the same way as some hon. Members have done today.

One of the problems is that the Kosovars have not spoken with one voice. Milosevic had the voice, and he still does. There has been much talk, quite properly, about Serbian heroism in world war II and comparisons have been made with the Milosevic regime. Such comparisons are entirely invalid and inaccurate. Mention has been made of Germans and the Luftwaffe. That is entirely wrong because Germany is now a democratic nation—what is more, it is part of NATO.

That brings me to the essential point. We have talked today about the fact that the Prime Minister and the British Government have declared war. They have done nothing of the kind. They have engaged in a collective action in compliance with a decision that was taken collectively by NATO—a treaty organisation of which we have been a member for 50 years. We cannot turn around and walk away from our treaty obligations. After protracted negotiations with Milosevic and after his successive breaches of faith, the collective wisdom of NATO was that the only way to stop the slaughter was to take this action. I do not like that; however, although it is regrettable, it is necessary.

I remind the House of my comments the other day; the bombing did not start last night, but months ago. When the hon. Member for Gainsborough (Mr. Leigh) tells the House of Serbian culture and of the Serbs' determination and commitment to go on until the end, I am well aware of that because I have seen Serbs kissing the bombs as they put them into the field mortars. They sent those bombs sailing on to some defenceless community across the valley, who had no weapons of that calibre to fire back.

We must be sensible and realistic. It is no good trying to force the dialogue that has been called for today. I get a bit sick of hon. Members wringing their hands and parading their consciences in the Chamber, while people are being shot in the back of the head. Those people are not combatants, but old women and young boys. Combat did not matter to the 20 people who were found slaughtered in a gully. They were not killed because they were engaging in combat; they were killed because they were of the wrong ethnic origin and the wrong religion.

We can make nice legal points about why we should or should not take this action, but, frankly, I do not want to take part in that debate. We cannot allow slaughter to go on in that state. It is utterly wrong. The approach adopted by NATO is to disarm the major weaponry of the Yugoslavian army. The tanks mentioned by the hon. Member for Gainsborough may well prove to be a problem to the KLA and it is true that NATO's air strikes may be providing cover for the KLA, but they are also providing cover for those who are not members of the KLA. The Serbian tanks could well be taken out by Apache Longbows in the fullness of time; I hope that does not happen, but it is a military reality that it could easily be done. Technologically, there is no comparison whatever between the NATO strike capability and that of the Serbians. The Serbian communications networks will be in a mess now, and their logistic routes will not be as easy as they were.

I do not know what the reaction will be to the reports on the wires—which my hon. Friend the Member for Halifax (Mrs. Mahon) has told us about—that Mr. Milosevic has announced the cessation of his action in Kosovo. That is one bonus. We must hope that he goes a little further and signs the agreement that was on the table in Rambouillet, as he should have done originally.

NATO has allowed itself to be conned. The KLA was prepared to sign the Rambouillet agreement for autonomy only, even though its members wanted independence. I have no doubt that the KLA agreed to sign that agreement to put Milosevic in an embarrassing situation. I discussed those matters with General Klaus Naumann, who chairs the military committee. General Naumann and General Wesley Clark, the supreme allied commander, spent more than 20 hours face to face with Milosevic, trying to talk sense to him. Naumann came away from that meeting convinced that Milosevic needed armed intervention to protect himself from his own electorate in the event of his making concessions to the Kosovar demands. I do not know whether that is true, but it was Naumann's analysis and I have heard many other senior commentators express similar views. If that proves to be true, I shall be hugely relieved, and I am sure that the rest of the House will be as well. The fact that Milosevic has called a cessation of the action might indicate that there is some substance to that analysis. I pray to God that there is.

What worries me far more is the long-lasting effect of all this. In our dealings with Russian representatives, not at the most senior level, as that is the privilege of my right hon. and hon. Friends on the Treasury Bench, but at the middle level, we have found huge suspicion of NATO. We must recognise that and understand the reasons for it. We have been their declared enemies for 50 years and only in the past 10 years have we begun to stretch out a hand in friendship. The Russians have great difficulty believing that NATO is not an offensive organisation. Only in the past eight months have we begun to get them to accept that the whole logic and purpose of NATO now is to create a collective security architecture for a Europe that includes them. What is most sad about the current circumstances and the response that we have had to make to Mr. Milosevic's madness is that our task in explaining NATO to the Russians may well have been lengthened.

The Russian side of the joint monitoring group contacted me yesterday, asking for a statement and a meeting. They wanted the meeting to be in Brussels yesterday afternoon, but they only contacted me at lunchtime, so it was somewhat difficult to arrange—it sounds funny, but it is deadly serious. The suggestion was made that they should meet us in Dresden on Sunday morning. They replied that they would meet us then if no bombs had been dropped, so that meeting has gone by the board. I only hope and pray that the next time we meet them, on 16 April—at NATO headquarters, funnily enough, if they do not call it off—we shall be able to redeem the situation with them, hopefully having in the meantime redeemed it with Mr. Milosevic.

5.52 pm

Mr. John Randall (Uxbridge): I had not intended to speak in the debate. Like the hon. Member for Portsmouth, North (Mr. Rapson), I realise that, when our

armed forces are in action, it is time to support, not to criticise. That is why I say again that this debate should have taken place months ago. However, I struggled with my conscience and decided that I had to speak out.

We have heard some excellent speeches from all sides of the argument—speeches that were full of knowledge and emotion. The debate has thrown up some strange alliances: between the hon. Member for Harrow, East (Mr. McNulty) and my hon. Friend the Member for New Forest, East (Dr. Lewis), and between my hon. Friend the Member for Gainsborough (Mr. Leigh) and the hon. Member for Glasgow, Kelvin (Mr. Galloway). I, too, should speak out. I regard myself as patriotic, but that does not mean that I can allow things to be done that I believe are profoundly misguided.

I can claim to have some knowledge of the subject, having studied Serbo-Croat language, literature and history for five years at London university. In those days, Serbo-Croat was a single language, but such is the bitterness and animosity in that region that the one language I studied is now regarded as three. I remember coming to a Committee Room of the House of Commons 20 years ago to listen to the right hon. Member for Chesterfield (Mr. Benn)—his constituency was further south at that time—address the British-Yugoslav friendship society. I studied briefly at Belgrade university and at Pristina, and I have visited Yugoslavia many times, albeit not in recent years.

I have been rebuked several times by the Foreign Secretary and the Secretary of State for Defence for referring to history. I understand that we must always look forward, but in that region—perhaps more than in any other region on our continent—history is deep in the heart of the people.

I am bitterly opposed to the regime of President Milosevic, and, for several years, I have been the treasurer of the Friends of B92, which supports the independent radio station in Belgrade that has been highly critical of that regime. One result of the action has been that the radio station has been closed down and its editor, Veran Matic, detained.

Why, then, do I have misgivings? I could echo many of the statements that have already been made, but I do not want to detain the House. It is profoundly dangerous to attack an independent sovereign country. As we have heard, the problem, however unpleasant it is to witness, is essentially a civil war. I am not a lawyer and I cannot speak about international law, but it seems that the UN has given the operation no legitimacy. Above all, if we in this country stand for anything, we stand for upholding the law, including international law. Making the rules for ourselves because we know best is a dangerous precedent for any country to set. No national interest of ours has been threatened.

I doubt that the operation will have the desired effect, although I was heartened by the reports that the hon. Member for Halifax (Mrs. Mahon) read out, and I sincerely hope that they are true. If they are true, and the situation has changed, I have been wrong, and I shall admit that.

None of us can be anything but moved by the pictures of slaughter that we see in the newspapers and, in particular, on the television screen. A few weeks ago, a Kosovo lady who lives over here and who is married to an English man came to see me in my surgery, and powerfully put her case for intervention. She showed me pictures of her family in Pristina trying to live a normal family life. As I have a young family, I found that disturbing, but I think that the action that will take place will only make the situation worse.

As I said, I hope that those who, like me, have serious misgivings—we have heard many hon. Members express them—are proved wrong. Today, our thoughts must be not only for our service men and women, but for the victims of war, because in war there are only losers.

5.58 pm

Laura Moffatt (Crawley): It is difficult to imagine how a woman living in Belgrade is feeling this evening and the horror that she must be going through. The tension in the House reveals what a difficult issue we face today.

Many of us have been gently rebuked for not having an historical basis for our contribution, but it is difficult for us to get to grips with many of the issues. The situation reminds me of an old joke in which somebody is asked whether he or she was going to a particular place and is then told, "Well, I wouldn't have started from here." This is a difficult issue and we must deal with the present situation, which is extremely severe.

I do not have any doubt that there is a mandate. I do not have any difficulty acknowledging that we are able to act collectively, or that there are humanitarian United Nations resolutions to enable us to do so. I have no doubt that the members of NATO are entirely united on this action. I do not share the views of some of my hon. Friends that the involvement of the German air force is negative. For many people, it is positive. We should be celebrating it as an example of how we can come together after years of conflict.

One thing that we do know, and on which we are all united, is that there is no question but that the violence against Kosovar Albanians must stop. The international community has no right to stand by and allow what we have seen to go on. Many hon. Members have said, "Well, we do not intervene here; we do not intervene there," but that does not make it okay for us not to do anything today in Kosovo, which is the big issue. How do we have the right to put at risk the fledgling democracies in the surrounding area, which are just beginning to emerge in their own right, by asking them to absorb the trouble and difficulty? We must assist them and ensure that we are there for them. The wider implications must be taken into account.

Many hon. Members do not share my view that the act of taking collective action is an inevitability. I very much respect and understand their view. The Select Committee on Defence visited Russia just last week; we were with members of the Duma for much of the week. I felt their pain and anger at the action, and, in the few days that we spent with them, I heard people saying that we must choose another way and that reaction is not an inevitability. I take heart from that. I have heard very negative comments in this debate about the Russian reaction. I very much hope that, at the end of this terrible experience, we will be able to come together again.

I have been so heartened by what I have seen while serving on the Defence Committee. Committee members have looked at the "Partnership for Peace" in Brussels, Supreme Headquarters Allied Powers Europe—SHAPE—

[Laura Moffatt]

and how NATO member states work closely together. One realises as a result that a difference can be made, that there can be a different way forward.

What would I do if I were one of the poor women in Belgrade? What would I do if I were just a Serbian woman who was trying to get by and make a living? I have sons and feel very angry about what is happening, but I do not receive any free information. Nobody tells me both sides of the story; I do not hear the wonderful history to which I have listened in this debate. I receive only the information that is fed to me by the Government. I am told only of the 14th-century history that makes it so important that we go to war in a barbaric reaction to events. I cannot even hear an independent radio station, because it has been closed down. All I have is the World Service or, if I am lucky enough to be in a hotel room, BBC World.

Mr. Randall: I believe that the independent television station TV Studio B is still broadcasting.

Laura Moffatt: It is extremely good news to hear that there is still one station left, but that does not compare for one moment with the information here that enables me, as a mother, to make decisions. We should be concerned about that. There is no question but that I would be brainwashed if I were in Belgrade.

Mr. Frank Cook: Would my hon. Friend care to speculate on the contents of the Belgrade newspapers tomorrow morning? Will the citizens of Belgrade be able to hear the speeches of my hon. Friend the Member for Brent, East (Mr. Livingstone) and of my right hon. Friend the Member for Chesterfield (Mr. Benn)?

Laura Moffatt: That is a lovely point well made, and I shall let it stand as it is.

I do not share the depressing feeling that things cannot work in Russia. As full members of the Contact Group, they have been there for us. The situation is not irretrievable.

We must remember all those who took part in efforts to achieve a peaceful settlement—the United States envoy, Richard Holbrooke, our Foreign Secretary, and all those involved in the talks at Rambouillet, who tried to make sure that the debate went on. They must have heavy hearts today. We must let them know that we understand their feelings and support the work that they did. We must thank them for persuading the Kosovars that they could sign up to the agreement. However, we cannot allow the Kosovar people that they can now do what they like. They, too, must make sacrifices. Those who tried to bring about an agreement have not failed. It is the Belgrade Government who have failed.

I have a message for the poor people in Belgrade, especially the women, who must wonder what is happening to them. I have three precious sons of my own. A few months ago, one of them came home and announced that he was going to join the Territorial Army. I was so pleased for him, because I believed that he was doing it for the right reasons. He would improve his skills and make new friends, and more important, he was going to offer himself as a reserve for what I believe to be one of the best armed forces in the world. We should salute the work that they do, as many hon. Members have done in the House today.

If I were a woman in Belgrade and my son came to me and said that President Milosevic wanted him to sign up—as he is asking a million men to do—to go to Kosovo and continue that hideous work, what would I say as a parent? My view would be entirely different, of course. I say to the women in Belgrade, "Do not allow your children to be used in such a way by such an evil regime. Do not allow that to happen. We did not give birth to those children to allow them to be used by people who have no understanding of the human rights of others."

It is important that those messages get through. We must tell ordinary people throughout Yugoslavia that they are free people who can make up their own minds. I have little doubt that they would also like to get rid of the regime. We can have a free Europe only when there are equal partners in Europe. We cannot allow action such as we have witnessed to take place in our part of the world. That must not happen. I am proud that we have taken action collectively to try to stop it.

6.8 pm

Mr. Andrew Tyrie (Chichester): I had not intended to speak in this debate, but there have been so many interesting speeches—some of which I will comment on obliquely in my remarks—that I decided to participate. It is sad that we did not have the chance to have this debate earlier, and are having it now, while military action is taking place. Several speakers made that point.

Everyone is agreed that Milosevic is an extremely nasty piece of work. He is responsible for the collapse of Yugoslavia, with his bid to form a Greater Serbia. He bears more responsibility than anyone else for the terrible events in Bosnia. It was the Serbs who began the policy of mass ethnic cleansing, which has been the most abhorrent feature of the events in former Yugoslavia over the past few years. We could, and I believe probably should, have tried to stop Milosevic earlier. We should have taken the Bosnian action that we took much sooner than we did.

On Kosovo, it is a tragedy that, for 10 years, the Kosovars had been practising peaceful resistance to the Serbs, and that they were ignored by the west. Rugova, a man who believed in peaceful resistance, has lost the argument with his people. He argued that, if the Kosovars carried on pursuing his peaceful line, the west would eventually come to their aid, but the west did not come until violence by the Serbs radicalised the Kosovar community. Only when the violence escalated was the west prepared to act.

Now that the west has acted, the credibility of the western alliance is on the line. We should back our forces. We have no alternative but to back this action and to see it through as best we can. Operations are under way, so the legal and institutional issues—whether the war is just and whether there is a sufficient body of international law to justify intervention on humanitarian grounds—scarcely matter. The issue is whether we can succeed in these operations and achieve our objectives.

On Tuesday, the Prime Minister cited two objectives. The first was an humanitarian objective, which he defined more closely by saying that we had to deplete the Yugoslav army to the point where it could no longer

continue with the oppression. He put forward a second objective only in response to questions. Referring to other parts of the Balkan region, he said:

"The best insurance against the spread of conflict is to take precisely the action that we are taking. We know from bitter experience that we cannot afford such instability on the borders of Europe."—[*Official Report*, 23 March 1999; Vol. 328, c. 165.]

In other words, the Prime Minister was positing the geopolitical objective of arresting and hoping to prevent the spread of conflict.

My deep concern is that, although we have the best of intentions, military action will not achieve either objective. The risk is that it will increase suffering, lead to greater displacement of people and perhaps even increase ethnic cleansing. I find even more worrying the prospect that, also with the best of intentions, we may increase the risk of conflict spreading to neighbouring countries, particularly Macedonia.

Mr. Gill: Does my hon. Friend share my concern that we are sending entirely the wrong message to Russia? The North Atlantic treaty has been very effective and its fifth article spells out the fact that NATO forces will engage only in defence of our mutual interests, but we are witnessing the phenomenon of NATO acting offensively at a time when central and eastern European countries are joining NATO. What message does that send to Russia?

Mr. Deputy Speaker: Order. The hon. Gentleman has made a lengthy intervention.

Mr. Tyrie: The wider issues of the west's relations with those countries that could still pose a medium-term threat to our security are crucial. Foremost among them are our relations with Russia. I will say a few words about that later, but I want to discuss Macedonia.

Macedonia, which sits just to the south of Kosovo, is the only country of former Yugoslavia to succeed in breaking away without recourse to conflict. Furthermore, it has a large ethnic Albanian minority—about a third of the population. When Macedonia broke away and became independent, the view was widely held that it would be impossible for it to sustain that independence, but, under extremely skilled and wise leadership from Gligorov, it has succeeded.

Macedonia has not only succeeded in remaining independent and preventing incursions by its neighbours—it has not been swallowed up by them, as many predicted—but prevented ethnic conflict domestically, by integrating the Albanian community into the process of government. Macedonia deserves the highest possible praise for what it has achieved politically. I am deeply concerned about one possible repercussion of our action: if Serbia made an attempt to get at western forces based in Macedonia, Macedonia could be dragged slowly into a wider southern Balkan conflict. If that were to happen, the destabilisation of the whole of the southern Balkans would become an extremely unpleasant prospect. The Greeks have made clear their determination to take a view, possibly a military view, should Macedonia collapse. The Bulgarians have held a claim on Macedonia way back to the mid-19th century and the treaty of San Stefano. Leaders in Bulgaria from time to time make bellicose remarks about Macedonia. It is widely believed that the Bulgarian secret service was behind the assassination attempt on Gligorov a few years ago, which almost killed him.

People have asked, "What other option was there?" There were other options besides the policy that we are pursuing. One would have been to act earlier against Milosevic. Another would have been to try, even now, to guard against the spread of the conflict to Macedonia and to prevent further destabilisation of Albania. The opportunity for those options is fast passing with this military action. We must all hope that the campaign that is under way succeeds in its objectives, even if many of us share doubts about whether they are achievable.

My hon. Friend the Member for Ludlow (Mr. Gill) referred to Russia. In the long run, all of us in the west must pay much greater attention to the dangers that have come with the hurt pride, the inflamed nationalism and the anti-western sentiment that we have stirred up in Serbia. We must all recognise that Serbia is a microcosm of parts of the east where people feel that they were the losers from the collapse of the Berlin wall and the end of the cold war; biggest among those is Russia.

Almost everyone in eastern Europe and in the former Soviet Union feels that they were gainers. The Asian republics of the former Soviet Union feel that they were gainers. Ukraine and the Baltic republics think that they were gainers. Russia, which is a deeply nationalistic country with a long and proud history, feels itself to be a big loser. We must recognise that, when a country as important and as large as Russia feels that its national interest has been damaged and its pride has been hurt, it may react.

The skill with which the west approaches what I believe will be a growing problem in the longer run—of dealing with Russia and an increased need to recognise its sensitivities—and the skill with which the west manages the problems of the rest of the former Soviet Union are big issues. Such issues lie behind the enmity that we have witnessed in the past few days. For the moment, we must deal with a smaller country that has also lost its empire, feels deeply aggrieved and is determined to hang on to what it considers and has always considered to be part of its territory: Kosovo.

6.18 pm

Mr. Harry Cohen (Leyton and Wanstead): Time is short, so I shall be brief and discard most of my prepared speech.

The military intervention in the Federal Republic of Yugoslavia is a source of great sadness. It has come about because of the racist, nationalist leadership in Belgrade and its internal security police, who continue to engage in ethnic cleansing.

My central point is that, as we start a new century and a new millennium, we must try to halt the rise in holocausts. If the United Nations will not do that, someone else must. Cambodia and Rwanda have been dreadful stains on the international community.

Mr. Corbyn: Will my hon. Friend give way?

Mr. Cohen: No, I cannot.

Like the Nazi slaughter of the Jews, what happened in Cambodia and Rwanda was a dreadful stain on the international community. There is a genuine baseline for human rights and humanitarian action under international law, but it must be strengthened. The international criminal court is an important start, but NATO states must become more fully democratic and uphold human rights.

[Mr. Cohen]

The issue of sovereignty is regarded as inviolate, even when such atrocities occur. Holocausts and humanitarian disasters take place in some countries, but there is no external intervention. I would compare the sovereignty of states with the sovereignty that the head of a household had a hundred years ago. The man of the house could beat his wife and abuse his children and the rest of society would do nothing. Even a decade ago it was not illegal for a man to rape his wife. That domestic sovereignty was inviolate, just like international sovereignty is now. Women and children were considered second-class citizens. In Kosovo, the majority of Kosovar Albanians are treated as worse than second-class citizens.

I believe that the use of humanitarian human rights to prevent holocausts should be placed on a par with sovereignty in international law. War makes me sick, but we must stand up to ethnic cleansing.

6.20 pm

Mr. John Maples (Stratford-on-Avon): Nothing I have heard today has changed my view that in Mr. Milosevic we are dealing with an extremely evil person leading an extremely evil regime. He has ruined the chances of a peaceful transition in the Balkans over the past 10 years, and he has ruined the prospects for his own country. He has committed vile crimes in Bosnia, and they are beginning to be repeated in Kosovo. For that reason, we support the efforts that the Government have made over the past year to stop what is happening, and to bring long-term peace to the Balkans. We support the air campaign which, as I understand it, has been designed to force Mr. Milosevic to conclude the agreements that we have negotiated in France, and to desist from the atrocities in Kosovo.

Emotions have run high on both sides of the debate, however, and I do not think that emotions should be allowed to dictate a great nation's foreign policy. I have some questions to ask the Government, which I hope the Secretary of State will be able to answer. I want us all to be able to understand the Government's strategy better.

This has been one of the best debates in which I have participated. We have heard widely differing views, strongly and sometimes passionately expressed. We have heard different views from members of the same party. We have heard passionate speeches opposing the Government's policy from the right hon. Member for Chesterfield (Mr. Benn), the hon. Member for Glasgow, Kelvin (Mr. Galloway), my hon. Friend the Member for Hertford and Stortford (Mr. Wells) and my right hon. Friend the Member for Kensington and Chelsea (Mr. Clark).

We have heard equally passionate speeches supporting the Government from my hon. Friend the Member for South Staffordshire (Sir P. Cormack) and the hon. Members for Brent, East (Mr. Livingstone) and for Stockton, North (Mr. Cook). Difficult questions were raised in the thoughtful speeches of my right hon. Friend the Member for Bridgwater (Mr. King) and of my hon. Friends the Members for Witney (Mr. Woodward), for Uxbridge (Mr. Randall) and for Chichester (Mr. Tyrie). We have heard speeches supporting and opposing the Government's policy across and within parties.

As the hon. Member for Stockton, North said, the debate has featured a very selective use of history, but I do not want to go into that. I think that it is time to look forward, and to spend a little time examining the Government's aims and the methods that they have chosen to employ. Those who have spoken passionately in favour of the Government's cause have a dilemma, in that those who are in favour of their policy are actually in favour of the removal of the Milosevic regime. I think that they must acknowledge that that is not likely to be achieved merely with air power. Those who are against the Government's policy—in some cases, for very good and solid reasons—have no answer to the question, "What would you do about the atrocities that are being committed in Kosovo?". That seems to me to be the central issue between the two sides, and in the debate generally.

There is a moral dimension to the issue. We all want to stop suffering anywhere in the world if we can. If we knew that we could stop things like this easily, we would of course do so. In his explanation of Government policy, the Prime Minister has made a great deal of the humanitarian crisis in Kosovo, and it is true that it is awful: the pictures that we see are appalling and distressing, and make us all want to do something about the situation. However, a great many similar crises are taking place in the world, in a great many other places. They do not reach our television screens; perhaps they are happening a long way away, in a continent of which we know nothing. There are no calls for western troops to become involved in those crises. What happened in Chechnya five or six years ago was an almost exact parallel with what is happening in Kosovo, but there was no question of our intervening there. We must be careful about how far we carry the issue of moral obligation.

Mr. Benn: Chechnya is a good example. Whether or not there was any prospect of it, there is no doubt that the Russians believed that the expansion of NATO into eastern Europe might at some stage involve an intervention in the Russian Federation.

Mr. Maples: I would love to debate the future of NATO with the right hon. Gentleman some time, but I will not let myself be distracted now.

Last night, the Minister of State said on television that there was a duty, or an obligation, to intervene to prevent humanitarian disaster. I think that there must be more than that for a Government to intervene: there must be a real issue of national interest as well. In the case of Kosovo, it is a question of the stability, or otherwise, of the Balkans. Is there a danger of the crisis in Kosovo leading to a wider war? I would be interested in the Secretary of State's view of how the situation might develop. Do we still think that a flood of refugees into Macedonia might destabilise that country? Do we think that the demands for a Greater Albania might cause problems in the region?

There was until recently a United Nations force in Macedonia that was designed to stop that destabilisation. Its authority from the United Nations has been removed. What do we do now? Does the Secretary of State think that, in the long run, there is a serious possibility that the conflict might draw in Turkey and Greece? That is a central issue.

My hon. Friends the Members for Ludlow (Mr. Gill) and for Chichester have raised the question of relations with Russia, which have obviously been badly damaged by the decision to begin bombing. Russia cannot be

allowed to veto NATO action. We cannot allow it to say what is, or is not, in our interest and how we should pursue it. At the same time, our relations with Russia are extremely important and it is not in our interest that they should be damaged. Perhaps that damage has been inevitable following the events of the past two or three days, but I hope that serious efforts will be made soon to repair those relations.

The central question in relation to the Government's policy is: will the bombing work? The Prime Minister seems very confident that it will. If we knew that it would, every hon. Member, or almost every hon. Member, would wholeheartedly support the Government, but we know of too many cases where it has not worked and has reinforced political support for the regime that has been the target.

There is a possibility that the new generation of smart weapons and extremely accurate bombs and cruise missiles, which enable specific targets to be taken out while minimising civilian damage, may raise the cost to an aggressor and give us leverage that we would not have had with very inaccurate bombing. If that proves to be the case, it will open a whole new arena of possibilities in the management of international crises. It remains to be seen whether that happens.

The Government's objectives are to get Milosevic to sign up to the agreement and to degrade his military capability for action in Kosovo, but he does not need that advanced, sophisticated military capability to continue to commit atrocities in Kosovo; trucks and automatic rifles will be enough. Can the Secretary of State give us some idea—I know that he cannot tell us details of the air campaign—of how long he expects the operation to last?

Usually, bombing is the precursor to a ground attack, as was the case in the Gulf and has classically been the case in many other wars. The imposition, or introduction of ground troops to the conflict before there is a peace agreement would add a new dimension to the conflict. Hon. Members have expressed serious reservations about that.

On Tuesday, the Prime Minister made it clear that he ruled that out. Yesterday, the Secretary of State for Defence said the same in equally categorical terms in evidence to the Select Committee on Defence. We take that as an absolute commitment.

For the NATO force in Macedonia to fight its way into Kosovo would be dangerous. A much bigger force would be needed. Some people have estimated that it would take 100,000 to 200,000 troops. I am not in a position to judge, but it would certainly require more than the 28,000 that are planned to be in Macedonia. They could end up suffering heavy casualties.

One is reminded that troops often go into conflicts on one side and end up upsetting that side. Northern Ireland is a perfect example. We went in to help the republican side and ended up as its enemy, getting shot at.

We have to concede that there is a strong possibility that the bombing will not work. What will the Government do if it fails? They are not prepared to use ground troops—we agree with that—so what will they do? Will they escalate the bombing until they get some result, not knowing for sure whether they will achieve their objective, or will they walk away from the conflict?

There has been much talk of NATO credibility, but once having started the conflict, walking away would damage its credibility considerably. On the other hand, there is a risk—a real danger—of getting sucked deeper and deeper into the Balkan quagmire. The Conservative party has made clear its opposition to the use of ground troops before there is a peace agreement—to our troops fighting their way into Kosovo.

Mr. Wells: How credible do you think NATO would be if, having bombed, we did not put in ground troops and there was no outcome? Do you—

Mr. Deputy Speaker: Order. The hon. Gentleman knows that he must address the Chair. I call Mr. Wells.

Mr. Maples *rose—*

Mr. Deputy Speaker: Order. I called Mr. Wells to complete his point.

Mr. Wells: I beg your pardon, Mr. Deputy Speaker.

My point is that that would leave NATO's credibility in enforcing peace in complete tatters.

Mr. Maples: I was trying to explain that that is the dilemma that I see the Government facing. It is a question for the Secretary of State and, like my hon. Friend the Member for Hertford and Stortford (Mr. Wells), I shall be interested in his response. If the bombing does not succeed there will be enormous pressure for NATO to use the troops that are sitting in Macedonia. I believe that they have become a hostage to fortune and I query the wisdom of having pre-positioned them. The alternative, if the bombing fails, is to use that force or to extract it. I will be interested in the Secretary of State's views on that.

We can talk about NATO action, but none of this would be happening without the involvement of the United States. It is US air power, intelligence and communications that make such operations possible. Without the United States, the European members of NATO do not have the means or, I suggest, the will to act on their own. I hope that this will bring a healthy dose of realism to the ambitions of the European Union to develop military capability independent of NATO and the United States.

For a long time I have felt that we need a long-term strategy for the Balkans. We have never really had that. In the past, we have reacted to events, to television pictures and to atrocities and we have tried to deal with them on an ad hoc basis without a long-term plan or endgame, as some people might put it. I hope that the Secretary of State will develop that in his reply. What sort of a Balkans do we foresee at the end of our intervention in Kosovo? There may be other areas that we will have to look at, because Serbia might become aggressive in Sanjac in the north of the country and it now looks as if there are difficulties in Montenegro. The entire area is unstable. The Bosnian Federation looks equally unstable, if not more so, and without the United Nations force which is there at present, it is unlikely that the Federation Government or the Dayton solution will be able to continue.

There are many unresolved conflicts around the Balkans and I hope that the Secretary of State will tell us whether the Government have a long-term view. If we do not, it is difficult to see where the different actions are leading us. We need to know that there is a strategy.

[Mr. Maples]

Do we foresee a Balkans of even smaller nation states with all the implications that that has for redrawing boundaries and difficulties over whether ethnic minorities lie on one side or the other? What role do we see for Serbia in the future of the Balkans? How can Macedonia be stabilised, and how can the ambitions for a greater Albania be contained?

As I have said, there are many unresolved issues which we will have to address in one way or another if we want to bring lasting peace and stability to the Balkans. I hope that the Government have addressed those problems. If they have not, the danger is that we will end up reacting to events or, worse, reacting emotionally to television pictures without a long-term plan for what is in our nation's best interest, which is to establish stability in the Balkans. How we achieve that is extremely difficult and I am not sure that we should be embarking on these military adventures without some concept of where we want to end up.

One of the ingredients for that solution will be more democratic governments in the region—there are far too few at present. I suspect that an essential ingredient will be an end to Milosevic and his regime. That has been one of the main troublemakers. As my hon. Friend the Member for Chichester made clear, the rise of Serb nationalism has been at the heart of the break-up of Yugoslavia. Economic development is always an ingredient. Slovenia has become relatively quiet and I suspect that that is largely because it is getting on with earning a living. I know that it was easier for Slovenia because there were fewer minorities.

If we can help with the economic development of areas where there is peace, there is a chance of distracting people from age-old ethnic conflicts and persuading them that it is not worth fighting because we can create something that is worth living for and protecting. However, lasting stability will need more than that. I should like to hear the Secretary of State develop that theme. How much have the Government thought the issue through? Will they share their thinking and their strategy with the House?

Kosovo presents a daunting challenge to statesmen and generals. All the countries of NATO and those in the Contact Group who are outside NATO face that challenge. The House and the Government have committed our armed forces. We have put them into action and asked them to kill and to risk being killed on our behalf. We often talk as though the situation were an international game of chess, but we are asking people to risk their lives. We have to have confidence in the policy that we are asking them to implement. Our forces and their families will know that our thoughts and prayers are with them. We know that they will, as always, acquit themselves with skill and courage. We wish them good luck and great success in their endeavours.

I question whether the bombing campaign will be successful. I am sure that those doubts are in the Government's mind as well. We must all hope that the Prime Minister is right that the bombing will stop the atrocities in Kosovo and bring Milosevic back to the negotiating table so that we can put in place a peace agreement that NATO forces can help to implement and police.

However, there is a strong possibility that the bombing will not achieve its objectives. If it does not, the options that the Government will face are unattractive. The pressure to involve the NATO ground troops stationed in Macedonia will be very strong, as will the pressure to escalate the air strikes. The only alternative to those two courses of action is to withdraw and admit that we have not achieved our objectives. None of those is a satisfactory outcome.

I hope that the Government have thought the issue through. I hope that they have a long-term plan for resolving the crisis and pursuing the action on which they have embarked, but I am not confident that they are clear about what they will do next if the bombing fails.

6.37 pm

The Secretary of State for Defence (Mr. George Robertson): I associate myself with the remarks of the hon. Member for Stratford-on-Avon (Mr. Maples). This has been a remarkable debate. Sombre, serious, passionate and crossing party lines, it has done a lot of credit to the House of Commons. That makes it all the more difficult to reply to the debate and to pick up many of the points. I hope that the House will indulge me by allowing me to answer some of the serious, detailed points that have been made and not take too many interventions. A lot has been said and asked and I should like to deal with those points in the remaining minutes.

As a direct result of Siberian intransigence—sorry, I should get the country right. I assure the House that those who are in charge of targeting know better. As a direct result of Serbian intransigence, as my right hon. Friend the Deputy Prime Minister told the House last night, British forces participated in a substantial strike by NATO forces against targets in the Federal Republic of Yugoslavia. NATO has taken that action because all other means of preventing a human catastrophe in Kosovo have been frustrated by the Serbs.

Despite the intense diplomatic efforts of the international community to secure a peaceful solution to the conflict in Kosovo and to prevent a humanitarian disaster, the Serbian Government have refused to allow a peaceful solution to the crisis. The result, as we have all seen, has been a developing humanitarian catastrophe in which Yugoslav and Serbian security forces are destroying whole villages and making tens of thousands homeless. Only yesterday, before we had to embark on air strikes, the Ministry of the Interior special police were reported to be razing villages to the ground in central Kosovo in the areas around Podujevo, Srbica and Komorane. That was only 24 hours ago, when, I believe, President Milosevic still doubted our resolve and our ability to do something, and still believed that the air attacks would not take place.

Several right hon. and hon. Members, including the right hon. Member for Bridgwater (Mr. King), who once held this onerous position, asked me to report on what happened last night, when NATO aircraft and naval forces began military operations against targets in Yugoslavia. The offensive action—involving sea and air-launched cruise missiles as well as manned aircraft from the United States, the United Kingdom, France, Canada and Spain—was supported by aircraft from Belgium, Denmark, Germany, Italy, the Netherlands, Norway, Portugal and Turkey, flying essential fighter cover, air refuelling and defence suppression missions. In all, 13 NATO air forces were involved.

The first targets, mainly facilities associated with the Yugoslav air defence system, were hit just after 7 o'clock. Assets used included air-launched cruise missiles fired by US B52 aircraft, which had taken off from RAF Fairford in Gloucestershire earlier in the day, and Tomahawk land attack missiles fired by United States Navy ships and, for the first time, by HMS Splendid.

Follow-on attacks were conducted by manned tactical aircraft, including RAF Harrier GR7s, based in southern Italy, using Paveway 2 laser-guided bombs. Other targets included facilities associated with military units directly involved in aggression in Kosovo. Let me repeat for emphasis what I said last night and throughout today: all the targets and any future targets are military, not civilian. They are chosen with enormous care.

Just over an hour after the first cruise missiles impacted on their targets, six RAF Harriers were tasked to attack an ammunition storage facility to the east of the Tomahawk target. Four of the aircraft were armed with two Paveway 2 1,000 lb laser-guided bombs—the type used extensively and with considerable success during Operation Desert Fox—and the other two acted as escort.

The bombers were tasked against explosive and ammunition storage buildings in a Yugoslav military ammunition storage facility that was known to support the Ministry of the Interior special police, who have been at the forefront of repressive actions against the Kosovar Albanian population. Such facilities contribute significantly to the Serbian security forces' repressive capability.

It is too soon to give any results of the United Kingdom attacks but, as confirmed earlier today by the NATO Secretary-General and the Supreme Allied Commander Europe, overall, the attacks by NATO aircraft and ships are assessed to have been successful.

Several hon. Members have questioned the degree of international support for NATO action. The 19 nations in NATO that are involved are united in their resolve. The United Nations Securi Council, as the hon. Member for Witney (Mr. Woodward) said, met last night. The Security Council is not made up only of its permanent members—the United States, the United Kingdom, France, China and Russia—but of other members of the international community. NATO's action has received the support of Security Council members Canada, Argentina, Slovenia, Malaysia, Gambia, Bahrain, the Netherlands and Gabon, in addition to France, Britain and the United States. Apart from China and Russia, the only opposition came from Namibia. Indeed, the UN Security Council, of which China and Russia are permanent members, has repeatedly condemned the actions of the former Yugoslavia in Kosovo.

Three UN Security Council resolutions—1160, 1199 and 1203—have condemned Serb actions in Kosovo. We believe that the UN understands that we could not allow Milosevic to attack the civilian population of Kosovo with impunity.

The shadow Foreign Secretary asked about the four non-NATO members of the European Union. I have been asked by my right hon. Friend the Foreign Secretary—who has had to return to Berlin—to make it clear that Sweden, Austria, Finland and Ireland were all fully supportive of the declaration adopted by the European Council, and did not seek to distance themselves from it in any way. Of course, the European Union is not NATO, but all member states were united in support for a strong and clear statement. They did not seek to make any amendments to any draft that was tabled.

Mr. Howard: Will the Secretary of State confirm that that statement does not endorse military action? Why does it not do so?

Mr. Robertson: The European Union is not NATO. The EU members who are in NATO made the declaration supporting military action, as one would expect.

Mr. Corbyn: Will the Secretary of State give way?

Mr. Robertson: No, I am afraid that I must continue if I am to answer the issues raised by my hon. Friend, and others.

Russia has figured largely in the debate, from quite surprising sources not known in the past to give much support to Russia's role within the world. This is an issue of some concern. British-Russian relations have improved markedly over the past two years, and we value those relations. My right hon. Friend the Prime Minister spoke to the Russian Prime Minister Mr. Primakov earlier today. The Russian position is well known, but the discussions between the two Prime Ministers were perfectly friendly.

Hon. Members have asked about the military objectives of the Government and of NATO. They are clear cut; to avert an impending humanitarian catastrophe by disrupting the violent attacks currently being carried out by the Yugoslav security forces against the Kosovar Albanians, and to limit their ability to conduct such repression in future. We have not set ourselves the task of defeating the Yugoslav army. We are engaged in an effort to reduce Milosevic's repressive capacity, and we are confident that we will achieve that.

Hon. Members have asked when the bombing will stop, and when we will assess that we have achieved the objectives. What happens next is essentially up to Milosevic himself. The next stage is there for him. At Rambouillet, the Kosovar Albanians signed up—in compromise to their principles and objectives—to a text that would have protected the integrity of the Federal Republic of Yugoslavia. Milosevic can agree to that deal at any time. If we are convinced that he is genuine, the air attacks will stop. The international community also expects Milosevic to show, in more than just a nominal sense, that he will stop the violence and carnage in Kosovo.

I wish to refer to the question of a legal base, which the right hon. and learned Member for North-East Fife (Mr. Campbell) dealt with in some detail. He made an interesting and valuable point which the House should bear in mind; that the principles of international law—indeed, international law itself—did not start with the UN. International law preceded the UN, and these principles are there whatever the UN charter says. They are clear.

There are those in the House who doubt that there is a legal base, and have questioned the legality of the action. The right hon. Member for Kensington and Chelsea (Mr. Clark)—who has left the Chamber—asked a question about civil liability with which I wish to deal. We are in no doubt that NATO is acting within international law. Our legal justification rests upon the

[Mr. Robertson]

accepted principle that force may be used in extreme circumstances to avert a humanitarian catastrophe. Those circumstances clearly exist in Kosovo.

The use of force in such circumstances can be justified as an exceptional measure in support of purposes laid down by the UN Security Council, but without the Council's express authorisation, when that is the only means to avert an immediate and overwhelming humanitarian catastrophe. UN Security Council resolution 1199 clearly calls on the Yugoslav authorities to take immediate steps to cease their repression of the Kosovar Albanians and to enter into a meaningful dialogue, leading to a negotiated political solution.

Several hon. Members asked for a precedent for attacking a sovereign nation from the air in the light of the legal provisions. That point has been answered by the right hon. Member for Bridgwater (Mr. King), who has more reason than most of us to know. I was here, at the Dispatch Box for the Opposition, when there were calls from all over the country and all over the world to save the Kurds who were being systematically exterminated by Saddam Hussein. The precedent, the principle and the emergency situation were the same, and we took action to save the Kurds. The no-fly zones are still in place, and thousands of Kurds who would not otherwise be alive today remain in them.

The right hon. Member for Kensington and Chelsea asked about civil liability if any weapon were to hit civilian targets. I understand the legal position to be that no circumstances can arise from our actions that would give rise to liability for compensation for damage to civilian property.

The right hon. Member for Bridgwater, the shadow Foreign Secretary, the shadow Defence Secretary and some of my hon. Friends all asked about strain on our armed forces. Even those who have not raised that issue in debate are concerned about that point. Ours are the finest fighting forces in the world, but they are involved in more active operations today than at any other peacetime period. Of course, the term "peacetime" takes on a new meaning in the dangerous post-cold war world.

Some have prayed in aid the Chief of Defence Staff's reference to planning assumptions in the strategic defence review. He gave evidence to the Select Committee on Defence last July, saying that the assumptions are planning tools and that

"it would be a mistake to think that the levels were absolutely in stone".

As we explained throughout the review, we may, in particular circumstances, decide to do less than its assumptions provide for, or we may be able to do more. SDR planning was based on being able to mount two concurrent operations at full brigade level. Maintaining deployments in Bosnia and Kosovo will be very demanding but the overall forces involved are not of that order.

The Chief of Defence Staff is content with the current proposals. If we deployed, we would not be talking about indefinite deployment. As the situation improves, we will look to reduce numbers. After the likely replacement of the headquarters of the Allied Rapid Reaction Corps with another headquarters, the numbers should fall markedly in that theatre.

Several hon. Members have raised the issue of ground forces. Some have said that there is no solution that does not involve land forces fighting their way into Kosovo, or being part of a force that was doing so. The Liberal Democrats have chosen to talk about achieving some United Nations protectorate, and maintaining it with the land forces who would be opposed on entry to Serbia.

We have not set ourselves the task of defeating the Yugoslav army. We are engaged in an effort to reduce Milosevic's repressive capability and we will achieve that. We have no intention of sending ground forces into Kosovo except with the agreement of both parties. This is a limited military action with a strictly humanitarian objective, which we believe can be achieved through air strikes. We do not think that it would be right to escalate this into a major ground invasion, in which many lives might be lost and the humanitarian crisis could be made worse.

Sir Peter Tapsell: Is there a single general at the Ministry of Defence who has been prepared to advise the Secretary of State in writing that he believes that the stated objectives of the NATO command can be achieved by air strikes alone?

Mr. Robertson: It is the view of the chiefs of staff and the Chief of the Defence Staff that what we are doing is right, appropriate and achievable.

Sir Peter Tapsell: The Secretary of State has not answered the question.

Mr. Robertson: The hon. Gentleman may disagree with me. I am the chairman of the Defence Council, and there is civilian control of the military in this country. In this case, they are in absolute agreement with the political decision that has been taken, not just by me or the Prime Minister of the United Kingdom but by the Governments of all 19 NATO countries. I know that we are talking in the British Parliament and that we have British preoccupations, as we should because we are committing British forces to this endeavour, but this is a NATO operation. It has been planned, it has been debated and it has been the subject of consultation since last October and before. Military commanders from the Supreme Allied Commander Europe right down the chains of command in 19 countries have come to that conclusion. It is not for me or the hon. Gentleman to question their military judgment. At the end of the day, it will be for politicians to decide, having balanced all the factors. That is what I have and the Defence Ministers of those countries have done.

Hon. Members have expressed anxieties about what we are doing. Whatever position one takes, it is possible to express concern about the use of air strikes as the way to stop what we know will otherwise be a catastrophe, with ethnic cleansing, war crimes and the destruction of human beings, crops and villages. It is entirely possible to make such criticism, but what are the alternatives? I have not always agreed with my hon. Friend the Member for North-East Derbyshire (Mr. Barnes), but tonight he made a passionate speech that I thought was right. He recognised the weaknesses and problems involved, but at the end he asked how we could live with the atrocities taking place and do nothing. He could not think of any other alternatives.

What alternatives are there? We have tried diplomacy to exhaustion over the past year. Every chance has been given. It is in the self-interest of Yugoslavia and Serbia to accept the Rambouillet accords. The separatist movement in Kosovo has accepted staying within the Federal Republic of Yugoslavia. It has compromised. What suggests to President Milosevic that he should not sign up to something so eminently sensible? A year after the diplomacy started, after all the chances, the killing goes on. They were doing it yesterday, and they would be doing it today if the attacks had not taken place.

We could try appeasement. That was the policy before the second world war. There were those who believed in it. Why do not we give them Kosovo?

Mr. Benn *rose in his place and claimed to move*, That the Question be now put.

Mr. Deputy Speaker: The Question is, That the Question be now put.

Hon. Members: Aye.

Hon. Members: No.

Mr. Deputy Speaker: I think the Noes have it. Mr. Robertson.

Mr. Robertson: We could try appeasement but I do not think that anyone in the House or the country would go along with that at all. We could stand by and watch the butchery continue. We could watch the television pictures and know that what they showed was only a small component of what was going on in that tragic country.

Mr. Benn: On a point of order, Mr. Deputy Speaker. It is normal for the Chair to put the Question several times to be satisfied. I shouted "Aye" and, in fairness, it would be right for the House to have a chance to register its opinion on the principle of the matter. I put it to you that it would be right to have a vote tonight.

Mr. Deputy Speaker: I accepted the motion and put it to the House. It appeared to me, on listening to the voices, that it was decisively beaten. My decision was not challenged at that time, otherwise we would have proceeded to a Division. Mr. Robertson.

Mr. Robertson: If we did not take a stand against the savage, merciless, brutal violence being perpetrated today in Kosovo, what hope would there be for our continent in the 21st century? As the Prime Minister said, if the Balkans ignite in flames, the conflagration could spread to many other parts of Europe, and not just neighbouring countries. The lessons of history—and not just of this century—are that we must stand up to aggressive bullies.

It being Seven o'clock, the motion for the Adjournment of the House lapsed, without Question put.

PETITION

Derriford Hospital Transplant Unit

7 pm

Mrs. Linda Gilroy (Plymouth, Sutton): I wish to present a petition that has been signed by 110,000 people, both in my constituency and from surrounding constituencies. Mrs. Sue Sellis, chairman of the friends of the hospital trust and a patient of the transplant unit, has led a campaign, with magnificent support from the Plymouth *Evening Herald* newspaper, the community health council and the health authorities that purchase services from the hospital. The petition was prompted by a Royal College of Surgeons report on the nation's transplant services that appeared to cast a shadow over the future of Plymouth's unit. The magnitude of support for the petition may best be understood by considering the position of a patient in the Isles of Scilly who would have to travel the equivalent of the distance from Carlisle to Bristol for treatment were the unit to close.

The petition states:

To the House of Commons

The Petition of the Friends of Plymouth Derriford Hospital Kidney Unit

Declares that the renal transplant unit of Plymouth Derriford Hospital provides a vital local service greatly valued by people in Plymouth and across Devon, Cornwall and Dorset.

The petitioners therefore request that the House of Commons urge the Secretary of State for Health to recognise this in respect of any discussions which take place between his Department and the Royal College of Surgeons in respect of their recent report on transplant services.

And the petitioners remain etc.

To lie upon the table.

British Hostages (Chechnya)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Kevin Hughes.]*

7.2 pm

Mrs. Angela Browning (Tiverton and Honiton): On 9 December 1998, in response to a private notice question from the hon. Member for Hereford (Mr. Keetch)—who is in his place tonight—the House heard a confirmation of the previous day's sad reports about the murder of four hostages in Chechnya. Three of the hostages were British nationals and one was a New Zealander. One hostage, Mr. Rudi Petschi, was my constituent and his family live in my constituency.

Since then, I have tabled several written questions to the Foreign and Commonwealth Office and I have met the Minister to discuss the matter. I thank the Minister for agreeing to that meeting. However, several issues continue to concern me. Many questions remain unanswered, and we hope to hear more at the inquest about what happened to Mr. Petschi and his colleagues, who worked for Granger Telecom.

I welcome this opportunity tonight to express to the Minister my on-going concern about not just events in Chechnya but the way in which cases such as this are dealt with, and how Members of Parliament can respond to them. There seems to be a grey area in terms of what action we can expect of the Foreign and Commonwealth Office when British nationals are taken hostage—and, in this case, subsequently murdered—in places such as Chechnya.

We recognise that it is unsafe even for the Foreign Office to maintain an official presence in some parts of the world—and Chechnya is one such place. Therefore, my remarks are made against that backdrop: it is not an easy situation. None the less, when incidents such as this occur, relatives naturally turn to their Members of Parliament. I believe that we should have a clearer idea of what we can or cannot expect the British Government to do in securing the safe return of hostages and in handling information about hostages taken in hostile parts of the world. There seems to have been an increase in hostage taking: unfortunately, it is becoming a regular event in various parts of the world. One hesitates to say so, but it seems that many political organisations or regimes now see hostage taking as a way of making a political point. All hon. Members are concerned about the frequency of hostage taking, which sometimes occurs much closer to home than Chechnya.

Last week, at my meeting with the Minister at the Foreign Office, I told him of a request made by Mr. Petschi's widow. The Minister has placed in the Library the advice given to the employing company, Granger Telecom, and we have had a chance to study that. The Foreign Office has a duty to make it clear that Chechnya is a dangerous place and its advice is that people—whether from a company, a charity or any other organisation—should not go there for whatever reason. I am satisfied that the Foreign Office made that information available to Granger Telecom. Although there may be a duty of care on the employing companies, Mrs. Petschi is concerned about their employees. She asks that the Foreign Office should ensure that, from now on, its advice is not merely given to companies in the form of a written brief; the Foreign Office should also state in writing that that document should be made available to every employee or associated person who will go to a part of the world to which the Foreign Office has advised people not to travel. She is anxious that individuals should be made fully aware of the dangers. That is a simple request for a widow to make.

Notwithstanding such advice, we realise that people make a judgment; some of them are prepared to take a risk. We might then debate whether the protection afforded them by the employing company or the charity adequately met the danger or the threat in that country. However, I feel that there is a duty for the Foreign Office and I am glad to record Mrs. Petschi's request to the Minister.

Before the Granger Telecom employees were taken hostage, the Foreign Office had had the experience of dealing with the case of Camilla Carr and John James, who were taken hostage while they were working for a charity. I accept that the Foreign Office's experience of hostage taking has been influenced by that case. Fortunately, although the hostages were held for a long time, they came out alive. The subject of my repeated questions to the Minister—I have now had an opportunity to discuss the matter with him—is the information that comes out in such cases. In the case of the hostages in Chechnya, most of the information coming into the public domain—whether people knew where the hostages were or what was going to happen—came out through Russia on the interfax. How does the Foreign Office treat such information?

In the case of Camilla Carr and John James, the Foreign Office received much information and, with the benefit of hindsight, one can say that it was mainly rumours. I accept that that poses a dilemma for the Minister. Should the Foreign Office react to every bulletin or piece of paper that is received? In his discussions with me, the Minister has made a case—not an unreasonable one—that one cannot expect the Foreign Office to respond in detail and immediately to every piece of information. However, I maintain that, in the case of the Granger hostages, information that was seen as yet another rumour was instrumental in triggering the death of the four hostages.

Mr. Paul Keetch (Hereford): I congratulate the hon. Lady on obtaining tonight's debate. She will know that, as well as being the constituency Member of Parliament for Peter Kennedy, who was murdered in Chechnya, I was by some strange fate also the constituency Member of Parliament for Camilla Carr and John James, and so I have that experience of hostage taking as well. That taught me that there is so much rumour going about that we as Members of Parliament also have a responsibility to sift through that information. Although I accept that the Foreign Office needs to keep the channel of communication open, we, too, bear a responsibility in that respect.

Mrs. Browning: I am grateful to the hon. Gentleman. It was after sifting through that information—albeit retrospectively—that, in December, I raised, during the private notice question on the Wednesday when we knew that the hostages had been murdered, the particular case of the interfax that had come out of Moscow on the previous Sunday.

When I visited the Foreign Office last week, the Minister kindly gave me a bundle of internal messages and telecommunications that he had received, and I am grateful to him for sharing those documents with me. I studied them carefully. The Minister appears to have concluded that the death of the hostages was a result of two warring factions—two armed gangs, one holding the hostages, the other attempting to release them—attempting to resolve the situation and that the Chechen security forces played no part; and the interfax that came out of Moscow from the head of Chechen security, warning that a rescue attempt was to be made, was not relevant to the subsequent murder of the hostages within the next day or so.

I have studied the information carefully and I am not of the view that there was no connection between the fax that came out of Moscow and the subsequent murder of the hostages. Some of information in that fax might have been inaccurate, in that the head of Chechen security indicated that the Russians were going to make an attempt to rescue the hostages and that the hostages were being held over the border in Russian territory. However, on 13 December—the Sunday following the death of the hostages—*The Sunday Times* published a detailed article on the subject. It states:

"It looked like a Soviet military convoy, but the men dashing along the highway early last Monday morning in a line of Jeep-like Russian uaziki"—

I assume that those are tanks—

"were 150 Chechen anti-terrorist commandos on a rescue mission. Their destination lay to the south, across the snow-covered plain, under the shadow of the Caucasus mountains. From Grozny, the Chechen capital, it took them only 40 minutes to reach the pastel-painted houses on the outskirts of Urus Martan, the most prosperous town in the war-shattered republic. Dodging potholes, they slowed down."

In subsequent correspondence with me, the Minister says that he thinks it quite likely that that hostage rescue attempt that went so terribly wrong took place in Urus Martan. I have double-checked with representatives of *The Sunday Times*, who have assured me that the genesis of that report the following Sunday leads them to believe that it is accurate. It appears unlikely that, if the whole affair had been merely two gangs led by warlords fighting it out in secret, there would have been a military convoy en route on the Monday morning, bearing in mind that it was on the Tuesday that we heard reports of the heads of the hostages being found, and on the Wednesday that the Minister came to the Dispatch Box to tell us that the Government had no prior knowledge of a rescue attempt.

I want the Minister to take my remarks in the spirit in which they are offered, because this is not a witch hunt or an attempt to put him on the spot. The interfax that came out of Moscow was received by the BBC listening service at Caversham near Reading on the Sunday morning and conveyed to the Foreign Office. The Minister's written answers to me confirm that it was read by Foreign Office officials at 9 am the following Monday. It was also received by the Moscow embassy, but not read until the Monday morning. I am not for one minute saying that, if that interfax had been read on the Sunday, the four men would be alive today; that would be quite wrong of me. However, if every piece of information is treated as a rumour, when a hostage taking occurs, there is no reassurance for Members of Parliament, or for people whose relatives have been taken hostage, that the key piece of information, if and when it comes, will be treated in such a way that, at some point, it might be pertinent to some form of intervention that will save lives.

I shall not go so far as to suggest to the Minister, on the Floor of the House, that intervention by the Foreign and Commonwealth Office on Sunday morning, perhaps by notifying Granger Telecom—the third party that was on the ground in Chechnya—could have reinforced the clear message that the Foreign Office had already given. The Minister had made it clear that the Foreign Office would never have encouraged a rescue attempt on the terms on which that attempt took place because it would have jeopardised British lives.

I reassure the Minister that I do not expect the Government to be involved in any negotiations about ransoms. He made the Government's policy clear to me and my colleagues in a meeting that took place before the hostages were murdered. The opinion in the House is that the Government should not negotiate ransoms for hostages, hard as that may be on their relatives.

It is clear, however, that in hostage situations in hostile territories such as Chechnya, the Government have to rely on a third party. In this case, the third party was the employing company, Granger Telecom, which had taken the initiative and responsibility for liaising, through Chechen Telecom, with the Chechen security force. Granger Telecom would have been the Foreign Office's official contact if it had wanted to validate any of the rumours.

It is therefore important for the future that the Foreign Office put in place a better system to identify information and judge whether it requires a reaction. Clearly, when the Minister came to the Dispatch Box on the Wednesday, he was not aware that the Foreign Office, or the Moscow embassy, had received notification of the interfax two days earlier, and I find it hard to believe that he could have known about that. I think that the papers were being dealt with routinely because they were viewed as rumours and it is difficult to decide when action should be taken.

The Minister wrote to me concerning the handling of such information. He stated:

"You asked about dealing with media dispatches in Moscow and London on a Sunday. In London, we have a resident duty officer system for emergencies: this officer works and sleeps in the FCO main building over the weekend. FCO Consular Division (which liaises with hostage families) and Counter-Terrorism Policy Department each also have a weekend duty officer, on call at home. FCO News Department also has a weekend duty officer system. This officer is on call, and may be at home or in the FCO, depending on the time of day and media pressure. Unlike the BBC Monitoring Services, the FCO does not have the resources to monitor, as a matter of routine, all the product of all the world's media over a weekend. In Moscow there is also a weekend duty officer system, plus a rapid call-out system for urgent telegraphic messages."

I do not expect there to be an army of people monitoring all the information on the internet from around the world but, if the Foreign Office is to play any role in hostage cases, it is surely incumbent on it to put in place a routine or system that at least triggers interest, whether the information arrives on a Sunday or a Wednesday. I find it unacceptable that those messages were not dealt with until the following day and, by Monday lunchtime, the FCO had felt that it was appropriate to send the messages to Granger Telecom. That is almost 30 hours after the information came into the public domain.

The Minister will know that Mrs. Petschi, the widow of one of the hostages, was notified of that information on the Sunday because her friends picked it up on the

[Mrs. Browning]

internet. If the general public can pick up such important information on the internet, I beg the Minister to put in place in the FCO a system that can separate the wheat from the chaff. However difficult that task may be, we should at least have a system. I ask him also to assure us that the information will be investigated with a view to how the situation should be handled, because, in future situations, it may be important that information is dealt with quickly.

We await the coroner's inquest, and I know that the Minister hopes to take evidence personally, here or abroad, from key people involved in the Chechen Government and security force, so that he can establish more facts. There is no doubt that I will want to return to the House with this matter when there is more information.

The purpose of this debate is to tell the Minister that, although I appreciate his co-operation—I do not say this vindictively—the systems in the FCO need to be considered. Alternatively, the Foreign Office may have to say that, in areas as hostile as Chechnya, where the Government clearly cannot guarantee to act on behalf of British nationals, it is unrealistic for Members of Parliament and the general public to ask it to play an active role. Perhaps the Foreign Office should come to the conclusion that, in such dangerous places, it will be as helpful as it can following a kidnapping but will play a passive role.

Once something like this event happens, Members of Parliament and relatives of those taken hostage expect that they will have the full force of the Government behind them, but, with the best will in the world, it might be unrealistic to demand that. If that is so, it would be better, for future reference, if the FCO published guidelines on what it can and cannot reasonably be expected to.

7.21 pm

The Minister [illegible], Foreign and Commonwealth Office (Mr. Tony [illegible]d): I thank the hon. Member for Tiverton and Honiton (Mrs. Browning) for giving me the opportunity to respond in a debate on this important subject. Issues concerning the horrendous deaths of Rudi Petschi, Stanley Shaw, Darren Hickey and Peter Kennedy have been before the House before, and are rightly so again. I also thank the hon. Lady for the manner in which she has raised this subject, and conducted my meetings and discussions with her.

I know that the whole House will join her and me in expressing deep sympathy for the families of the four men, as well as admiration for the way in which, with considerable dignity and courage, they have coped. I say that particularly about Mrs. Petschi's very constructive approach to a number of issues.

In my statement to the House on 9 December, I gave an assurance that every effort was being made to get to the truth. Despite our best efforts, which continue, we have not yet been able to obtain a report from the Chechen authorities on their investigation into the crimes. It remains right that we should not send British officials to Chechnya, given the evident dangers there. We have invited representatives of the Chechen authorities to meet us in London or Baku to give a thorough account of what happened, and of what they are doing to bring the criminals to justice. I have received information today that the Metropolitan police will meet Security Minister Atgeriev in Baku on 27 March, when they will pursue these matters. Hopefully, they will be able to give us a much clearer view of what happened.

I return to the events that led up to the hostage taking. It is clear that Chechnya has been highly unstable and, of course, impoverished since the war with the Russian Federation ended in 1996. It is now even more unstable and dangerous. It might be helpful to the House if I outlined our best provisional assessment of what happened.

As we know, the four men were in Grozny working on a contract to install telecommunications equipment for Chechen Telecom. Chechen Telecom was directly responsible for the men's security. On Sunday 4 October, as soon as news of the kidnap reached Moscow and London—this is an important point—Foreign and Commonwealth Office officials called the head office of Granger Telecom in Weybridge to discuss the crisis. The hon. Member for Tiverton and Honiton should know that the Foreign Office works in exactly the way she wants it to do. When information is relevant and seen to be relevant, action is taken—on Sundays, as on any other day of the week.

The Chechen authorities, especially Chechen Telecom, assumed full responsibility for resolving the case. The hon. Member for Tiverton and Honiton is absolutely right to say that the Foreign Office cannot undertake to do everything in these circumstances, especially in a hostile environment such as Chechnya. We relied on the Chechen authorities and, indeed, the ability of Granger Telecom to take the matter forward.

I met Granger management two days after the hostage taking. After that, a pattern of regular contact with the families and with the men's employers was rapidly established. In Russia, we used contacts that we had built up with the Russian and Chechen authorities during the 15 months of the kidnap of Jon James and Camilla Carr to urge the early and safe release of the four men.

The Russians confirmed what we already knew: that they did not exert control in Chechnya. They had no means of securing the safe release of the men. Prior to that, Valentin Vlasov, President Yeltsin's special envoy, was kidnapped in Chechnya. He was released, but not rescued by the Russian authorities, on 12 November last year. More recently, General Gennady Shpigun, the representative in Chechnya of the Russian Interior Minister, was kidnapped at Grozny airport and is still in captivity.

We accept that the Russians do not have the ability to rescue hostages. However, we made it clear to the Russians that the security of the four men was our prime concern, and we urged them not to take any action that might jeopardise their security.

In late October, FCO officials in London met the Deputy Prime Minister of Chechnya, Mr. Atgeriev, who is the Minister responsible for security. We stressed to him that the safety of the four men was the British Government's overriding concern, and that the Chechen authorities should do nothing that would jeopardise the lives of the hostages. We were given assurances to that effect.

Since that time, Mr. Atgeriev has been in contact with the Foreign Office, specifically on 10 December, two days after the remains were found. He recalled that when he

met FCO officials in October, they had emphasised to him the supreme importance of safeguarding the hostages' lives. There was no ambiguity about our Government's attitude in the minds of Chechen officials. Mr. Atgeriev expressed sorrow that the Chechen authorities had not managed to do as we had asked. There was no ambiguity on their part.

It may be helpful if I outline briefly the principles that govern the Government's response to hostage cases overseas. This is relevant to some of the hon. Lady's points. We treat the safety and well-being of hostages as our prime concern. We acknowledge the responsibility of the host Government for resolving satisfactorily a kidnap case on their territory.

Our writ does not run everywhere. We certainly did not claim to have a writ that ran into Chechnya. There are severe limits on what the Foreign Office can undertake to do. That is a realistic statement of fact, which the hon. Lady recognises and has expressed to me. I repeat to the House that it is important that people do not believe that the Government have universal power or capacity in such extremely difficult situations, especially in the terrain and circumstances that make hostage taking possible.

I should reaffirm that the long-standing policy of successive British Governments, as the hon. Lady noted, is to oppose concessions to hostage takers. The Government will not pay, or sanction, or facilitate the payment of ransoms. That is a continuation of the policy of all British Governments, which the House accepts and endorses. That was made clear to and accepted by the men's families and employers at an early stage.

In early December—we do not yet know when—Chechens—we are not in a position to say whether those were the security forces—opposed to the kidnappers captured one of their number and may have sought to use him as a lever to secure the release of the four men. We are fairly certain that an armed confrontation with the kidnappers followed, and that those who attacked the criminals came off worst. The kidnappers then murdered the four hostages, probably as a brutal act of defiance and a warning to their attackers not to try that again. It was an act of terror that we condemn, but it could not have been connected to the interfax report.

I have answered a number of written questions, to which the hon. Lady referred. I hope that I have made it clear to her that the media report was not relevant to the fate of the hostages. I say that partly because our position was crystal clear to the Chechen authorities. They knew that we deplored any attempt to put our citizens and a New Zealand citizen at risk by premature or risky rescue attempts. That was unambiguous.

I have sought to explain why the media report was, like many public—

Mrs. Browning *rose—*

Mr. Lloyd: The hon. Lady will forgive me for not giving way, but I have only two minutes left and I want to make this point for the record. We had no foreknowledge of the sequence of events that led to the deaths of the hostages, and the media report in question does not constitute such a warning. The report was one of a series and it does not constitute a missed opportunity to warn the Chechen authorities of the dangers of an ill-judged rescue attempt. They were aware of our concern about those dangers.

The hon. Lady may be right that the report, which referred to Russian security forces, was perhaps designed to mislead, but it could have misled only because the Russians were not capable of undertaking the kind of rescue attempt to which the report referred.

The hon. Lady made a point about travel advice. The travel advice has been clear and unambiguous. It states:

"We strongly advise against travel to the Chechen Republic because of the unstable security situation. Kidnapping for financial gain is common. Westerners are particularly vulnerable. Those who travel to Chechnya despite this advice are taking severe risks, and must accept"—

this is important; it is central to her point—

"that the ability of the FCO and the British Embassy in Moscow to render assistance is severely limited."

She wanted me to make that point and it had already been made in the travel advice. I hope that she accepts that we did not oversell what we could do and understands that, by not overselling, we were trying to convey a real sense of danger to those who wanted to travel.

I am looking carefully at the point that Mrs. Petschi wanted to be raised, about what can be done to remind employers and travel agents—those with responsibilities—that they have absolute duty to those in their care. It is complicated, and I cannot give the hon. Lady an easy answer, but my—

The motion having been made after Seven o'clock, and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at twenty-eight minutes to Eight o'clock.

House of Commons

Friday 26 March 1999

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Orders of the Day

Right to Roam Bill

Order for Second Reading read.

9.33 am

Mr. Gordon Prentice (Pendle): I beg to move, That the Bill be now read a Second time.

I shall not speak for long because the Government have already spoken for me and for millions of our fellow citizens who wish to enjoy their countryside. The Government are now pledged to introduce a statutory right of area access to more than 4 million acres of some of the most beautiful countryside in England and Wales. There is no difference between my objective and the Government's policy objective. What is about to happen is long overdue.

The Government recognise that the voluntary approach has been tried for half a century and that it has not worked. My right hon. Friend the Prime Minister, speaking memorably in, admittedly, a different context, said:

"We have been there, we have done it, we have got the tee-shirt; it is time to move on."

That is the position with countryside access.

There is huge public and media interest in this issue because, I suppose, the voluntary approach was pitched against the statutory. In the media supplement of *The Guardian* of 13 March, shortly after the Government's announcement on 8 March, the supplement, known as "The Editor"—it measures the stories that are judged to be most important by Britain's main newspapers—put the right to roam right up there behind the banana trade war. The right to roam merited 350 column inches and was just behind bananas, with 359, although the Budget did have an edge.

However, the press got it completely wrong. I remember that, on the afternoon of 8 March, after my right hon. Friend the Minister for the Environment made his announcement in the Chamber, I was having a cup of tea with my good friend the chair of the parliamentary Labour party, my hon. Friend the Member for Ealing, Acton and Shepherd's Bush (Mr. Soley). He looked me straight in the eye and said, "Gordon, the Government were always going to go down the statutory route." He added, "Never believe what you read in the papers, especially *The Guardian*."

In new Labour, we never believe what is in *The Guardian*, but we all read it. No. 10 wants us to read the *Daily Mail* and *The Daily Telegraph*, and other newspapers further to the right, and I do. However, I do not believe what they say either.

The press got it wrong, the PLP got it wrong and I got it wrong. I laboured with my Bill, confident that I had the answer to the conundrum and did not realise, in my innocence, that there was a third way, which has been revealed to us, has it not? When I was working on my Bill, I thought that my right hon. Friend the Prime Minister would be pleased with me, because it was and is classic new Labour. On the one hand, rights, on the other, responsibilities. That is just the sort of language that appeals to my right hon. Friend. We know that because he believes in consensual politics—big-tent inclusive politics.

As the House will know, I have offered my Bill to the Government, to take it and to amend it as they think fit. My right hon. Friend the Minister for the Environment has told me that, at present, the Government are not minded to use it as the vehicle for introducing the right to roam. Two reasons were advanced by him. One is that the Government want to introduce a measure that goes beyond my Bill and that will encompass other matters such as the protection of wildlife. Secondly, the Government are fearful of what would happen to my Bill, even if they embraced it, once it went into the other place. There are a lot of wreckers in the other place who might act out of self-interest and not in the wider public interest. They might seek to damage my Bill, and that would never do.

Before I go any further, I shall thank some people for the help and support that they have given to me with my Bill. First and foremost, I want to thank Helen Ingham and Ruth Wilkinson, who worked with me in my constituency office. They did all the background and back-breaking work—they were responsible for the letters that went to Members, the press releases that were churned out and much of the campaigning stuff. My thanks are due also to all the officers and staff of the Ramblers Association, who worked tirelessly to promote my Bill. I shall not single out any individual, save one—Jerry Pearlman, who helped me with the complexities of drafting the Bill.

I thank my colleagues, the 190 Members of Parliament who pledged that they would be here to support the Bill, had the Government taken a different route.

Mr. Bob Russell (Colchester) *indicated assent.*

Mr. Prentice: I see an hon. Member on the Liberal Democrat Benches nodding. Seven Liberal Democrat Members, of whom I think he was one, supported the Bill—seven out of 47, but I welcome that none the less, in the spirit of the times. It is good to co-operate in areas where co-operation is sensible, we are told, so today I feel warm towards the seven Liberal Democrats.

I thank the hundreds of people who have written to me. I do not have the time to answer all their letters individually, but that was a tremendous boost to my morale and convinced me that I was doing the right thing. A National Opinion Poll survey published recently showed that 85 per cent. of the public want a statutory right to roam, with commonsense restrictions to protect the environment, crops and animals. The Conservative party is backing the 15 per cent. of the population who think that that proposition is outrageous.

What we are asking for is not outrageous. We should not be afraid to articulate our demand. Access legislation is commonplace in other countries in Europe. In Sweden,

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Finland and Norway, people have enjoyed access to all land for hundreds of years. That is the case in Switzerland too. In Germany, where people have a mystical attachment to the forest, they have the right to wander freely through the woods. That is what they do in Germany, and why not?

We in Britain have waited more than a century for a statutory right to roam. It has been a century of struggle, with the people pitted against the land-owning interests, who want to keep the land exclusively for themselves.

There have been many attempts to legislate to open up the land, from the Access to Mountains Bill, which was introduced by James Bryce in 1884 and re-introduced every year in the Commons until the outbreak of the first world war, right through to the National Parks and Access to the Countryside Act 1949, a landmark measure introduced by the post-war Labour Government. Although its intentions were correct, it did not produce the goods. That is why, after half a century, we are revisiting the issue that Attlee and that Labour Government thought they had successfully addressed.

Between the wars, mass trespasses took place. People took direct action to walk on the land of their birth—a land fit for heroes after the first world war, but the soldiers who fought for this country in that great war could not walk on vast tracts of this country. That produced a festering resentment that still exists. I feel it. Now, as we approach the millennium, it is an astonishing fact that we are still strangers in our own country.

In my constituency, Pendle in the Pennines, we are surrounded by thousands of acres of open countryside that is out of bounds. To the west, the Duke of Westminster owns 26,000 acres of open countryside. To the east is Boulsworth hill, which looks down towards Haworth and the parsonage where the Bronte sisters lived. They walked on the moors at Boulsworth. That was the inspiration for "Wuthering Heights" and Heathcliff, yet it is off limits. At some point in the past we, the public, lost the right to walk on that moorland.

From the top of Boulsworth hill, which is in my constituency, on a clear day one can see for 25 miles. One can see way over to Huddersfield. [HON. MEMBERS: "Yorkshire."] I go into Yorkshire occasionally; I do not need a passport yet. Standing there on a clear day, seeing for so many miles, I am reminded of what the Bishop of Blackburn says. He is a member of the Countryside Commission and has newly been appointed to the Countryside Agency. He speaks about the feeling of spirituality, of being up there, in the clouds almost, and seeing the land spread out all round.

If I stand on top of Boulsworth hill or Pendle hill, I can see my entire constituency—85,000 people in seven towns. I can look down there, and in some of those towns, people can gaze at the hills, but not walk there. *[Interruption.]* Yes, they can gaze up and see me, and say, "There he is again, rambling." I am enjoying this, but let me be serious.

Millions of people are fed up with sneaking and creeping round the countryside, afraid to upset others. We have been brainwashed into believing that we cause damage wherever we go. We apologise for the harm that we allegedly cause by our very presence. A few weeks ago, in the Grand Committee Room on 10 March, at a meeting called by the Socialist Environmental Resources Association—SERA—to discuss the right to roam, the Earl of Macclesfield told the astonished audience, "The countryside cannot accommodate humans on the loose." That is what he said; I jotted it down.

That is a man who owns thousands of acres in the Chilterns, which he insists remain off limits to humans on the loose. He does not want people to have the right to roam, but apparently it is okay for a tiny number of people dressed in red outfits to have the right to rampage across the countryside with dogs. Rampaging across the countryside with dogs is okay for the noble earl, but the right to roam quietly and peacefully on foot is apparently an outrage.

We are told that we cannot have the right to roam because of the terrible damage that we would do. We are also told that the landowners are the true guardians of the countryside. They are holding it in trust for tomorrow, and the rest of us are all wreckers. However, walkers and ramblers have not poisoned the countryside with pesticides. We have not polluted the water courses. We have not silenced the countryside as the birds have perished. We are not responsible for grubbing up the hedgerows and damaging biodiversity. But the landowners point an accusing finger at us and say that, if the measure goes through, we would damage or destroy the delicate ecology of the countryside that they maintain and preserve. The landowners, who say that they protect the countryside, sell green-field sites for building. They sell those sites to developers and then complain about encroachment on the countryside by townies.

The countryside is not the personal fiefdom of country landowners and they had better get used to that. The Government are addressing the concerns of people living in rural areas—people who were neglected by the Conservatives. That is why I welcomed the consultation paper on rural England, published by the Government in February this year, which set out our vision for the countryside. That vision is not of people in red outfits riding about with dogs, but of jobs and strong, vibrant communities in our rural areas; it is of access to transport in the countryside and of services, such as village shops. We want a living, working countryside.

That vision is parodied by the Conservatives, who tell us that we are the wreckers. The land is ours; it is for all of us to share and enjoy, but the landowners want it for their exclusive use; they do not want to share it. That is why we must legislate to give people that right.

Mr. Christopher Gill (Ludlow): When I appeared on a television programme with the hon. Gentleman, it became clear to me that he had a preoccupation with the Duke of Westminster. However, experience in other parts of the country suggests that there is no serious problem. In Shropshire, we have more rights of way than roads: there are 3,625 miles of footpaths and bridleways against 3,000 miles of roads. During the 12 years that I have represented the area as a Member of Parliament, no one has ever told me that there is an unfulfilled demand for the right to walk, roam or ramble across the countryside. We have some marvellous countryside; it is open to the people and they use it.

Mr. Prentice: Well, if that is the case, legislation will not bother the hon. Gentleman.

It is not true that I have a fixation with the Duke of Westminster—exclusively. I mentioned the Earl of Macclesfield; I am developing a fixation with him as well.

Mr. Phil Sawford (Kettering): The Duke of Buccleuch.

Mr. Prentice: As my hon. Friend says—the Duke of Buccleuch. I probably have a fixation with them all.

There are many good reasons for keeping people off land, and I shall turn to them in a moment. However, ownership is not of itself a sufficient reason and that is what sticks in the throat of the Conservatives. There are good reasons for keeping people off the land: furry animals might be breeding or birds nesting there; there could be delicate habitats or archaeological remains. However, the mere fact of ownership is not a sufficient reason.

Miss Anne McIntosh (Vale of York): If ownership is not a reason for preventing someone from coming on to land, why could the Duke of Westminster not enter the hon. Gentleman's garden in his constituency?

Mr. Prentice: I should not have given way to the hon. Lady. The main difference between us is that I do not have a back garden that extends to 26,000 acres.

Mr. Stephen Pound (Ealing, North): Yet.

Mr. Prentice: Yet. If I did, I should be the duke of something I suppose. *[Interruption.]* My hon. Friends suggest that I should be dubbed the Duke of Pendle, which has a certain ring to it.

Mr. James Gray (North Wiltshire): The hon. Gentleman's response to the question put by my hon. Friend the Member for Vale of York (Miss McIntosh) sheds a little light on the rest of his speech, which has, so far, been typified by class hatred and class warfare, rather than by any real interest in rambling in the countryside. In that response, he suggested that what was important was the size of the land owned and that if one had a reasonably small garden, it would be protected. At what stage does that protection for his garden become the right to roam on a farm?

Mr. Prentice: I am tempted to say that size is not important.

The hon. Gentleman mentioned class hatred. A number of Conservative Members paint me as an unreconstructed class warrior. My hon. Friends know that that is not the case and they will tell the Prime Minister so. I gave notice to the right hon. Member for Kensington and Chelsea (Mr. Clark) that I would mention him in the debate, and I see that he is in his place in the Chamber. During the debate on Second Reading of the Fur Farming (Prohibition) Bill, the right hon. Gentleman said that he supported the principle of the right to roam, but had grave reservations about the Member presenting the Bill—me. He said that whenever he heard me, I was

"usually recommending to the House that one or other Tory Member should go to prison".

That is true, but I take the rather old-fashioned view—clearly, one with which Conservatives have to wrestle—that, if one does not break the law, one does not go to prison.

The right hon. Gentleman went on to describe me as a "down-market Leninist"; I say, better to be a down-market Leninist than an up-market Stalinist. I then considered Leninism and its place in new Labour. If I am a Leninist, new Labour is a vanguard party where policies are decided by the few, not by the many—and, of course, that is an absurd proposition.

The right hon. Gentleman continued:

"He is the worst possible person to promote a Bill that has, in principle, much to be said for it and that should enjoy the support of the whole House."—[*Official Report*, 5 March 1999; Vol. 326, c. 1384.]

I have spies everywhere. The right hon. Gentleman wrote to one of his constituents about my Bill, and the letter came to me. He said, in a handwritten postscript:

"Unfortunately, Gordon Prentice is an unpleasant man—unreconstructed SWP."

That is, the Socialist Workers party. The letter continued:

"When I asked him in a perfectly friendly way how he was getting on, he said: 'We intend to expropriate your land in Kent'."

I have no recollection of that. He continued:

"Loopy, as well as highly counter-productive."

When I read the right hon. Gentleman's diaries, I thought he might be a fantasist—now I know—but even if I wanted to expropriate Saltwood in Kent, the Prime Minister would not let me.

The violence of that language is not unique. On 18 March, an editorial in *Shooting Times and Country Magazine* stated of my right hon. Friend the Minister:

"Michael Meacher's open invitation for anyone to gate-crash and traipse over the countryside is astounding. His proposed decision to ignore the country's property laws and, in effect, nationalise privately owned land, with no compensation . . . is a relic of the worst of old Labour. His class war instincts have prevailed."

On 12 March, the *Farmers Guardian* said:

"Farmers have been happy to have walkers and others on their land."

That is good, because I have told "Farming Today" on a number of occasions that I am the farmers' friend. They do not believe that, but I am. The *Farmers Guardian* continued:

"What Farmers have not been happy with is the type of rambler who masquerades as a country loving individual while at the same time harbouring political and class fuelled resentments about the ownership of land . . . Some of these resentments have been carried down the generations and in some ramblers they amount almost to religion. Mr. Meacher has recognised this and has given it his blessing."

Mr. Alan Clark (Kensington and Chelsea): I am most grateful to the hon. Gentleman for allowing me to intervene. Only he and the House can judge the propriety of revealing the contents of a letter from a Member of Parliament to his constituent. *[Interruption.]* I do not criticise that; I am content for the House and his colleagues to judge. I must tell him that not one single thing that he has said so far in any way invalidates my criticisms of him or the serious reservations that I have expressed about an issue on which I feel supportive.

Mr. Prentice: The House has heard the right hon. Gentleman, for what it is worth.

I say to the hon. Member for North Wiltshire (Mr. Gray) that the argument is not about class; it is all about citizenship. There are 60 million people crowded

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and crushed together on this tiny little island of ours, and 12.5 per cent. of the land area of our country is off limits. That situation is simply unacceptable and it has to change, which is why we need legislation.

The Country Landowners Association has gone completely over the top. When my right hon. Friend the Minister for the Environment made his announcement on 8 March, it said that the Government's decision

"has destroyed the goodwill of the countryside and confirmed the worst fears of all those who took part in the Countryside March last year."

So it is okay for members of the CLA to exercise their right to roam on Hyde park, but it is not okay for me to exercise my right to roam in open countryside. That is an absurd proposition.

Ian McNicol, the CLA president, said that the Government have deliberately misled the electorate and the press, adding:

"Where we have offered co-operation, they have chosen confrontation."

Berkshire CLA said:

"It is a victory for bigotry over reason, for hard left dogma over pragmatism. For old style socialism over new Labour."

I have a fistful of quotes in similar vein and those views are all familiar to me.

In January 1998, I was fortunate enough to secure an Adjournment debate on access to land and I quoted the CLA's spokesperson in the east midlands. The quote bears repetition a year later:

"The right to roam would apply to everyone, including the minority of vandals, sheep stealers, badger baiters, horse slashers, illegal hare coursers, poaching gangs, birds' egg thieves and those responsible for the rising tide of crime in rural areas, many of them forced out of the towns and cities by improved policing and surveillance techniques."

That is the CLA's vision: as a consequence of the Bill, people will be terrorised in the countryside, with people running around slashing horses and stealing sheep. What an absurdity!

As the CLA said in its submission to the Government consultation paper, it really wants to give people a right of visual access to the countryside. That is unacceptable.

Mr. Martin Salter (Reading, West): Is my hon. Friend aware that I visited the estates of the chair of the CLA in Berkshire? The Benyon family are well known to Conservative Members and theirs is one of the few estates that is growing. Their problems are caused not by walking or rambling, although the estate is a few miles from 250,000 people in greater Reading, but by off-road vehicles, motor bike scrambling and picnicking by the roadside. In their submission to the Government, they said that voluntary access agreements had produced more open access to the countryside through caravan sites and pick-your-own strawberry farms. Does my hon. Friend agree that they talk absolute nonsense?

Mr. Prentice: My hon. Friend makes a powerful point. It is astonishing that my modest Bill, which simply seeks to give people the right to roam on foot, is apparently not enough for the CLA. One of the criticisms that it has levelled at me is that I am ignoring people with four-wheel drives, cyclists, canoeists and, for God's sake, hang-gliders. That is absurd, and the CLA is constantly moving the goal posts. The National Farmers Union is only slightly less hysterical, but it, too, has got the wrong end of the stick.

I am minded not to pursue my Bill, because of the Government's statement of 8 March, but I want to listen carefully to what my right hon. Friend the Minister for the Environment says. For the record, my Bill has three legs which I shall describe, but not necessarily in order of importance. The first is clause 12, which is a stand-alone clause dealing with cross-compliance. It would stop European Union and United Kingdom Treasury grants going to farmers who block footpaths. If a landowner cannot show that footpaths are unobstructed, he or she will not receive a grant. If footpaths are unobstructed, but become obstructed within five years, he or she will not receive a grant or will have to repay it.

In its briefing for hon. Members, the NFU says that it wants people to stick to paths. It does not want area access. The NFU refers to clause 12 as the "politics of punishment". Again, the language is extreme and over the top. We do not want a "something for nothing" society in Britain—that is what we are told—yet public money can go to farmers and landowners, although we get nothing other than a slap in the face in return. That is astonishing.

If paths are blocked, the cash should stop. In a written reply earlier this month, the Minister, using figures produced by the Countryside Commission in 1994, told me that 26 per cent. of footpaths were blocked or difficult to use. That 26 per cent. represents 25,000 miles.

Mr. Gill: I wonder whether we could explore the principle that is at stake. I understand what the hon. Gentleman says, and the whole House will have noted it, but surely the principle that he is discussing extends far beyond this issue. For example, is he saying that anyone entitled to benefit under the social security arrangements who committed an offence would thereby be deprived of those social security benefits?

Mr. Prentice: The hon. Gentleman should catch up. I support the Government, like all my hon. Friends, although that caused me some difficulty when the Government controversially proclaimed in the context of welfare reform that they were against the "something for nothing" society.

The hon. Gentleman mentioned welfare reform. Landowners in the UK receive £2.5 billion a year from the common agricultural policy; the poorest hill farmers receive more modest sums, such as £148 million a year through the hill livestock compensatory allowance. If public money is to be used in that way, it should have strings attached. We want something for that. It is only the Conservative party that says that bucketfuls of public money can be poured into landowners' pockets, but that the public can expect nothing in the return. That must change.

The second leg of the Bill refers to conditional exemption from inheritance tax. I have a fixation about that as well. Clause 15 requires a person who has been granted conditional exemption from inheritance tax because the public allegedly have access to his or her land to publicise that access. Is that asking too much?

Some 350 super-wealthy people in this country get conditional exemption. They tell the Inland Revenue that they need not pay inheritance tax when the owner dies

because the public have a right of access to the land, even though the public do not know that they have a right of access because it has never been publicised. It is absurd.

My right hon. Friend the Chancellor of the Exchequer took a major step forward in last year's Finance Bill, which expressly prohibited landowners from requiring advance notice of visits. Those who take the trouble to find out where the land is could not just turn up and exercise the right to walk on it; but had to give the owner advance notice that they were coming. It was absurd. That is changing under this Government. The Inland Revenue is now revisiting all 350 agreements, and insisting that access is publicised and put on the world wide web.

Mr. Andrew Rowe (Faversham and Mid-Kent): The hon. Gentleman is personalising this issue to a considerable degree, but I understand that the majority of acres in this country are owned by organisations such as pension funds and insurance companies, which presumably do not enjoy the same benefits. Will he assure us that the Government are equally interested in ensuring that those organisations publicise access to their acres?

Mr. Prentice: I would be interested in the evidence for that assertion. I know that six landowners in Lancashire get conditional exemption from inheritance tax, and I tried to find out who they are. The Table Office would not accept my question and the Inland Revenue would not tell me because, it says, to do so would breach taxpayers' confidentiality. I shall give way to the hon. Gentleman again if he can tell me how he knows that those organisations are conditionally exempt and if he can name them.

Mr. Rowe: That was not the point of my question, which was quite straightforward: the majority of acres are owned by public companies, pension funds, life assurance companies and other such corporate owners—that is certainly the case in my area—which presumably do not have those inheritance tax problems. I am concerned that the hon. Gentleman should be equally interested in ensuring that people know that they can roam those companies' land. Publicity should be an obligation on them as much as on a private owner.

Mr. Prentice: That does not take us much further forward. The Channel 4 "Dispatches" programme broadcast a two-part series entitled "The Lie of the Land", but it listed none of those companies and institutions that the hon. Gentleman referred to. However, I shall make inquiries about that. I do not intend to personalise this issue in a nasty way. [HON. MEMBERS: "Oh?"] It is true. We want land to be identified so that people can have access to it. The issue is simple.

The third and final leg of my Bill deals with access to the open countryside, which is covered by the Minister's statement on 8 March. As I said at the beginning, there is no policy difference whatever—not a cigarette paper of a difference—between me and my Government on this, but there are a number of questions which I hope that the Minister will pick up when he speaks later.

Mapping is central to the Bill and to the Government's proposals. Common land is already identified. Apparently, the Agricultural Development Advisory Service maps the moorland areas of England. I learned that just a few days ago when I was at a meeting called by the Countryside Commission in the House of Lords. The right hon. Member for Suffolk, Coastal (Mr. Gummer), a former Environment Secretary, was there, and a look of surprise crossed his face when he heard that the moorland had already been mapped. Clearly, however, a lot of work remains to be done.

First, will the Countryside Agency have the resources that it needs to map the land quickly? Secondly, if it takes time, can the mapping and the commencement dates for the legislation be done in stages so that easy terrain, such as mountains, can be mapped first and more difficult terrain, such as downlands, can be mapped later?

I am also interested in the role of local access forums. The wreckers in the Countryside Landowners Association have already said that they are sceptical about the usefulness of local access forums. I thought that they would embrace them. When will they be set up, and can the Minister say more about their membership? We also need a consistent approach across the country, with no capricious decisions, so that a decision taken in North Yorkshire is not massively different from a decision about the same kind of terrain taken in another part of the country.

Finally, we need assurances about timing. I appreciate that I cannot write the legislative programme for the Government, unfortunate though that is, but we all expect a Government Bill in November in the next Queen's Speech. I speak for all my colleagues—[HON. MEMBERS: "Hear, hear."] in that respect. I have referred in glowing terms to my right hon. Friend the Prime Minister many times in my speech. We hang on his every word. He told us that 1999 is Labour's year of delivery. On the right to roam, it really is time to deliver.

10.18 am

Mr. James Paice (South-East Cambridgeshire): It is conventional on such occasions to congratulate an hon. Member on having the good fortune to have drawn a high place in the ballot. I congratulate the hon. Member for Pendle (Mr. Prentice), because he has an opportunity that not many hon. Members get, however many years they are in this House. I also congratulate him on having the courage to choose an issue that is clearly as controversial between parties as it is, I suspect, within his own party. We know that from the fact that one of his colleagues intends to introduce a 10-minute Bill with a wholly different approach to the same issue.

The hon. Gentleman's speech was tinged with dry sarcasm and sardonic humour, which his hon. Friends all found highly amusing. However, it underlined the fact that the Bill and this whole proposition serve to demonstrate the divide between socialism, and capitalism and property ownership. It is a totally socialist measure. I am sure that the hon. Gentleman will take that as a compliment.

Mr. Gareth R. Thomas (Harrow, West): Will the hon. Gentleman give way?

Mr. Paice: No, not for the moment.

The right to roam is based not on a putative enjoyment of the countryside, but on one thing and one thing alone: that most evil of human traits, envy. It is based on envy

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of private property and a belief that land should be available to everyone and that no one should have the right to restrict access to it.

I have talked to many ramblers—my constituents and others—I challenged Kate Ashbrook, who had the courage to speak to a Conservative party meeting in the House last year, and I challenged the Minister when he made his statement earlier this month. I asked them what extra benefits of enjoyment of the countryside can be obtained from the right to roam that cannot be obtained from a comprehensive network of footpaths. They had no answer. They either evade the issue by saying, as the Minister did, that there is no comprehensive network, or they resort to the truth and say that they should have a right to go wherever they want.

The Minister took refuge in the absence of a comprehensive network of footpaths as a justification for his policy, which I accept is not 100 per cent. the same as that proposed by the hon. Member for Pendle, although it is pretty close to it. The fact is that, despite what the hon. Gentleman said, little effort has been made to create a comprehensive network of footpaths. A great deal more could be done, and I accept that further statutory measures may be required to achieve that network. If that were done, far more people would gain.

The hon. Gentleman referred to the proximity of his constituency to a large area of open land, but most people live in parts of the country where there is no conveniently placed open land. They may not be able to go out of their back door and have access to such land, but they want to be able to get to a good walk within a few short minutes or a short drive. No one in my constituency could access any open land in less than an hour and a half or two hours. Many other people are faced with the same problem.

I was born and brought up in the country but, before anyone suggests that I am a massive landowner, I should tell the House that I am not: I own the grand sum of 10 acres, so I am not speaking from self-interest. I want people to enjoy the countryside, because it has so much to offer, but that enjoyment can be obtained from walking along footpaths and does not require this draconian measure.

Mr. Derek Twigg (Halton): I have a letter from a mountaineering organisation in my constituency. It says that the Country Landowners Association suggested limited access to recognised paths only, but to adopt that approach would deny access to the crags and open countryside on which mountaineering depends, and would make a complete mockery of the concept of freedom of access.

Mr. Paice: We do not have many mountains or crags in Cambridgeshire. My point is that the vast majority of people would gain far more from a comprehensive network of footpaths than they would from open access. There is no reason why negotiations could not obtain opportunities for mountaineers to find the right rock face and to come to an agreement with the landowner. That is wholly different from this proposed wholesale right of access. People want to be able to walk on a Sunday or at any other time and have access to the countryside near to where they live. Most people do not live near open land with mountain, moor, heath or down: they live near managed agricultural land.

Mr. Richard Allan (Sheffield, Hallam): Does the hon. Gentleman accept that millions of people live near the Peak district either on the wrong side, the Lancashire side, or on the right side, the Yorkshire side, and they regularly access that land, but there is a major problem because certain areas are still out of bounds? We need genuine open access, and the Bill will do something to achieve that. It may not help the hon. Gentleman in Cambridgeshire, but it will help millions of people in the major conurbations in the north of the country.

Mr. Paice: The hon. Gentleman is entirely wrong. It may not be possible to access certain areas, but that is not a reason to have open access. It is a reason for developing a more comprehensive network of footpaths—that is the point that I am making.

I am sure that it is impossible to convert the hon. Member for Pendle, so I shall not try to do so. However, if we take the Government at face value, they should be seeking the large tent—the hon. Gentleman referred somewhat sardonically to the inclusive nature of their policies. They should consider the needs and interests of the vast majority of people, which I believe would be served by creating such a network. They should work with the Ministry of Agriculture, Fisheries and Food, and should create links with support measures. They should simplify and speed up the diversion process, and remove the absurdity that enables a person to object to, and to obstruct, that process. We could then move towards a much more comprehensive network.

Many farmers have already opened up permissive footpaths, which ramblers reject for political reasons, because they are obsessed with rights. They believe that a footpath should exist for ever and a day, but that is not a necessary requirement. As long as there are plenty of footpaths in the countryside, the people who use them will have access to, and the benefit of, the enjoyment of the countryside.

Mr. Bob Russell: The hon. Gentleman wants a network of footpaths, and I have considerable sympathy with his points about farming in relation to East Anglia and other parts of the United Kingdom where open access would not be applicable. What measures were taken in the past 20 years to create the network of footpaths that he advocates?

Mr. Paice: I am delighted that the hon. Gentleman has asked me that, because it allows me to tell him. The previous Government introduced the countryside stewardship scheme and the countryside premium scheme, both of which require access to the land. The farmer who farms land adjoining my property is in one of those schemes and has such an arrangement incorporated into his agreement. He has to provide access. The previous Government took steps to enable access, but I am the first to recognise that more could be done.

I have no time for landowners who wilfully obstruct and prevent people from having any access to their land. However, the ill-judged views of a few is no justification for this huge legislation and the cataclysmic effects that it would have.

Mr. Gareth R. Thomas: Will the hon. Gentleman give way?

Mr. Paice: No, I shall not give way any more, because many other hon. Members want to speak and I have other duties in half an hour.

I want to deal briefly with the detail of the Bill. Occupier's liability and insurance are mentioned in the Bill—and get a mention in the Government's latest document—but only extremely briefly. We cannot get away from the fact that the Country Landowners Association believes that landowners often consider the current arrangements for public liability insurance to be costly. To extend the arrangements as proposed would lead to greater public liability risks and insurance. The Government should carefully consider what level of liability it is reasonable to expect if people are to have access to open countryside.

The National Union of Farmers argues that increased access would involve costs to the landowner. I welcome the fact that the intention is not to extend open access to all agricultural land yet, although many people are worried about that. On the open countryside, where greater access is proposed, there is grave cause for concern about costs, and there is also concern about the definitions in the Bill. Clause 7(2) states:

"agricultural land shall not include land which is agricultural land by reason only that it affords rough grazing for livestock."

How will the average person who is not particularly versed in agricultural ways or even in the ways of the countryside be able to tell the difference between intensively or extensively managed grassland? There is a real danger that people will start their walk on a piece of open countryside, but will then find their way on to farmed land and will interfere with what is described as a legitimate use of the land.

Mr. Tom Levitt (High Peak): Will the hon. Gentleman give way?

Mr. Paice: No, I have already said that I shall not give way any more.

It is all very well to list actions that are not allowed. The hon. Gentleman referred to responsibilities, and it is true that those who walk on land must have a sense of responsibility, but how on earth is that to be enforced? The Government cuts in the police force that we have discussed on other occasions will make it even harder to do so. For one thing, unless a landowner is patrolling his land or his staff are doing so, how is he to know who damaged his property, or committed some other offence? Who will be the independent witness, and who will pay for enforcement? In short, is this part of the Bill enforceable?

The CLA has taken legal advice—I shall not go into all the details, as I am sure that others will do so—and the suggestion is that there would be a case for compensating landlords for any costs incurred or losses sustained. I think that the Government should respond to that point.

Both the Bill and the Government's proposals refer to an owner's right to close open access for certain reasons. How is that expected to happen? It is possible to close a footpath temporarily, but it is very difficult to close a moor when a public road runs through it.

Mr. Levitt: It happens now.

Mr. Paice: The hon. Gentleman may say that, but we are starting from the premise that open access is not allowed in the first place.

Mr. Levitt *rose—*

Mr. Paice: No, I will not give way.

Under open-access arrangements, anyone would be able to walk on to a moor at whatever point they chose, as long as they did not cause any damage. Given that some event may be happening out of sight of the point of access, one wonders how access could be prohibited. We could end up with serious problems involving liability and the risk of accidents.

I shall end as I began. I consider the Bill evil and objectionable. As I said at the outset, no one has given any just reason for it. No one has specified what can be gained from open access that could not be secured through a comprehensive network of footpaths. That should be the Government's aim: to provide opportunities for people throughout the country to enjoy a good walk in the countryside near where they live. This draconian measure will benefit a small minority, will apply only to certain parts of the country and will be of no value whatever to the vast majority of people.

10.33 am

Mr. Andrew F. Bennett (Denton and Reddish): First, I declare an interest: I have the honour to be president of the Ramblers Association, although I gain no financial benefit from that. Secondly, I congratulate my hon. Friend the Member for Pendle (Mr. Prentice) on his entertaining speech, and, more important, on choosing this subject after having the good fortune to be highly placed in the ballot. He has enabled many people to demonstrate their wish for legislation by writing to Members of Parliament and to campaign. I am also delighted by the Government's response to the good case that my hon. Friend and others have made for access to the countryside, in the form of "The Government's Framework for Action" document. I thank my right hon. Friends the Prime Minister and the Deputy Prime Minister and, in particular, the Minister for the Environment for the fact that we have made so much progress. I hope that, by next year, we shall be dealing with the Third Reading of an access measure, or that such a measure will have completed all its stages in the House of Commons.

Opposition Members have suggested that there is something revolutionary about the Bill, but the right to roam, and to freedom of access, has been exercised in many parts of the country throughout this century. That is true of almost all the upland areas of the Lake district, and many parts of Snowdonia, especially around Snowdon itself. People have been able to wander freely over the Glyders and the Carneddeu. They have also exercised their right with responsibility on many downs and heaths in southern England, and no problems have been caused. We do not suggest that something totally new, unexpected and revolutionary should happen; we are merely saying that good practice in some parts of the country should be extended to much larger areas.

A vast number of people enjoy walking. About 18 million people list it as one of their leisure activities. In some cases, that means a stroll of a few hundred yards

[Mr. Andrew F. Bennett]

or perhaps a couple of miles, while in others it may mean walking 25 miles or more a day. Some people who do not particularly enjoy walking for its own sake may walk in order to enjoy other leisure activities, such as bird watching, observing flowers and observing nature generally. People walk in order to go fishing, or to take photographs. But, contrary to popular belief, since 1948, the amount of countryside on which people can walk has steadily declined as a result of the growth of the urban sprawl into the countryside and the building of motorways.

Mr. Gray: The hon. Gentleman is probably right in saying that the amount of land has diminished since the war, but it is it not true that, since 1991–92—these are the latest accurate figures—the length of the paths available to walkers in England has increased by 12,450 miles?

Mr. Bennett: We accept that the number of footpaths has increased. When I was a child in Greater Manchester, there were a huge number of Cheshire lanes linking the footpaths where my parents and I could walk safely. Now, all those lanes have been polluted by fast-moving motor cars, and it is the same in most parts of the countryside. Whatever we may have gained from footpaths, I fear that we have lost more as a result of the disappearance of country roads.

Of course, some progress has been made in the form of the stewardship and death duties schemes, although I wish that there was more publicity to make clear what opportunities are available. However, there are still large parts of the countryside where no problems would be caused if the arrangements that exist in the Lake district were extended.

Because so many people enjoy going into the countryside, there are problems of overcrowding. Anyone wanting to enjoy peace and quiet on the Snowdon horseshoe in the summer must get up almost at the crack of dawn and finish the walk before breakfast, because nearly as many people walk on Snowdon in the summer as can be found on the beaches in Blackpool and Brighton. For most people, however, going into the countryside means an opportunity to enjoy peace and quiet. We should be trying to spread out the crowds of people who congregate in some of the "honeypot" areas—not just Snowdon, but Dovedale and Coniston Old Man. Would it not be far better if we could open up places like the Forest of Bowland, which used to be open to the public in the 1930s, so that, instead of going up the motorways to the Lake district from Greater Manchester, people could stop there, or in some of the places referred to by my hon. Friend the Member for Pendle?

Mr. David Davis (Haltemprice and Howden): I sympathise with the thrust of the hon. Gentleman's argument. Indeed, I think that he is making a much better speech than the hon. Member for Pendle (Mr. Prentice). However, speaking as someone who walks a great deal in the countryside—certainly more than 1,000 miles a year—I have to say that I find his suggestion that the Bill will suddenly depopulate Snowdon horseshoe and other beautiful parts of the country wholly implausible. It is a fatuous argument.

There is a more important argument. If it were true that those of us who walk on the paths most weekends found ourselves crowded on those normal paths, the hon. Gentleman may have had a point, but that is not true either. The real problem that most of us who pursue walkers' practical interests face is that paths in the countryside are being blocked or not being kept properly open. That is the most important part of the Bill, and should receive some support.

Mr. Bennett: I do not believe that the Bill will suddenly solve the problems of overcrowding on the Snowdon horseshoe, but it will help. In Wales, walkers, particularly stronger ones who like to go further, would go to substantial areas such as the Rhinogs and parts of the Arrans, so that would lighten the load a little.

In fairness, farmers in the Lake district and in parts of north Wales have had a huge number of people going over their land. Why should not other farmers share what may be perceived by farmers, at least, to be a burden? There is a strong argument for trying to spread people out throughout the countryside.

I do not believe that a huge number of people will go from the popular routes and wander across, but I know lots of other people who, if they get the chance, go to mountains—for example in the west of Ireland—where there is no beaten track up to the top. It is much more exciting finding one's own route up such a mountain than it is having to stick to a footpath, so some people will go to mountains and moorland that they are kept off at the moment. They will enjoy it and lighten the load on some other parts of the countryside.

It will be important to get people on to mountains and moorland, but it will probably be of more significance to open some of the downland and heath in southern England; even more people would like the opportunity to go out on to those areas. Although the Government have not, so far, put it into the proposals, we need to look at forestry, particularly upland forest. I see little problem in people going into those areas. We also need to look at the foreshore.

I hear the case that is being made by Conservative Members about the linear routes. It should not be one or the other; it should be both. It is important that linear routes are free from obstruction, but, in some places, linear routes are a disaster.

I accept that ramblers and other walkers have campaigned hard to get the Pennine way. The mistake was that it was decided that a footpath had to be marked on the map all the way. Anyone who has walked on the Pennine way in recent years will know that, by making one route, we have changed the nature of that expedition.

In the early days, when setting off from Edale and heading for the Cheviots, one more or less made one's own way across open moorland. It was a very exciting, hard challenge. Because of the amazing amount of people who have used the path and the erosion that has taken place, the national parks, more or less all the way, have had to pave the route.

In some senses, I am pleased when I see someone up there now with a buggy and a small child, or someone tottering along the path in high-heeled shoes because it means that other people are getting out to enjoy the

countryside, but, at the same time, the whole nature of that walk has been changed from a serious challenge to just an interesting route.

Mr. David Davis: I apologise for intervening again, but it is a serious practical problem. I agree about the Pennine way; I do not like walking in a trench. In the part of the coast-to-coast walk that is just beyond Nine Standards Rigg, the organisers of the area have tried to vary the path all over the moor. When I go there, I watch lots of people who are not used to navigating in high country walking in all parts of the moor, not on a path at all. The result is that, almost in its entirety, the moor is wrecked.

One of my concerns—I speak as someone who walks the Kinder Scout walk every year in memory of the 1930s—is that serious damage will be done to parts of the open countryside, particularly those near urban areas, which the hon. Member for Pendle mentioned, not just because of a linear route, but because of the sheer mass of population that will come on to it.

Mr. Bennett: It may be a problem. That is one of the things that we have to consider in examining access agreements. How can we manage access, so that we do not destroy the things that people go out to? However, I caution Conservative Members who say that linear paths are always the answer.

In some places, good linear footpaths will be important. I do not think that ramblers object to permissive paths where they are extra to the network. Where many country lanes have been lost, there are strong arguments for people to put a footpath along the field margin, away from traffic. That can be helpful. There are some good landowners who look to save field margins, so that they can encourage wildlife. Relatively few people are likely to walk them. They should be able to walk some of them.

We should not see the matter as us and them. We have to accept that the town and country need each other and that there needs to be a uniting of activity between the town and countryside.

Inevitably, if we are going to retain the carefully nurtured upland landscape, someone has to pay for it. It will no longer be paid for as a by-product of food production. We need changes to the common agricultural policy that will enable farmers to go on looking after the landscape that they have looked after for many centuries. That is important but, if townspeople are going to contribute towards that maintenance by farmers, why should they not be able to go out and enjoy the countryside?

We need to remember that little of Britain is wild landscape. Even on top of mountains, there tends to be a wall. When we look down into the countryside, we see carefully nurtured field boundaries. We have to find a way in which to keep that and to ensure that the land is enjoyed not just by farmers or landowners, but by everyone. That is why I welcome many of the Government's proposals. I hope that there will be a spirit of co-operation, so that we can start to work out some of those difficulties.

There is the question of compensation. I do not believe that a vast sum of money should be paid in compensation, but the example in the Peak district is clear. Where we have access land, on occasions, people have to get to that access land. Extra stiles and gateways may have to be put in place for people to get to it. That is something that the nation should pay for, either through national parks or local government, so that the farmer or landowner is not out of pocket.

Accident liability is a serious issue. It is clear that the landowners must meet their obligations under health and safety rules, but, where people go on to land to enjoy it, they also have a responsibility and should not expect to be able to sue the landowner for accidents that they have caused. That matter needs sorting out.

We should make progress through the local forum on access to the countryside. We need to get the mapping going. I do not want to see a lot of policemen in the countryside, but there is a case for using rangers, particularly in some of the more popular areas. Some of the national parks rangers have done an excellent job in interpreting the countryside rules and in helping with safety. We need to expand that.

Out of the legislation—I hope that it comes soon—we want a partnership between country landowners, the National Farmers Union, ramblers, the British Mountaineering Council and the tourist boards to ensure that walkers are welcome in the countryside. We should all be involved in showing walkers the beauty of the countryside, and in telling them that they have a responsibility in the countryside.

Our green and pleasant land should be something that everyone can enjoy. Everyone should contribute to ensure that we and future generations can go on enjoying it. Access to the countryside is very important. It should be in legislation soon.

10.50 am

Mr. Tom Brake (Carshalton and Wallington): I congratulate the hon. Member for Pendle (Mr. Prentice) on securing this debate and on his boisterous, knockabout speech. His choice in private Member's Bill was a happy one, even if he has chosen to go out with a bang rather than a whimper. Whichever side of the argument they are on, people care passionately about the right to roam. However, the issue is not, as some Conservative Members have suggested, about class war. The right to roam is not evil, but involves fundamental freedoms. Nevertheless, the right to roam issue leaves me in a quandary.

I strongly support the principle that land should be accessible to all. There is no justification for placing off limits to all but a small minority vast tracts of our memorable countryside.

Mr. Peter Atkinson (Hexham): But, on the other hand.

Mr. Brake: But, on the other hand: the right to access must encompass only low or no-impact access.

I believe that the Right to Roam Bill does not quite get the balance right. Therefore, I told my constituents that I would attend and speak in today's debate on the Bill, but that I would abstain in a Division on it. I was therefore relieved when the Government made their own, more limited access proposals, which I think that all Liberal Democrats can support.

The hon. Member for Pendle can rightly be proud of the part that he has played in forcing the Government's hand. However, as his Bill has now been overtaken by events—by the Government's proposals—we should

[Mr. Brake]

be scrutinising the Government's proposals. I hope, therefore, that the Minister will answer some simple questions.

When will the Government's access proposals become law? The Minister for the Environment has said that, in this Parliament, a wildlife Bill will be introduced. Will the Government's access proposals be linked to that wider wildlife Bill?

How will the Government ensure protection of sites of special scientific interest and areas of outstanding natural beauty? What impact will their plans have on nature reserves managed by organisations such as the Royal Society for the Protection of Birds? What will the Government do to open up their own land, such as Ministry of Defence land?

What additional research will the Government be commissioning to examine the costs to farmers caused by the access proposals? I do not think that the proposals will have no cost implications, so Ministers should revisit the cost issue.

Liberal Democrat Members' support will remain conditional so long as those and other questions remain unanswered.

As the hon. Member for Pendle said, the right to roam is about not only rights but responsibilities. We shall soon have the rights—which Liberal Democrat Members welcome—but we must consider more carefully the responsibilities.

10.53 am

Mr. Tom Cox (Tooting): I am sure that hon. Members on both sides the House, and people across the country, warmly support my hon. Friend the Member for Pendle (Mr. Prentice) in promoting and presenting his Bill. I pay tribute also to my right hon. Friend the Minister for the Environment for all his work on, and his commitment to, the Bill.

The British people's belief that they should be able to walk through our countryside—so that they might enjoy its beauty and life—has long been one of the Labour party's deep commitments. In my years as an hon. Member, and even long before, Labour Members have sought to introduce legislation on that commitment. We have always—today is no exception—encountered difficulties and objections in those attempts. However, we have had to fight for many of the rights now enshrined in our legislation. The difficulties of introducing legislation for the benefit of the British people have always been—and always will be—emphasised by those who, despite what they might say, do not really support the principles enshrined in the Bill.

Hon. Members may remember Arthur Blenkinsop—the distinguished former Labour Member of Parliament for South Shields, who, sadly, died some years ago.

The Minister for the Environment (Mr. Michael Meacher) *indicated assent.*

Mr. Cox: I see that my right hon. Friend remembers him.

Arthur Blenkinsop was a great believer in people's right to be able to enjoy the countryside, and, in his years in the House, he campaigned vigorously on the issue. However, like many other hon. Members, he repeatedly encountered objections to such legislation—such as people's supposed lack of respect for the countryside, which they would only damage. Although we still hear such objections, I am sure that hon. Members on both sides of the House will have noticed that, happily, most people's attitude to the issue has changed enormously. Now, there is undoubtedly enormous support among the British people for the measures that my hon. Friend the Member for Pendle is seeking to introduce in his Bill.

I am sure that all hon. Members in the Chamber have received cards and letters from constituents, calling on us to attend this debate and to support the Bill in a Vote, if there were one. In recent weeks, I have received 393 cards and letters on the Bill, and every one of them supported it. I did not receive one letter from anyone in my constituency saying, "Don't support the Bill. Parts of it are okay, but we don't really need it."

Mr. Peter Atkinson: How many country landowners does the hon. Gentleman have in Tooting?

Mr. Cox: That intervention was typical of the Conservative Members' remarks to which my hon. Friend the Member for Pendle was subjected. When the House debates people's right to enjoy our countryside—which should be the only criterion for speaking in this debate, and which my hon. Friend seeks to guarantee in his Bill—surely it should not matter which part of the United Kingdom an hon. Member represents.

As I said, I have received 393 cards and letters supporting the Bill. One letter, dated 17 February, was from Mr. Ralph Stephenson, who said:

"At 88 I keep active and well by regular country walking, belong to four clubs and consider that everybody should be allowed to enjoy . . . the countryside.

I understand there is to be a private bill introduced by Mr. Gordon Prentice on the 26th March to promote the right to roam the . . . common land subject"—

as my hon. Friend the Member for Pendle has said repeatedly—

"to sensible restrictions."

Whatever Conservative Members say, a sensible approach to providing that right is the Bill's keynote. Mr. Stephenson's letter sums up what the issue is all about. It was from someone who loves our countryside, makes use of it and respects it.

We are talking about 4 million acres of land.

It being Eleven o'clock, MR. DEPUTY SPEAKER *interrupted the proceedings pursuant to Standing Order No. 11 (Friday sittings).*

Quarantine

11 am

The Minister of Agriculture, Fisheries and Food (Mr. Nick Brown): With permission, Mr. Deputy Speaker, I should like to make a statement on the pet movement scheme. When we came to office, we saw that the quarantine laws were in need of review. Since the quarantine system began nearly 100 years ago, veterinary science has advanced, and travel patterns have changed. To provide a modern response to those challenges, my predecessor, my right hon. Friend the Member for Copeland (Dr. Cunningham), set up an expert group, chaired by Professor Ian Kennedy of University college London, to look at whether we should modernise the system.

Professor Kennedy's group reported in September 1998. It recommended radical changes. The Government said that they were sympathetic to change, and sought views from the public.

There has been a big response to the Government's consultation letter. The overwhelming majority of the more than 3,700 replies supported the Kennedy proposals. I am placing a list of the respondents, and a summary of responses, in the Library of the House.

The Government believe that, in the light of the Kennedy group's analysis, it is desirable to move as quickly as possible to a system under which dogs and cats coming from European Union, certain other European countries and rabies-free islands could enter the United Kingdom without quarantine. The system would also cover UK-resident dogs and cats which had been abroad temporarily in those countries. Pets from other countries would continue to be subject to quarantine, although we are looking again at the position for the United States of America and Canada, as recommended by Professor Kennedy. The responses to our consultation have shown that most people would support change on those lines.

Our objective is to bring new arrangements into operation throughout the United Kingdom by April 2001. That respects the Kennedy group recommendation that there should be a sufficient lead-in time to allow a smooth and orderly transition to new arrangements. We also plan to launch a pilot scheme—or schemes—within the next 12 months. I remain determined that the UK should be properly protected against rabies. The new arrangements are being designed with that in the forefront of our minds.

We are pushing ahead with the technical work necessary to put in place an alterative to quarantine. We have approached other countries about providing the necessary health certificates for dogs and cats, and about which islands outside Europe we could safely regard as rabies free. We are pressing for international standardisation of rabies blood tests and have invited laboratories in Europe to participate in a testing scheme.

Essentially, the plan is as recommended by Kennedy. Animals resident in a qualifying country and whose owners want them to travel, will need to have been microchipped with an electronic chip, vaccinated against rabies using an inactivated vaccine, blood-tested at an approved laboratory and issued with an official health certificate recording details of the animal, its chip, its vaccination and its blood test. Animals will also need to have been treated against exotic infections not present in the UK.

Transport operators are being asked to carry out pre-entry checks on pets to ensure that they meet those conditions. There will also be random spot checks on animals after they arrive in the UK.

We are looking at the practicalities of identifying pets by means of electronic microchipping. Department of Health experts are considering what measures need to be taken against certain dog and cat parasites exotic to the UK, which can infect humans or transmit infections to humans.

The new arrangements for checking dogs and cats whose owners wish to bring them into the UK from abroad will have a cost. The Government believe that, in principle, the cost should be met by pet owners, as the cost of quarantine is now.

We believe that the way forward is for ferry companies, train operators and airlines to carry out pre-entry checks on pets. The Government would approve companies transporting pets and would audit and inspect their operations to ensure that the pre-entry checks continued to be carried out properly and with 100 per cent. coverage. The arrangements could in principle be put into effect by means of a statutory instrument.

There will be no compulsion on transport operators to carry pets under the new arrangements. We believe that many will want to take up the opportunity to provide a new service to their customers. We have begun discussions with the companies and trade associations concerned. We shall, in addition, make a thorough assessment of the legal and practical aspects and the impact on business. The new schemes will be required to provide a level of protection against rabies that matches that of the current quarantine system.

There is still work to be done to make sure that the new system operates smoothly. We are now set on a course to implement Kennedy-style arrangements, and hope to have pilot schemes in place within 12 months. As soon as the specific arrangements for the schemes have been established, I will report again to the House, because I know there is a high level of interest in the subject.

Mr. James Paice (South-East Cambridgeshire): I thank the Minister for his statement, for his courtesy of letting me have foresight of it and for the way in which he delivered it. May I also express the Opposition's concern, however, that time is being taken out of private Members' legislation for a Government statement? There was no need for the statement today; it could easily have been made on another day, especially as the leaks syndrome has now infected the Ministry of Agriculture, Fisheries and Food. The article in *The Times* on Monday seems to have been entirely accurate and this morning on the "Today" programme we heard a clear explanation of what was to be announced. I hope that the Minister will explain why the Speaker's will has been thwarted yet again.

The Opposition support the thrust of the Kennedy report. As we said during the debate at the time of its publication, it is time to move forward. There appears to be evidence from elsewhere, including New Zealand, that vaccination can be as effective as quarantine. Any regular cross-channel traveller will be well aware of how easy it is to evade the current restrictions. We know that people have great emotional attachments to their pets which can lead them to overreact to constraints. A simpler, cheaper system, which would remove the problems of separation,

[Mr. James Paice]

is more likely to be heeded. However, we have a number of questions for the Minister because not all our previous concerns have yet been addressed.

I welcome the idea of pilot schemes, and the fact that the Minister anticipates that the scheme could be up and running by 2001. Does he expect animal entry eventually to be allowed at every air, sea and rail port or only at selected ports? I accept that carriers will have to make decisions about that, but how widespread does he expect the facility will be? Will there be a national database at least of United Kingdom animals that have been through the required processes that he described?

Professor Kennedy said that animals should have been in a qualifying country for some six months. How will that be verified? How is it possible to ascertain how long an animal that has been out of this country has been in a qualifying country rather than somewhere else?

If the Minister is expecting pilot schemes to be established within 12 months, why do we not yet know which countries are on the list other than EU countries? Which are the rabies-free islands? What about EU enlargement—will the candidate countries, some of which we know have endemic rabies, be excluded for ever and a day until that changes, or will they have second-tier status in their relationship with the EU?

Will the present requirement for a veterinary certificate—which is currently required before moving a dog out of the United Kingdom—be abolished? If the Minister is happy about veterinary standards across the qualifying countries—not just within the EU—why was the Bendixon-Dexter report, on precisely that issue, never published?

The statement makes no reference to Northern Ireland, which is our only land boundary. What discussions has the Minister had with the Irish Government, or will Northern Ireland have to be excluded from the changes?

What does the Minister anticipate that the cost will be? We welcome the fact that it will be borne by the pet owner, not by other pet owners or even the taxpayer. Does he agree with the British Veterinary Association's estimate of £150?

Finally, I should like to ask about the impact on the owners of quarantine kennels. The Minister did not refer to them in his statement, but he knows that they have expressed concerns because they saw him about the issue last week. The impact on them will start now because, as a result of the statement, pet owners will delay travel, if possible, to avoid quarantine. The kennel owners anticipate that 50 per cent. of their business will be lost when the new scheme is fully operational. The only alternative is to operate as boarding kennels, but many quarantine kennels are near ports, whereas pet owners want boarding kennels to be near their home. In any case, the demand for boarding kennels will almost certainly reduce as more people are able to take their pets on holiday. What is the right hon. Gentleman's response to the kennel owners' request for recompense—I believe that they are using the word decommissioning—particularly bearing in mind his decision on fur farming?

We are pleased that the Government have moved forward on the issue and welcome the timetable that the right hon. Gentleman has announced, but there are still questions. I hope that he can answer them.

Mr. Brown: I thank the hon. Gentleman for his charitable welcome, although his introduction was slightly grudging. He protested that I am making the statement on a Friday and felt that it was somehow a discourtesy to the Speaker. Of course I intend no discourtesy. He will be aware that my opening words were "With permission", because the Speaker consents to me making the statement. I did not notice the new-found concern for the time of private Members pervading the Conservative party in the previous Parliament.

This is a situation in which Ministers are damned if they do and damned if they do not. I was denounced on "Breakfast with Frost" on the Sunday after the Agriculture Council by no less a personage than the former Prime Minister, the right hon. Member for Huntingdon (Mr. Major), for not making a statement to the House, when I had done so—again on a Friday. The Conservatives protest when statements are made and the former Prime Minister protests that one was not made, even when it was. It is difficult to get it right.

The hon. Member for South-East Cambridgeshire (Mr. Paice) referred to an article in *The Times*. It was wrong. We are not insisting on a charge of £150. I was careful to concentrate my remarks on the "Today" programme on the Kennedy recommendations and the Government's response to them—information that was already in the public domain—and not to pre-empt my statement. Like the hon. Gentleman, I think that the House of Commons should be told first.

Anyway, the hon. Gentleman has welcomed the scheme. He asked whether the eventual scheme would cover every point of entry. Of course, the pilot project will not and it may be that, under the eventual scheme, people will not be able to bring pets in at every point of entry. Schemes will be approved on a case-by-case basis and may operate slightly differently for air travel, rail travel and seaborne points of entry. We are discussing the details. The Government are concerned that each scheme must be 100 per cent. effective and must provide the safeguards set out in the Kennedy report. There must be no weakening of this country's protection against rabies.

A national database is not necessary. We need a foolproof way of checking that the veterinary certificate—which is what people mean by a pet passport—matches the animal travelling with it. Our method is to microchip the animal. There will scanners to read the microchip. The information on the microchip must also be on the veterinary certificate.

The hon. Gentleman asked about qualifying countries and islands. The islands that are being considered—the decision depends on their rabies-free status; there is no right—include Australia, New Zealand, Japan, Taiwan, the Seychelles and Singapore. There is a longer list which I could read—I am happy to put it in the public domain if that would help.

The scheme is for the current member states of the EU. Other countries currently excluded by the scheme will not gain an automatic right with EU enlargement. They will be treated on a case-by-case basis.

I am afraid that I do not know why the veterinary standards report has not been published. I promise to look into that and write to the hon. Gentleman.

The hon. Gentleman asked about our common land border between Northern Ireland and the Irish republic. That is an important matter. Ireland has similar quarantine arrangements to ours and they are under examination just as ours are. There is close co-operation between my Ministry and Joe Walsh's Department of Agriculture and Food in Ireland. We are trying to move at the same pace and co-ordinate our activities. In any case, there is no question of Northern Ireland being excluded from the scheme.

The costs should be met through travel arrangements and should form part of the charging. That is a commercial matter for operators on which the Government have no view, but we shall not provide a public subsidy and we shall set parameters for the operators. There must be 100 per cent. foolproof checks. We shall inspect the checks from time to time to ensure that the system is working properly.

Finally, the hon. Gentleman asked me about kennel owners. I met representatives from their trade organisations recently and I shall be meeting them again this afternoon. Today's announcement will have a significant impact on their business. It is not possible to diversify from quarantine work to boarding kennel work because they are different operations. The owners will clearly want to make representations to me about their loss of business. The hon. Gentleman is right to observe that they are seeking compensation. I have absolutely no money in the Ministry's budget to pay compensation, but I accept that it is not unreasonable for them to ask me for it. I have not closed the door, but I cannot promise anything.

Mr. Gerald Kaufman (Manchester, Gorton): My right hon. Friend has referred to the imposition of blood tests. Can he assure the House that vaccination is 100 per cent. effective in all cases? If it is not, the change will be the thin end of the wedge for the entry of rabies to this country, which has been mercifully free from that baneful, unspeakably painful and invariably fatal disease. Does he agree that, if the disease came here, with the spread of feral foxes it would be very difficult to contain and almost impossible to stop? Will he assure the House that the scheme will not allow rabies to be introduced to this country?

Mr. Brown: I am determined that the new way of operating will not undermine our current protection against rabies. I believe that, if the new scheme is properly operated—I am determined that it will be—it will provide extra protection for two reasons. First, it will enable us to treat animals against other parasites as well before they come in. Secondly, it will provide a disincentive to smuggling that we do not have. We suspect—it is difficult to tell—that people drug their animals and bring them in in the boot of a car, avoiding the quarantine arrangements of six months' separation from their pet and the possible bill of £1,600 to £2,000. That is a criminal activity, but people do it. By providing a reasonable alternative, we believe that we shall have a higher level of public protection than is currently afforded.

Mr. Tom Brake (Carshalton and Wallington): I thank the Minister for his statement. The Liberal Democrats support the Kennedy recommendations and passports for pets. My support is based on personal experience. We moved to France when I was eight and left the family dog at home. When we decided that we wanted to bring the dog over to France, the family looking after her decided that they wanted to keep her, so we lost our family dog because of the move. [HON. MEMBERS: "Ah!"] And I have not forgotten 27 years on.

The statement leaves a few questions unanswered. When does the Minister expect to make a decision on whether the United States or Canada will be part of the scheme? Does he have plans for a fast track for the visually impaired, who depend on their guide dogs? Finally, does the Minister estimate that cost to each family for the vaccinations and the other things that will be required will be about £60?

Mr. Brown: I am not making a final estimate of the cost, although the figure to which the hon. Gentleman referred for the vaccine is about right. Other costs will be subsumed into the ticket price; effectively, that will cover the cost of the employee who must check that the veterinary certificate matches the animal. That is a necessary safeguard for the scheme on which the Government have insisted. How the individual operators absorb that cost, and what premium they charge, will depend on commercial considerations, which are for them to decide and not for me.

I cannot set a timetable for the announcement of the United States-Canada scheme, although we are looking hard at that. The way in which the scheme works will be informed by the pilot schemes for the EU and the island countries that are rabies free. Briefly, the problem is that, although veterinary standards are high in the United States and Canada, rabies is endemic in the wildlife, so there is a risk to the UK.

I thank the hon. Gentleman for his broad welcome for the proposals, and I will keep the House informed of details of the schemes.

Mr. David Drew (Stroud): I congratulate my right hon. Friend on the statement, but I wish to ask about the technology. How far has it advanced, and on what basis is it being produced? If we are not to have a set database, who will do the work and on what basis will the Government say whether the work is acceptable?

Mr. Brown: That is a good question, because more than one brand of microchip is available in the UK, and they all require separate checkers. Different countries have their own microprocessors, and those will be used by people wishing to bring their pets to the UK. We are trying to get agreement on international standards. Before the individual schemes are put in place, we will state clearly which microchips will be workable under the scheme. However, it is probably not possible to provide for every item of technology that is available.

It is not necessary for the scheme to have a central database of all animals, but it is necessary to be able to check that the veterinary certificate pertains to the individual animal. If it does not, or if that cannot be checked, the scope for fraud is considerable. That would not be tolerable to the Government.

Mr. David Maclean (Penrith and The Border): The Minister will be aware that most of the veterinary

[Mr. David Maclean]

profession believes that the science and technology is achievable and will be effective. However, there will be deep concern about the enforcement regime proposed by the Minister. If I heard him correctly, there is a glaring loophole. It seems that the obligation for checking and for making the scheme 100 per cent. effective, as he said, will lie with the private operators, the ferry companies and others, and that MAFF, or the Government, will do an audit or check only "from time to time". That is not good enough. If the full might of Her Majesty's immigration service cannot prevent massive numbers of illegal immigrants from coming into this country—the subject of another Bill—how does the Minister think that, by his Department, or the Government, opting out of the responsibility for checking all animals, the scheme can be enforced properly in future?

Mr. Brown: The right hon. Gentleman has got it wrong, although I understand his concern. He is right to be concerned that the public protection measures work; I am not quarrelling with him on that. However, it is not necessary to employ directly a person to check that the certificate pertains to the animal. As long as the person who is trained to do that knows what he is looking for, it is perfectly possible for that to be done with integrity by the private sector, as much as by the public sector. However, that procedure is only one part of the safeguard.

The essential part of the safeguard is that a professionally qualified, authorised person—in short, a vet—has checked the animal for its vaccine, and has made sure that the vaccine has been followed up by a blood test confirming that the vaccine has taken. If it has not taken, the vaccine will have to be given again. That information is recorded on the certificate, and we will then rely on the professional standards of the vet to make sure that that is recorded correctly. We do not require another professional to check; we require someone to check that the document pertains to the animal.

Mr. Colin Pickthall (West Lancashire): I very much welcome my right hon. Friend's announcement, the terms of which are almost exactly the same as the recommendations made five years ago by the Select Committee on Agriculture. I recall that the then Minister of Agriculture, Fisheries and Food, the right hon. Member for South-West Norfolk (Mrs. Shephard), told us that we had no chance of ever implementing them. In the intervening years, a lot of work has been done on the necessary technology and a lot of experience has been gained from other countries which employ parts of that technology. Is it not a long time until April 2001 for the full implementation? Is there any chance of that long wait being shortened, as people have waited a long time for the scheme?

Mr. Brown: The Select Committee report was valuable. It informed our decision making in opposition and in government and was one of the reasons why we commissioned the original Kennedy report. On the time scale, I am not setting time limits; I am saying that we will get on with it. I want to get the pilot schemes up and running as soon as I can, but there are technical matters to be addressed, such as whether we have pre-entry checks or point-of-entry checks. The answers to such questions may be different for different transport sectors—the answer for air travel may be different from that for the channel tunnel or for ferry operators. Once those matters are sorted out, I will put the terms of the scheme into the public domain so that people will know with what they have to comply.

Mr. Alan Clark (Kensington and Chelsea): There will be broad support for what the Minister has said, and appreciation of the patience and lack of prejudice that he has exercised since taking office—against, I suspect, some of the recommendations of senior officials within the Department.

The question of delay continues to arouse anxiety in some. In particular, will the pilot schemes be comprehensive, and will he accelerate them? Regarding his second meeting this afternoon with the kennel owners, I do not take the charitable view that my hon. Friend the Member for South-East Cambridgeshire (Mr. Paice) articulated about that bunch of people. The Minister should bear in mind that, once their days are numbered, the already horrendous conditions that prevail in most of their establishments will continue as they are run down. He has a statutory responsibility to inspect those establishments, and that is not rigorously applied in many cases. Will he tell the kennel owners that there will be no fall in the frequency and intensity of the inspections during that running-down period, and that everyone expects them to live up to the obligations inherent in that responsibility?

Mr. Brown: I can assure the right hon. Gentleman that I plan no change in the inspection regimes, which will continue as now. It is to the credit of the kennel owners' trade associations that they made the same point to me as he has made; although not in the same terms. They said that, if trade became more competitive, they would not want the standards in the sector to be driven down so that those with lower standards gained a competitive advantage.

There is no compulsion for different operators to take part in the pilot schemes—if those in one sector do not want to, that is a matter for them—but, at the meeting that I had with carriers yesterday, there was a great deal of interest in what the Government intended, and people asked questions, some of which were searching, but all along the lines of how they could participate. Officials are holding discussions with each sector, and we intend to proceed. I am more than happy to have pilot schemes for each sector, to avoid any competitive advantage. If they want it, there will be schemes for the rail operators, the port operators and the airlines.

Mr. Denis MacShane (Rotherham): Does my right hon. Friend appreciate the broad welcome for his statement? One of the exotic infections that worries the country is the rabid anti-Europeanism that infects the Conservative party. Does he agree that children, in particular, will welcome the announcement, because 14 million British people travel to the continent for holidays each year, and many families have to leave their pets behind? As we have seen, people who are separated from their pets could well grow up to be Liberal Democrat Members of Parliament, and we certainly do not want that.

Does my right hon. Friend agree that the scheme is very good news for the British tourist industry? In the rest of the continent, people can travel with pets, with proper vaccination, but they are discouraged from coming here. I expect that we will have many more visitors from the continent to our wonderful tourist areas, including Rotherham in South Yorkshire, when they can bring their pets with them.

Mr. Brown: I am pleased that the delights of Rotherham will be open to even more people than at present. My hon. Friend is right to point out that there are a number of horrors to be avoided, and I will not list them all. He is also right to say that the pattern of family holiday taking on the continent includes the family pet, and I think that that will develop in this country as our citizens go abroad and as people come to visit us with their pets. If that can give a boost to the tourist industry, I welcome it.

Mr. Roger Gale (North Thanet): The Minister will be aware that the all-party animal welfare group has long pressed for the implementation of the Agriculture Committee's original recommendations. In that, we have been given tremendous support by Passports for Pets and various animal welfare organisations. I broadly welcome all that the right hon. Gentleman has said. Clearly, there are details that have yet to be tied up. We want the scheme to be implemented as soon as possible, but we accept that the welfare of the animals concerned, and broader animal welfare issues, are paramount.

I have just returned, within the past hour, from other parliamentary business in Canada, where considerable interest was expressed in the scheme that the Minister was obviously about to announce. The Canadians want to be included as swiftly as possible.

Will the Minister consider the very special circumstances of British diplomats serving abroad, and try to find a way of incorporating them in the scheme, wherever they are? Will he also consider special provision for hearing dogs for the deaf and guide dogs for the blind?

Mr. Brown: Of course a special case can be made out for those dogs—that is at the forefront of my mind—but it may well be that we have the schemes up and running so quickly that there is no need to limit the pilots by category of dog owner. The needs of the blind or people with hearing dogs will be at the forefront of our consideration should there be any need to limit the schemes.

If we can get a workable scheme that meets the Kennedy tests and ensures that we do not increase the risk of bringing in rabies, of course I would want to include Canada. We are working on that already, and I expect that the arrangements will be informed by the trial scheme in the EU. I thank the hon. Gentleman for his broad welcome. He is absolutely right to encourage us to keep animal welfare considerations at the forefront of our mind.

Jane Griffiths (Reading, East): I welcome the statement. Will any pilot scheme or future arrangement apply to animals other than dogs and cats? The Kennedy report makes only passing reference to other animals, which are usually smaller and easier to smuggle. I declare an interest as a keeper and sometime breeder of fancy rats, which are delightful, friendly and intelligent animals. I recommend them to any Member of Parliament who wants an animal companion.

Mr. Brown: The scheme would cover other animals that are susceptible to rabies, but clearly we expect the majority to be dogs and cats.

Mr. Eric Forth (Bromley and Chislehurst): The Minister must be aware that there will be widespread unease at what he has announced. Many people have come to rely on, and feel confident in, the present arrangements, which have served us so well, and will be nervous about the introduction of something new.

Will the Minister keep an open mind on the pilot schemes? If they prove that the proposed system is bureaucratic, unreliable and full of loopholes, will he be prepared to reconsider the whole approach and examine how workable and reliable is the element of the Kennedy proposals concerning what happens overseas, and in particular the practicality of asking people to seek out an approved laboratory to complete that part of the procedure before they re-enter the country with their animals? I have grave suspicions that that simply will not work.

I hope that the Minister will use the pilot schemes to demonstrate to his absolute satisfaction that the proposed scheme will be as reliable as the existing, well-proven system, if not more so.

Mr. Brown: The right hon. Gentleman is right about one thing: if people seek out a laboratory or practitioner not approved for the scheme, the animal will not get in. People either operate within the terms of the scheme or they are excluded from it. If people turn up in this country with an animal that does not pass the tests, it will go into quarantine. No hard-luck stories will get round that. People cannot go and purchase their own approval; they must get the approval authorised by the Ministry.

The right hon. Gentleman says that the scheme is bureaucratic and may be unworkable, but it seems pretty straightforward and clear-cut to me. In any event, the purpose of the pilots is to test it. I give him this assurance: we are conducting a test, we will watch closely how it works, and if it is not able to provide the same safeguard as quarantine, either we will reshape it so that it does, or we will have to discontinue it. That is the bottom line. I will not have our current protections undermined, but I do not believe that the new scheme will do that.

The right hon. Gentleman says that he is nervous about change. Some people are nervous about any change in anything, but the truth is that there have been major advances both in the technology and in veterinary medicine. This seems to me to be a workable way forward, and it seems so to most members of the public who have commented on the Kennedy report: 96 per cent. of those who responded welcomed the report as the right way forward.

Mr. Gwyn Prosser (Dover): I, too, welcome the statement as promoting animal welfare and indeed the welfare of pet owners. Will my right hon. Friend acknowledge the important and effective role played by the vast majority of kennel owners in past years, in contradiction to some assertions that we have heard today? They have fulfilled an important regulatory

[Mr. Gwyn Prosser]

function. I thank him for his sympathy with their plight, at a time when 46 per cent. of the market might be lost and 60 small businesses, many of them in Dover, could be threatened. When he rubs shoulders with Ministers who have a budget, will he encourage them, too, to meet the kennel owners?

When considering the pre-entry checks, will my right hon. Friend take careful account of the representations from busy ports such as Dover, which will have to make special arrangements to make the regulations work effectively?

Mr. Brown: Yes. Discussions with the big port operators are under way. We must ensure that the arrangements that we have in place are workable in all circumstances, including the difficult circumstances surrounding the arrival in this country of an animal that does not meet the new test and that must therefore be quarantined under the old rules. That will happen. We will still need kennels because the quarantine rules will still be in place for countries not covered by the scheme. I accept that the scheme will be a preferred route for those bringing animals into the country, because it is obviously preferable to quarantine, partly because it will not mean separation from the animal for six months and partly because the costs will be lower. That is bound to have an unwelcome impact on kennel owners' business and I understand that. Their trade associations and representatives have responded to the scheme in a mature way and put certain points to me, which I am considering.

Mr. David Davis (Haltemprice and Howden): Most people will welcome the aim of the Minister's statement and wish him well with it. One of the major concerns must be that Poland and some of the other early-entry countries in the EU enlargement process have a high incidence of rabies. If I understand the Minister correctly, he proposes that the post-enlargement arrangements will involve an internal border within the EU for the transfer of animals. Why is he confident that such an internal border will be practical, immune from corruption and legal under European law?

Mr. Brown: I understand the points that the right hon. Gentleman makes, but I do not think that our ambitions for European enlargement should be an insuperable obstacle to conducting a trial of a scheme that is likely to provide workable arrangements. I give no commitment today automatically to guarantee to candidate countries the same arrangements that will be put in place for EU countries and others, for example, Switzerland, Liechtenstein and Andorra. The issues will have to be addressed further downstream and I or my successor will do that. Indeed, it would have been difficult to put those arrangements in place when rabies was still endemic in the wildlife of some EU countries, but that is not the case now. The Government's priority now and, I suspect, in the future is to ensure that our arrangements exclude rabies from this country. That is my priority and it will the priority of the next—

Mr. Davis: Tory Minister.

Mr. Brown: I do not think that it will be as far away as that. It will be the priority of the next Minister when he considers the case-by-case position of candidate countries.

Mr. Robert Key (Salisbury): I welcome this sensible approach, but does the list of islands include Cyprus? On the assumption that it does, I pass on the thanks of hundreds of my constituents and thousands of British service families around the world, who will be much heartened by this news. I repeat the point made by my hon. Friend the Member for North Thanet (Mr. Gale) about the diplomatic service, which the Minister inadvertently failed to address in his reply to my hon. Friend. Will the Minister confirm that it will be included in the scheme?

Will the right hon. Gentleman also consider the important question of decommissioning grants for quarantine kennels? It is unfair to tar them all with the same brush, and there is no excuse for bad kennels. If the state has established a regime that must be followed by the operators and then removes that regime, it has a responsibility. The Minister may not have any money in his budget now, but I hope that he will plan for such grants in a few years' time. Finally, I wish to pass on the thanks of my springer spaniel, Tigger, who, with a fair wind, will get a thousand new scents in France before she turns up her paws.

Mr. Brown: Please pass on my best wishes to Tigger. I am afraid that I cannot give the hon. Gentleman any good news today on the subject of decommissioning grants because I do not have the money in the departmental budget and I have received legal advice on whether it would be appropriate to set a precedent. When other changes in the pattern of regulation of public service are made, we do not necessarily compensate operators for every adjustment.

I have a list of the islands that are under consideration, but unfortunately it does not include Cyprus because of the divide between Turkish Cyprus and the Greek part. Rabies is endemic in the Turkish part.

Mr. Maclean: On a point of order, Mr. Deputy Speaker. Will you consult with Madam Speaker on what protection can be given to private Members on Fridays? By my calculations, we have had a Government statement or private notice question on every private Members' Friday, bar one. That is unique in parliamentary Sessions of the past few years. We have never had so many statements before and the net result is, as we saw last week, that Bills that are listed second, third or fourth on the Order Paper are not reached. I would like to make a few comments today on the Hedges (Control) Bill and on the Sea Fisheries (Shellfish) (Amendment) Bill, but I suspect that those measures will not be reached because 45 minutes has been taken out of the time for private Members' Bills. The statement was interesting, but it was not urgent and there was no vital necessity for it to be delivered on a Friday morning. I appeal to you, Mr. Deputy Speaker, to raise the issue with Madam Speaker and through the usual channels to ensure that private Members' Fridays are protected from unnecessary Government statements.

Mr. Deputy Speaker (Sir Alan Haselhurst): The House will have noted the right hon. Gentleman's comments. Madam Speaker has discretion over private notice questions, but she does not have discretion over Government statements. The customary times for Government statements are 3.30 pm, 12.30 pm on Thursdays and 11 am on Fridays. It is entirely a matter for the Government whether they believe that they have business that must be brought before the House. We will now resume the debate on the Right to Roam Bill.

Right to Roam Bill

Question again proposed, That the Bill be now read a Second time.

11.47 am

Mr. Cox: We have a beautiful country which is small but varied. Some parts of the countryside will need protection at certain times of the year and I am sure that the local advisory groups—which I hope will include a true cross-section of the community—will discuss that issue. I hope that any restrictions will be limited and the reasons for them clearly stated. How will members of local advisory groups be appointed? Do the Government intend that the groups will meet regularly or only when there is a specific local dispute to resolve? When landowners, whether private or public, intend to deny access to the public, will they be required to inform the local advisory group?

I hope that large areas of land will not be closed off because access is over a small area of land that has been closed. That may be justifiable at times, but I hope that landowners will not use such measures to deny access. As we all know, land management can cover many things and I hope that my right hon. Friend the Minister will tell us how that issue will be monitored.

We often hear farmers and landowners saying that they are the protectors of our countryside. I think that it is in their interests to take that role, but that does not mean—I am sure that my view is shared by an enormous number of people, including many right hon. and hon. Members—that they then have a right to say, "This land is ours, and only we can use it or enjoy it because only we understand the land and its management."

I return to the comments in the letter from my constituent, Mr. Stephenson, which I read out earlier. He wrote about

"the right to roam on . . . common land, subject to sensible restrictions."

I hope that that attitude will be generally adopted. I am sure that that is what my hon. Friend the Member for Pendle would seek and support.

We all know that some landowners put up trespass notices by rights of way, causing real difficulties in many parts of the country. Very often, people who may not be aware of a traditional right of way are concerned and frightened by the threat of prosecution should they attempt to walk the land in question. We have a network of rights of way throughout the country and I would like to hear from my right hon. Friend the Minister how we can ensure that existing rights of way continue to be open to the public and are not closed by landowners, be they private or public. We know that closures take place from time to time.

Will the Bill lead to the development of rights of way? If so, it is essential that they are properly recorded and maintained. Who would be responsible for meeting the costs that would be involved? Would it be a combination of the landowner and the local authority? We would welcome some comments on these matters from my right hon. Friend.

Sadly, a section of our community does not enjoy the opportunities that are available to us; I refer to the disabled. In recent years in the House, there has been

[Mr. Cox]

enormous cross-party support for the introduction and implementation of legislation that has brought vastly greater public awareness of the rights of disabled people, along with other developments that have been warmly welcomed. I hope that the Bill will be another way of opening up the rights of disabled people so that they can enjoy the countryside.

A few years ago, there were many buildings to which disabled people had no access. That lack of access denied them many of the enjoyments that are available to us without any problems. The Bill provides us with an opportunity to make the countryside more available to people who, because of their disablement, are not able to enjoy it, although they wish to do so. We have shown in recent years that progress can be achieved. I hope that the Government will seek to develop that aspect of the Bill.

The Bill will give the public access to about 12 per cent.—a very small part—of the countryside. I hope that, year by year, we shall see that percentage increase throughout the country. Hon. Members on both sides have referred to certain historic and beautiful areas of the country that they know extremely well. I come from the south of England, where there are many areas that could be made more accessible to the public. We shall look to the Government and to local advisory groups to ensure that progress is achieved.

We know that the Government own enormous areas throughout the country. I hope that, through the Bill, we shall see a willingness on their part to open up the land that they own. Much of it is not open to the general public.

Mr. Gray: Is the hon. Gentleman not aware that, under the Conservative Government, the Ministry of Defence largely opened up its training areas, apart from those being used at a particular moment, for use by the public?

Mr. Cox: I obviously welcome that sort of development. However, I am not talking solely about military land. There is other land that the Government own or for which they have management responsibilities. I am talking about opening up that land so that the general public may enjoy it.

Despite some of the comments this morning, I believe that the Bill will lead to continuing developments, and a real understanding between landowners and the public. That is what the Bill is designed to achieve. We know that, at times, the relationship between landowners and the public can be very good. Unfortunately, there are times when it is not. I hope that there will be real consensus and real co-operation to ensure that progress is made. If that does not happen, we have a right—we are backed by the voice of the people—to introduce legislation. That is what the Bill and the speech by my hon. Friend the Member for Pendle have clearly indicated.

As my hon. Friend said, we look to November for the introduction, in the next Session, of legislation that will take forward the developments that he wishes to secure through his Bill. I shall listen with great interest to the comments of my right hon. Friend the Minister.

11.58 am

Mrs. Gillian Shephard (South-West Norfolk): It is customary to congratulate hon. Members on successfully bringing Bills to a Second Reading debate. I am happy so to congratulate the hon. Member for Pendle (Mr. Prentice). He knows that the Opposition oppose his Bill, but I think that the House must commend his persistence, commitment and energy in getting his Bill to this stage and—it may or may not be the case, and only the hon. Gentleman can tell—changing the Government's mind.

It is regrettable that the debate has been interrupted by a statement, welcome though it was to the House. However, my right hon. and hon. Friends and I welcome the opportunity to debate the issue that is raised by the Bill as it is of great importance.

Conservative Members strongly support increased, safe and secure access to the countryside. In order to formulate our policy on the matter, we conducted an extensive consultation, culminating in a conference last autumn. I should like to place on record our thanks to all the organisations and individuals who so willingly helped us in that task.

We support increased access for a wide range of reasons: because of the increased pace of urban living, for educational and recreational reasons, and also because we believe that increased access will help to create mutual understanding between those who rightly regard our environmental heritage as something for all of us to value and enjoy, and those whose living depends on that environmental heritage.

I therefore regret that, in introducing his Bill, the hon. Member for Pendle, whom I earlier congratulated, chose to indulge in the politics of class hatred or class envy. I cannot believe that the expressions that he chose to use are the third way, as approved by No. 10. His remarks and tone, and their reception by his hon. Friends, will not go unnoticed by those in the countryside with whom the Minister will no doubt shortly say he wishes to create a partnership.

Shona McIsaac (Cleethorpes): The right hon. Lady mentioned comments made by my hon. Friend the Member for Pendle (Mr. Prentice) and my hon. Friends' reaction to them. However, the most telling comment in the debate came from a Conservative Member, who described the moves to gain increased access to the countryside as evil. I know that, in my area, many Conservative supporters are in favour of access to open countryside. Are not such remarks an insult to supporters of the right hon. Lady's party?

Mrs. Shephard: The hon. Member for Pendle was in the full flush of triumph as he introduced his Bill, so to that extent, his comments were understandable, but I do not believe that they will help the creation of mutual understanding between those whose livelihood depends on working in the countryside, and those who seek to enjoy it. Indeed, I would go further and say that the hon. Gentleman's comments today have transparently revealed for all to see some of the Government's real motivation in the matter, and they will not be forgotten.

Mr. Gray: Does my right hon. Friend agree that the speech of the hon. Member for Pendle (Mr. Prentice) stands in sharp contrast to the thoughtful and worthwhile speech of the hon. Member for Denton and Reddish (Mr. Bennett), who advanced the arguments in a much better tone?

Mrs. Shephard: My hon. Friend pre-empts what I was about to say. While clearly sharing the views of his

hon. Friend the Member for Pendle, the hon. Member for Denton and Reddish (Mr. Bennett) nevertheless demonstrated an understanding of the countryside, and a willingness to accept that there could be arguments on both sides of the divide and that those arguments needed to be explored in a less feverish atmosphere.

Mr. Bennett: Conservative Members chastise some of us for not being conciliatory. What about some conciliatory action from those on the Conservative Front Bench? Would it not be much better if they joined us and agreed that access legislation is necessary? They say that they want more access to the countryside. Would not such cross-party support take matters forward?

Mrs. Shephard: I shall go on to describe to the House the way in which we think that the matter could be taken forward. Perhaps I shall have the good fortune to convert the hon. Member for Denton and Reddish.

We believe that the matter is of wider importance to our country than the politics of class envy. Our broader approach is shared by the many organisations that we consulted, including the Countryside Commission, the Royal Society for the Protection of Birds, Friends of the Earth and the National Farmers Union.

In their responses to the right hon. Gentleman's consultation paper, English Nature and the Council for the Protection of Rural England pointed out that the context of the debate should be broader than that set by the Government. In its response, Friends of the Earth criticised the Government for focusing almost exclusively on the social implications of increased access, not the broader implications.

The CPRE summarised the issues well in its response by stating:

"Those who live and/or work in the countryside and those who visit it all have a legitimate voice in the access debate alongside other interests."

Alongside those interests, we would list sustainability, the protection of the environment and security for those using and working in the countryside.

The hon. Member for Pendle and the Government—after all the skirmishes and briefings, we understand from the hon. Gentleman that they are to be regarded as one—are fond of quoting the finding that 80 per cent. of people polled want to see more access to the countryside. What they often fail to add is the further information that emerged from the Country Landowners Association's research and polling.

It is, indeed, the case that 80 per cent. of people want to see more access to the countryside, but most people are not aware of the extent of the current rights of way network. That point was made by my hon. Friend the Member for South-East Cambridgeshire (Mr. Paice) and by the hon. Member for Tooting (Mr. Cox). In his statement to the House on 8 March, the Minister gave some brief information on the Government's intentions on the clarification of rights of way and the further information to be given about their existence. I think that some of the proceeds of the national lottery were to be used. It would be useful to have further information on that matter, if the right hon. Gentleman is able to give it this morning.

Many people are vaguely aware that there are more rights of way networks than they know about. If the Government were prepared to give more publicity to those rights of way—as I believe that they are—that would make a large contribution to furthering people's desire to enjoy and use the countryside.

The CLA survey also indicates that 63 per cent. of people prefer to walk on clearly marked paths; 41 per cent. of people want new access within five miles of their homes; and 92 per cent. want restrictions to protect wildlife. This March, in the *Contemporary Review*, Lord Buxton pointed out:

"One could more likely get 100% answering 'no'"—

to increased access—

"if the question was 'Are you in favour of tramping on skylarks' and curlews' nests or scaring off lapwings?'."

[Interruption.] Well, the House must obviously consider that point. It illustrates that we need to find a balance between those arguments. The final figure given by the CLA was that 85 per cent. of people want restrictions to protect farming and livestock. Although many people are keen for access to the countryside to be extended, many are equally aware of the implications for biodiversity, wildlife and the livelihoods of those who work in the countryside.

How can a balance be achieved? We believe that the best way forward is to create a secure legal framework, which defines rights and responsibilities, and considers owner liability in respect of dangerous dogs and so on. Trust could grow within such a framework and voluntary co-operation could develop. The overwhelming majority of those who go out to enjoy the countryside are highly responsible people—as has been pointed out many times this morning. Voluntary agreements on the part of landowners are fast proliferating. We think that the Bill and the Government's intentions should have built on that responsibility and co-operation, fostering trust by pursuing the voluntary route.

Mr. Edward Leigh (Gainsborough): In 1990, I piloted the Rights of Way Act through Parliament. That was based on a report published by the present Deputy Speaker, my hon. Friend the Member for Saffron Walden (Sir A. Haselhurst), who is in his seat now. The Act was based on consensus. It opened up the existing rights of way network and made it easier for people to gain access. Does my right hon. Friend agree that that is the right approach? It is possible to achieve consensus between the National Farmers Union, the Country Landowners Association and the ramblers, if we are positive about those matters.

Mrs. Shephard: It is a more constructive way forward. That is the basis for our arguments. It is never constructive to try to impose co-operation; it is a waste of an opportunity if we do not use a bridge-building approach.

Mr. Gareth R. Thomas: Is the right hon. Lady aware that consensus has already been achieved in Scotland? On 9 March, Mr. Murdo Fraser, land reform spokesman for the Scottish Conservative party, said:

"We do not have a problem with a general right to roam."

[Mr. Gareth R. Thomas]

Is the policy of the Scottish Conservative party different from that of the English Conservative party?

Mrs. Shephard: The legal position of landholding in Scotland is completely different from that in England and Wales. It is a waste of time to try to draw comparisons between them.

Mr. Bennett: Does the right hon. Lady accept that the voluntary principles were enshrined in legislation in 1949? She says that progress has been made recently, but, partly because of the spread of towns and partly because of the actions of some landowners, there is now less access to the countryside than there was 50 years ago.

Mrs. Shephard: Since 1991-92, there has been an increase of 25 per cent. in the acreage available for people's access to the countryside, and a 23 per cent. increase in paths. That was all achieved through voluntary means.

I believe that the hon. Member for Pendle and the Government are wasting an opportunity. They could have increased the sense of trust between all sides in this argument and they should have begun by establishing a definition of demand for increased access—how much more demand, how much more access? I believe that they should have set their own objectives, and clarity in both those respects would have done much to dispel the suspicion with which the Bill and the Government's response are regarded in some sections of the countryside.

In England and Wales, 7.5 million acres and 210,000 miles of path are available, and 80 per cent. of the land area and 32 per cent. of path access are accounted for by voluntary agreements. The hon. Member for Pendle and, indeed, the Government might have taken this opportunity to clarify and define the rights and responsibilities of those who use the land and those who own it, but we could learn more in that respect when the Government's proposals are introduced. The same must be said of owner liability. The Bill, although it nods at the issue, is not reassuring and I hope that the Minister will take note of the many, perfectly legitimate, concerns before his legislation is drafted.

When the Minister made his statement to the House on 8 March, he was, sadly, dismissive on the matter of compensation for landowners. He said that

"independent research shows that landowners generally will not suffer costs significant enough to warrant compensation."—[*Official Report*, 8 March 1999; Vol. 327, c. 25.]

He should talk to one or two upland farmers, whose land lies in some of the most attractive parts of our country and whose incomes have plummeted because of the policies of his Government. They most certainly could not be expected to afford the extra management costs of access. The Bill ignores that and the Government's Human Rights Act 1998, under which the rights of property cannot be damaged without compensation being paid. Clear intent to deal with those questions and the provision of a legal framework for all involved would have encouraged voluntary co-operation, thereby increasing and enhancing access.

It is understandable that a private Member's Bill should not seek to identify or allocate resources implicitly, but the Government's legislation will have to define their objectives so that the costs may be quantified. The Local Government Association, the NFU, the Tenant Farmers Association, the Moorland Association and the statutory wildlife and conservation organisations—including the national parks—have calculated those costs and are rightly anxious about the Government eventually making a commitment to giving them the resources to do the job.

A lot of other practical problems will be raised in the debate and as the Government take the legislation forward, including mapping, definitions, closures, the impact on land values, access to island sites and the timetable for all the changes. It may not be possible for the Minister to refer to them all, but he may be able to speak about some of them.

Conservative Members believe that the hon. Member for Pendle and the Government have been guided more by party ideology than by concern for the countryside and those who use and work in it. English Nature's response to the Government's consultation paper says that

"the underlying purpose of the Government's proposals needs to be clearer and that access to open country should not be the starting point of any review or overhaul of access provision. Instead greater emphasis needs to be put on improvements to the existing public rights of way network, more use of existing tracks and permissive paths and the provision of opportunities for everyone to enjoy green space near to their homes. Any new arrangements should be the subject of a strategic level environmental appraisal prior to adoption, and be developed in the light of Government policies on integrated transport, sustainable development and biodiversity."

We agree with that statement from the Government's own advisers, English Nature.

It is a matter of regret that the Bill and the Government's statement should make such scant reference to the implications for wildlife and biodiversity of increased access to the countryside. We hope that, when the Government come to draft their legislation, they will take careful note of the wise words of the Royal Society for the Protection of Birds in its response to the Department of the Environment, Transport and the Regions paper of June 1998. Those words apply with equal force to the Bill. The RSPB said:

"In the absence of audit as to the status of access to open land, the absence of adequate research investigations from which to assess the implications . . . of access to open land, and the consequent lack of a comprehensive environmental assessment, the RSPB believes that the Government should proceed with caution in developing and implementing its policy for access to open land. Open land contains some of the habitats of greatest wildlife interest. Getting it wrong could be costly . . . to our wildlife heritage".

Sadly, we believe that the Bill is getting it wrong. It fails to build on the co-operation already in place; it fails to take account of the practicalities of land use; it fails to make a case for its proposals beyond that of party ideology; and it fails to safeguard our countryside and environment. It is a wasted opportunity.

12.16 pm

Mr. David Lepper (Brighton, Pavilion): I add my congratulations to those that we have already extended to my hon. Friend the Member for Pendle (Mr. Prentice). I thank him for asking me to sponsor the Bill, something that I was pleased to do. Like my hon. Friend the Member for Denton and Reddish (Mr. Bennett), I should declare a form of interest: I am president of the Sussex right to roam group, but I derive no pecuniary interest from that.

I welcome the statement by my right hon. Friend the Minister earlier this month. I represent a largely urban constituency, but the relationship between the town and

the downs in Brighton and my part of Sussex is an ancient one. It was put on a more formal basis earlier this century when the far-sighted and often mayor of Brighton, Sir Herbert Carden, persuaded the town to buy large tracts of the south downs. He was looking to the future and the way in which the relationship between the town and the downs might develop. That is one reason why I have been lobbying my right hon. Friend the Minister so hard to achieve national park status for the south downs. That, however, is a debate for another occasion.

I was particularly pleased to see clauses 9 to 15 included in the Bill, as those deal with maintaining the access to the countryside that already exists under other legislation. They include references to sanctions against wilful obstruction to access, additional penalties for obstructing footpaths, and the issue of landowners' dependence on grants and the access to which they agree in order to obtain those grants. I hope that my right hon. Friend the Minister will ensure that those issues will be included in the Government legislation.

The current position, particularly in my part of the country, is unsatisfactory. We have the famous case, which has received national prominence, of Nicholas van Hoogstraten, a landowner with an estate at High Cross, near Uckfield. He is the sad Citizen Kane of Sussex. He has amassed great wealth and can find nothing better to do with it than incarcerate himself within the monument that he is building. A great many of my constituents rejoice at the notion of Mr. van Hoogstraten's self-incarceration, but that should not be at the expense of the rights of way that exist across his estate. My hon. Friend the Member for Denton and Reddish and others took part earlier this year in activities concerning the blocking of that footpath.

It is deplorable that the highways authority, East Sussex county council, has so far taken no action against the blocking of that footpath. We have heard much about rights of way and the pattern of footpaths across the country, but we should also bear in mind the fact that many local authorities are failing in their duty to maintain rights of way and to keep footpaths open. The Ramblers Association deserves congratulations for the action that it is taking concerning Mr. van Hoogstraten's estate.

Lorna Fitzsimons (Rochdale): Will my hon. Friend join me in congratulating the countless civic societies that work tirelessly with the Ramblers Association, often with little resources? They also seek to keep public footpaths and rights of way open.

Mr. Lepper: I certainly associate myself with those sentiments. My hon. Friend has served to emphasise the failure of statutory authorities in many parts of the country to maintain footpaths without prompting from organisations such as the Ramblers Association and civic societies.

I want to draw attention to the failure of the countryside stewardship scheme. So far, £0.5 million has gone into the 41 schemes in East and West Sussex. I discovered that list of 41 schemes following a parliamentary question that I tabled last year. Ramblers in my part of the country were surprised that many of the sites listed were under a countryside stewardship scheme. There has been a failure to publicise the rights of access that should exist under those schemes. As Labour Members have said, there should not be a right to grants under that or other schemes unless landowners are willing to accept their concomitant responsibilities.

There has also been a failure of publicity about the exemption from inheritance tax. I have tried again and again to find details of areas where access should be granted in East and West Sussex. I have tabled parliamentary questions, but I get the answer that we have heard this morning—the details cannot be revealed. However, from those answers, I have determined that, over a 10-year period, some £65 million of tax has been forgone under those schemes. Have we had £65 million-worth of access and benefit? I do not think so. I also congratulate Channel 4 on its "Dispatches" programme the year before last, which helped to highlight this tax scam.

We have heard much about the voluntary approach, and the right hon. Member for South-West Norfolk (Mrs. Shephard) referred to the need to concentrate on it. I wish that I shared her confidence that it works. Since 1949, one voluntary scheme has been established in East Sussex under the powers to which my hon. Friend the Member for Denton and Reddish referred. It was in a fairly remote part of the county, which is fine, because people wanted to go there.

I congratulate the Country Landowners Association—people may not expect me to do that—on its attempts last year to persuade its members to improve and increase the number of voluntary agreements at local level. I believe that the association has been badly let down by its members.

Let me refer again to East and West Sussex. New agreements have indeed been established in East Sussex—in Ewhurst, for instance, where an informal rally for charity is to take place on a seasonal basis. In Westfield, an agreement has been established for the setting up of conservation forces, and a pocket park with a pond. Those three schemes are very limited, however.

As for West Sussex, I have a copy of a list that has been distributed to hon. Members by the CLA. In West Dean, there is to be a way-marked walk. In Cuckfield, country trust and school visits can be made by arrangement, and there will be scout and guide camps, also by arrangement. Several ponds in Cuckfield have been rented to Haywards Heath angling society. There is a scheme allowing public access of a more general nature, and another allowing ploughing matches by arrangement. Gardens will be opened, and an entry fee will be charged.

I am afraid that that limited array of so-called public access schemes does not back up the right hon. Lady's suggestion that voluntary agreements are working.

Mr. Levitt: Had it not been for the appearance of possible access legislation on the horizon, some of those voluntary agreements would not have been established in the first place. Perhaps those in charge of the CLA felt that increasing the number of such agreements was the only way of heading off legislation—but they always knew that they would be unable to deliver them through their membership alone.

Mr. Lepper: I agree. I believe that the CLA tried to make the voluntary agreements work, and that it has been let down by the landowners.

Mr. Sawford: The right hon. Member for South-West Norfolk (Mrs. Shephard) made much of the increased

[Mr. Sawford]

access to the countryside that had been created by the voluntary approach. Before we celebrate the success of that approach, should we not ask how much of the progress that has been made over the past 50 years is due to the National Trust, English Nature, local authorities and other public bodies, and how much is due to private landowners? The figures that I have suggest that only 5 per cent. of the so-called success is due to private landowners. In fact, the voluntary approach has been a dismal failure.

Mr. Lepper: I am sure that that analysis is correct.

The CLA's claims have been analysed by the University of Hertfordshire. On 20 February this year, *The Times* said that analysis showed that the CLA's survey of voluntary schemes was

"methodologically unsound and based on inaccurate data."

The reporter commented that that was

"academic-speak for a load of tosh."

Opposition Members have spoken of the conflict between access and environmental protection. I do not believe that there is any such conflict. On 9 March, a Brighton resident, Mr. David Bangs, wrote drawing my attention to three sites in East Sussex which, although sites of particular wildlife interest, were not being well maintained by the landowners who were responsible for them. He had already mentioned the matter to the South Downs conservation board. He rightly made the point that one reason why that neglect had been allowed to continue for so long was that there was no right of access to those sites for members of the public, who would act as the watchdog of environmental protection, rather than as tramplers and destroyers, which is how Opposition Members have presented them.

Mr. Gareth R. Thomas: On the bogus conflict between the right to roam and the environment, does my hon. Friend agree that another bogus conflict that has been propounded by the Conservative party is that between town and countryside? Does he accept that many of the people who would benefit from the right to roam already live in the countryside?

Mr. Lepper: Again, and perhaps unsurprisingly, I agree. I began by drawing attention to the close relationship that has developed between people living in my constituency and the surrounding downland. That is a protective and caring relationship, which could be developed by the Bill.

I draw the Minister's attention to the fact that, by yesterday, over half of all hon. Members had signed my early-day motion 11, which calls for increased protection of important wildlife sites. I hope that, in the legislation that will reach us later this year, he will feel able to draw together measures to increase access to, and to strengthen protection of, many important wildlife environmental sites in various parts of the countryside, all of which is desperately needed.

Those who claim to be the protectors of our rural heritage—the landowners—are, with some exceptions, signally failing to carry out those responsibilities. The greater access there is to the countryside by those of us who genuinely care about it, the more protection those wildlife sites will have.

12.32 pm

Mr. Peter Atkinson (Hexham): I declare an interest. I am an adviser to the Countryside Alliance, and a member of the Country Landowners Association and the National Farmers Union, so the House will know where I am coming from.

I congratulate the hon. Member for Pendle (Mr. Prentice) on the Bill, not because I agree with much that he said, but because I am grateful to him for the opportunity to debate the issue. That is important. He has done his cause a great disservice. Again, we have heard the old-fashioned socialist rant about mass trespass and right to roam, and seen the old socialist totem that has existed for so long.

The conflict that that attitude engenders all the time has probably been the single biggest enemy to opening access to the countryside. When landowners are faced with such an aggressive attack, naturally, they respond by being aggressive in their own right. We need co-operation in the countryside, not conflict. That is the way in which to open up more land.

The hon. Member for Brighton, Pavilion (Mr. Lepper) talked about the countryside stewardship scheme, but he misunderstands it. It is not simply to increase access; it is to enhance the natural beauty of the countryside. For example, farmers in my constituency who are on the scheme cut hay traditionally to enhance the look of the countryside in the area. That means that they do not necessarily want public access, which would not be suitable there; nor would a right to roam be, because it is a cultivated area.

The hon. Member for Pavilion will recall that the right to roam has been a socialist totem since about the 1890s, when the first move to create such a right was made in the House. The movement went as far as the mass trespasses at Kinder Scout, which was another great benchmark in socialist history.

I rather suspect that, had the Prime Minister and his official spokesman not been sleeping off a late night in Brussels dishing out more money to French farmers, Labour Members' pagers would have been buzzing as the hon. Member for Pavilion went into an old Labour diatribe dressed up as the third way. I rather enjoyed it.

Mr. Lepper: In the interest of historical accuracy, I should say that many of the issues of the countryside and access to it that we have been debating today predate introduction of even the word socialism, and can be traced back in the United Kingdom to at least 1642.

Mr. Atkinson: I am certain that the issue of access and the use of highways go back to mediaeval times. However, the idea of people wanting to leave industrial towns and, quite rightly, wanting fresh air, on the hills of Lancashire and Yorkshire, dates from about the time of the industrial revolution.

As I said, Kinder Scout was a benchmark. Labour Members, such as the hon. Member for Denton and Reddish (Mr. Bennett), have probably been on Kinder Scout, as I have been. My right hon. Friend the Member for Haltemprice and Howden (Mr. Davis) goes there regularly. One thing that one will never see on Kinder

Scout is significant wildlife. Because of the amount of access to Kinder Scout, one never sees a hare there, and one sees very few breeding birds.

Mr. Levitt *rose—*

Mr. Bennett: Will the hon. Gentleman give way?

Mr. Atkinson: I shall give way to the hon. Member for Denton and Reddish.

Mr. Bennett: Kinder Scout is in the constituency of my hon. Friend the Member for High Peak (Mr. Levitt). Nevertheless, is the hon. Member for Hexham aware that shooting butts are still one of the problems on parts of Kinder Scout? Presumably, they are one of the reasons why an awful lot of wildlife has been destroyed there.

Mr. Atkinson: I have respect for the hon. Gentleman. In previous Parliaments, on opposite sides, we soldiered together through Committees on these issues. However, I am sorry to say that he has let himself down on that one. He knows, as everyone does, that scientific evidence shows that shooting on moorland makes a positive contribution to wildlife, whereas widespread access to that fragile area does the opposite.

Mr. Levitt: I thank the hon. Gentleman for giving way. If I were to catch your eye later, Mr. Deputy Speaker, I could expand on the Kinder Scout, which is in my constituency. I should very much like to tell its story. People do go to Kinder Scout for wildlife and the wide access areas. In fact, 60 per cent. of all current access agreements exist in the Peak district. They exist to allow people to see wildlife and beautiful countryside—which I accept that both the hon. Member for Hexham and I both want to protect. Nevertheless, Labour Members also want to encourage the enjoyment of those areas.

Mr. Atkinson: I am sure that the hon. Gentleman, if he is lucky, will be able to catch the Deputy Speaker's eye. I do not want to concentrate too much on Kinder Scout, as other hon. Members wish to speak, and I wish to be brief.

I should like to reinforce the points made by my right hon. Friend the Member for Haltemprice and Howden and my hon. Friend the Member for South-East Cambridgeshire (Mr. Paice). The issue is really all about opening up greater access to the land for the 18 million British people who like walking. The Ramblers Association has 125,000 members. I doubt that the Open Spaces Society, which also campaigns on the issue, has many more than 3,000 members.

The issue is not, as the hon. Member for Denton and Reddish claims, about people who enjoy a tough ramble, as he does. Although I accept that he wants to walk over completely uncharted territory, the majority of people want to enjoy a day out in the countryside near where they live. Right to roam is diverting us from settling down and building proper access for the 18 million people who enjoy walking. That is what we want to achieve.

A perfectly good Bill was thought up by the hon. Member for Shrewsbury and Atcham (Mr. Marsden)—sadly, he is not proceeding with it—which would have commanded all-party support. I supported his Bill, which would have allowed us to build such access.

If the hon. Member for Denton and Reddish, as president of the Ramblers Association, could persuade Ramblers Association members to stop their aggressive militancy, we should get on far better in improving access to the countryside.

The hon. Gentleman was quite right to say that one of the problems that we face now in the United Kingdom is that country lanes, which one used to be able to walk or ride down quite happily, are now used by commuters who drive their Volvos at 70 mph. That is a problem. If we want to overcome it, we could do so by reforming the rights of way system—by making it far more relevant to modern living, and less relevant to social patterns of the 19th century or earlier.

Lorna Fitzsimons: Does the hon. Gentleman accept that what he is saying would have far more impact and resonance if it were not for the attitude of landowners, who have brushed aside any attempt to achieve co-operative agreement and have forced people who want access to the countryside, who love the countryside and who share the hon. Gentleman's enjoyment of it, to seek more formal arrangements?

Mr. Atkinson: That is simply not the case. We keep talking about landowners, but we are talking not about great potentates and dukes, but about tenant farmers, small farmers and big farmers who run and control the countryside.

Lorna Fitzsimons: There are farmers in my constituency who are honest enough to admit their hypocrisy. Some of them avidly support fox hunting, but are passionately opposed to allowing ramblers on their land on the grounds that they will cause damage. At least they are honest enough to admit that a huge train of hounds and horses passing through their land creates thousands of pounds worth of damage—far more than respectful ramblers.

Mr. Atkinson: I hear what the hon. Lady says and I probably have somewhat more experience of hunting than she does. The vast majority of hunts pass through land causing no noticeable damage. However, that is a side issue. It is one of those silly arguments that Labour Members keep making. Instead of discussing how 18 million more people can have access to the countryside, they want to play political knockabout about hunting and the right to roam. It does them no credit at all. People who want better access to the countryside will see it as defeating their objective.

I should like to raise with the Minister a number of practical issues that arise from the Bill. Reference has been made to the problems of closing off areas of land during lambing time, for example. Hill farmers in my constituency are now engaged in lambing. Will they be able to close off upland areas until the end of the lambing season on 1 May? How will they be able to do that? What method will they require? Will they have to cover the countryside with a forest of notices or hire local wardens to advise ramblers that the land is closed?

Mr. Alan Clark: I do not know whether my hon. Friend has seen the provision in the Bill that every notice that deters those who wish to walk over the countryside

[Mr. Alan Clark]

will attract a £10 fine for every day that the notice is up? It will be interesting to hear how the Minister manages to bridge that divide.

Mr. Atkinson: I take my right hon. Friend's point. We shall have to wait to hear what the Minister has to say about that.

Mr. Gordon Prentice: The fines apply only after the landowner farmer has been told to take the sign down.

Mr. Atkinson: The hon. Gentleman does not realise what a Northumbrian hill farm looks like. It is enormous. Are farmers expected to stick up several hundred notices around the perimeter of such farms to say that they are closed? The practical difficulties entailed in a section of the farming community that is suffering enormously at the moment having to go out and put up a lot of signs defy logic.

Mr. Levitt: Will the hon. Gentleman give way?

Mr. Atkinson: No.

Who will be responsible for deciding what is extensive grazing land and what is intensive grazing land? These days, a great deal of hill land is ploughed on a regular five-year basis to improve the pasture. Is that intensive or extensive? Who will decide that and who will map it? It was said earlier that upland areas had already been mapped. That is not the case; only upland common areas have been mapped, not the uplands in their entirety. Mapping will be an extremely difficult and time-consuming operation. Who carries out the audit of determining what is a fragile upland area and what is not in respect of the right to roam? Who will make the decision? Will it be English Nature?

There are also problems in the existing footpath network. One of the difficulties is that our footpath network was created largely in the 18th century at the time of the enclosures and grew because farm workers used to move from one part of a farm to another down particular paths. The path network also grew because the roads were so poor that people used footpaths as an alternative way of going from A to B.

Those paths are often unsuitable for modern recreational walking. One farmer in my constituency has three footpaths in one field. They all lead nowhere because they were originally used by lead miners walking to their workings. He applied to divert and unify the paths so that they would lead somewhere, but when he applied for a diversion order, an objection was lodged by the local representatives of the Ramblers Association. He was faced with a bill for nearly £1,000 in legal fees and advertising costs for the creation of a sensible diversion. He was frustrated in his attempt to change three paths leading nowhere into one path leading somewhere because of the cost and the consequences, and he has not done it. There is scope for the proposed local access forums—if the hon. Member for Pendle insists on setting them up—to create a proper recreational path network to divert paths by agreement so that they do not interfere with agricultural operations.

It would also be helpful to keep paths away from farmyards and private property. People who go out walking do not want to intrude on private property. I do not want to walk in front of someone's window and stare in and nor do I want to walk through a modern farmyard, which is a fairly industrial operation. It is a dangerous place, with large amounts of machinery. Footpaths go to farms, so they go through farmyards. I should be happier walking round a farmyard on a diverted path than walking through one.

Those are the issues that we should address. If legislation is necessary for such changes, so be it. We need to overhaul and—to use the word favoured by the proponents of the Bill—modernise the rights of way network. There is a need to sit down and look after the rights of 18 million people, not those of 125,000 ramblers. That is what the people of this country want.

12.47 pm

Mr. Jim Dobbin (Heywood and Middleton): I shall be brief, because I am aware that there are others who want to contribute on this popular issue.

I congratulate my hon. Friend the Member for Pendle (Mr. Prentice) on the thoroughly professional and determined manner in which he has taken up this long-standing campaign, which was also a Labour manifesto commitment. I disagree intensely with the comments and criticisms that the right hon. Member for South-West Norfolk (Mrs. Shephard) made about my hon. Friend's introductory speech, which was full of humour, full of detail, hard-hitting and factual. Rather than trying to create a class division, it was about sharing, co-operation and bridge building. He was asking for the sharing of a national amenity that belongs to all of us.

Dame Vera Lynn is associated with the song "We'll Meet Again" and Gerry and the Pacemakers sang "You'll Never Walk Alone". My hon. Friend the Member for Pendle will always be associated with "Roamin in the Gloamin", which was made famous by the great Sir Harry Lauder.

I congratulate my right hon. Friend the Minister on his recent statement and the thoroughness with which he has responded on behalf of the Government. The Government's support for the right to roam will be welcomed by many hon. Members, who have shown their support by signing early-day motions and other documents, and by the majority of my constituents, many of whom have written to me in support of the Bill. My constituency is mainly urban, but it also has large areas of rural expanse to the north. I learned—not to my dismay, but to my concern—that I have a large number of farmers in my constituency when they appeared here to lobby me about BSE. I have never had one adverse comment from the farming community, although my stance on the issue is known.

Everybody in the House will agree that the UK has some of the most beautiful countryside in the world. No matter what one's preference is, it is here. We have open green fields, the dales of Yorkshire, the Lake district, the magnificent lochs and mountains north of border and wonderful coastal areas. However, one fact remains; too few people control too much of that national asset, and that must change.

Mr. Gray: The hon. Gentleman says that too few people control too much land. Is he under the impression

that the Bill will lead to any change to the way in which land is owned in Britain? If so, does he believe that that would be a good thing?

Mr. Dobbin: The Bill certainly will give access to much of the land. I was born in Scotland, where many of the great landowners live. The Scottish people will be glad that the Bill will affect the rest of the country.

The proposal to make the right of access a statutory one must be applauded, but the Government rightly insist on responsibilities to go with the newly acquired rights. The protection of the environment for areas of natural beauty must be enshrined in legislation and respected by the walking public. There must be penalties and conditions for those who wilfully damage property, and landowners should be given compensation for those transgressions. I hope that the Minister takes that on board.

Rivers, bridges, canals and pathways need to be maintained by owners, and respected by walkers. The campaign by the Country Landowners Association has been intense—as we expected—but, in my view, has been based on the concepts of "What we have, we hold" and "Ownership is nine tenths of the law." That cannot be right.

I wish to highlight a few policy areas where clarification is needed. First, the present voluntary system is hardly cost-effective and public money is often wasted, benefiting the landowner rather than the general public. The method of renting access to land, site by site, has proved to be wasteful. The attempt to open land by voluntary agreement has resulted in vacillation, obstruction and very little progress, as has been proved over the years. Permanent access is crucial if we are to achieve a proper right to roam. The legislation must be clear and consistent, and a voluntary approach cannot provide that.

I believe that my hon. Friend the Member for Pendle is in good company. We pay testimony to James Bryce—to whom my hon. Friend referred—for his Access to Mountains Bill of 1884, the forerunner of Bills of access. The Labour Member Arthur Creech Jones proposed a similar Bill in 1939, which resulted in unsatisfactory compromise and further conflict. In 1947, Sir Arthur Hobhouse produced the Hobhouse report; a valiant effort that was rejected. Of course, we must not forget the late John Smith, a great supporter of access and the freedom to roam and climb.

We have crossed the great divide, and we are climbing a few mountains in the process. There is now an opportunity for the many in this country to share those great expanses of land that are owned by the few. The Government are delivering on one more promise. The Bill is popular, and is welcomed by 85 per cent. of the population. I support my hon. Friend the Member for Pendle on this historic day for the ordinary people of this country. With the pending White Paper on rural issues and the intention to extend the national parks network, the Government can be truly labelled the Government of countryside protection and of countryside enjoyment.

12.54 pm

Mr. Alan Clark (Kensington and Chelsea): I am a rambler, although not one of the eminence and distinction of the hon. Member for Denton and Reddish (Mr. Bennett). I have invited people from the Ramblers Association in my constituency and in Westminster to visit Saltwood and I have walked with them over my land and over adjoining land, and I have gladly offered them refreshment at the end of the day. I hope that the plaudits of Conservative Members will not greatly embarrass the hon. Member for Denton and Reddish. His speech was admirable, and a perfect presentation of the case in which I and many people believe.

I know that it is the convention to congratulate the promoters of Bills, but I certainly do not intend to do that, because I thought that the speech of the hon. Member for Pendle (Mr. Prentice) was lamentable and tendentious. It verged at intervals on the paranoiac. He used extraordinary agitprop language about practically everyone whom he mentioned. He called the National Farmers Union "hysterical" and the Country Landowners Association "wreckers". He simpered from time to time when he recited the various accusations of extreme left-wingery that had been made against him.

The hon. Member for Pendle put on the record a remark that I alleged that he had made to me, and disclaimed it. Of course I remember him saying to me, "We will expropriate your land in Kent," and he remembers it, too. I like to think that I have many personal friends on the far left of the political spectrum and I respect them for their beliefs. If he had said, "Of course we will expropriate your land in Kent. That is the tenor of my belief, and I will stand by it," I could have respected that; but he folded and said that he did not remember making the remark. He remembers it all right. I would not invent that and put it in a letter.

Mr. Gordon Prentice: Will the right hon. Gentleman give way?

Mr. Clark: I will give way to the hon. Gentleman, but I have not finished with him yet.

Mr. Prentice: If I said such a thing in the House of Commons Library, it was said with jocularity. I have said the same thing to the Bishop of Blackburn, the Very Rev. Alan Chesters, and he took it as a joke. The right hon. Gentleman seems to be congenitally incapable of seeing a joke.

Mr. Clark: That is not a charge that has been made against me before. Usually, people accuse me of being too frivolous. However, the House and the public will judge. I regret the fact that a really important cause, which is genuinely to be encouraged as we change gear from one century to another, will suffer damage if it is presented in the tendentious language used by the hon. Gentleman.

The Bill will not trouble us again, but I hope that the Minister, when he introduces Government legislation, will bear in mind the anxiety that affects many people who are otherwise completely well-intentioned towards it. According to the Bill, open country

"means any area which consists wholly or predominantly of mountain, moor, heath or down".

Who is to judge what is "predominantly"?

Mr. Prentice: The access group.

Mr. Clark: That may work, but one is naturally suspicious of any ambiguities in legislation.

[Mr. Clark]

Many of the provisions are pointlessly punitive. My hon. Friend the Member for Hexham (Mr. Atkinson) mentioned the penalties for displaying signs deterring public access. There are especially penal provisions laying the burden on the landowner

"to take such steps as are agreed from time to time with the authority for the area or areas in which the land is situate . . . for the publication of sufficient information to enable a member of the public to identify the land".

That is completely punitive.

I am in favour of opening up the land and inhibiting awkward and rebarbative landowners, and I recognise that such people exist—the hon. Member for Brighton, Pavilion (Mr. Lepper) cited one—but to oblige landowners to advertise and invite the public to enter their land seems to me to be going rather too far.

Mr. Bennett: If the right hon. Gentleman is as keen to encourage access to the countryside as he suggests, what should happen when a public right of way is clearly marked, but someone puts up a notice saying, "Keep out. Trespassers will be prosecuted"? Surely it is important that such notices are removed and the rights of individuals to use such paths are enforced. How should that be done?

Mr. Clark: I agree with the hon. Gentleman. I would have thought that, if anyone put up such a notice, especially after this legislation or its equivalent has passed through the House, it would be immediately attended to. The hon. Gentleman has opened the door on the especially disquieting element of the Bill, which was inflamed by the hon. Member for Pendle in the way that he approached the topic. There are people who want to use the new right—I do not dispute the fact that it may be viewed as an ancient right that has been inhibited for centuries—as an engine for their private and extreme political convictions. I know those people. Few hon. Members would dispute my green credentials. I have been on the picket line at live export demos and been roughed up by the police, and I also went to Jill Phipps's funeral at Coventry cathedral. I well know that militants infiltrate such movements. The militant hunt saboteurs, for example, have no more commitment to animal welfare than I believe does the hon. Member for Pendle to the beauties of nature.

Mr. Gordon Prentice: I introduced the Bill.

Mr. Clark: I shall give way to the hon. Gentleman if he wishes to intervene.

One of the great advantages of extending the right to roam is that many ordinary people, who might not otherwise have had access to the beauties of nature and the enlightenment that comes from great landscapes, wonderful scenery and communicating with the open, will not be prevented from enjoying those pleasures. That is why I resent those who try to use the Bill as a naked instrument in their private prosecution of the class war. It should be no such thing. It should be a unifying measure, not a divisive one. I draw to the Minister's attention the danger that, if he does not take proper control of the matter and respect the various rights and balances that should be inherent in the implementation of legislation, he will take a further step towards a socially divisive cleavage between those who live in the towns—many of whom may feel resentful about what is happening in the country—and those who live in the country and are certainly resentful, as the recent countryside march showed, of what they believe to be the encroachment on and erosion of their rights and responsibilities by the town.

1.4 pm

Mrs. Eileen Gordon (Romford): Although I have been known to ramble from time to time, I hope that I shall not do so today. My remarks will be extremely brief. Many of the points that I intended to raise have already been covered in this interesting debate.

I would not claim to have the depth of knowledge of many of my hon. Friends. However, I have received many letters and postcards from my constituents showing their support for the right to roam. I know that they warmly welcome all the efforts and work of my hon. Friend the Member for Pendle (Mr. Prentice)—or should I say the class warrior for Pendle—the Minister and the Government to make the right to roam a reality at last.

Like many people who live in towns, my rambling and walking is mostly done in towns and shops. That landscape is extremely pleasant—at least to me—but many people living in towns like to escape to moor or down to be surrounded by our beautiful countryside, to hear the call of the curlew rather than the ringing of cash registers. We need that space, freedom and access.

I can tell Opposition Members that people move out from their towns. People leave Romford and visit other places. They like to go to the Peak district or the Yorkshire moors, for example. They should have the right to do so.

As a town dweller, I become confused about where we can and cannot walk in the countryside. It is a brilliant idea to have mapping, when we get the right to roam, so that people will know where they can and cannot go. It will give people—perhaps new walkers—information, knowledge and clarity. That will be most welcome.

I can speak only from my limited experience. However, two particular walks have influenced me and my support for the Bill. The first was a family rambling day in Havering, which was organised by the Ramblers Association. I have always found that association to be a very responsible group in its concern and care for the countryside.

The Havering walk was on designated footpaths. My hon. Friends the Members for Hornchurch (Mr. Cryer) and for Upminster (Mr. Darvill) joined me. It was a fairly short walk, but many of the footpaths were overgrown. Some had been diverted without any consultation or without the right to divert. Most were neglected and encroached by crops, for example. As a result, most of the footpaths were very narrow and insecure. It is clear to me that, if landowners are so casual about maintaining footpaths and do not even provide access to comply with the law, they and other landowners will not voluntarily provide greater access.

The second walk was in the Forest of Bowland area, when we went on another trip during the Labour party conference at Blackpool last year. The weather was pretty foul but the countryside was lovely. There was so much

beautiful land with so little access. I therefore became convinced that a voluntary agreement would not work. I am reassured and delighted that those who know much more about the subject than I do, and the Government, have come to the same conclusion. This land is our land. I look on today's debate as the beginning of yet another Labour party manifesto pledge fulfilled. As we said, our policies include greater freedom for people to explore the countryside.

Legislation is needed, and I am sure that the Government will introduce a Bill as soon as they can when parliamentary time permits. Like my hon. Friends, we are looking towards November for that to happen.

Who could forget the images of the late John Smith striding through the countryside? The Act that will follow this debate will be a tribute to him. The right to roam will give pleasure to town and country people alike as it will provide greater access to the countryside. This is definitely a landmark day.

1.9 pm

Mr. David Atkinson (Bournemouth, East): I apologise to the House, and in particular to the hon. Member for Pendle (Mr. Prentice), for not being present at the start of the debate, owing to an unavoidable commitment.

I should declare a long-standing interest in hiking and mountaineering. The hon. Member for Denton and Reddish (Mr. Bennett) mentioned the Glyders, the Carnedds and the Snowdon horseshoe, which are my second home.

Those are healthy pursuits which, together with walking, horse-riding and cycling, are widely shared by our constituents. Outward-bound activities such as orienteering are becoming more popular, not just among young people. Ever more people will be pursuing such activities as more free time becomes available to them, not least in retirement, and they should be encouraged to do so. That is why the Bill is so timely and would have had my support in principle, with some important reservations, which I hope the Government will take into account in preparing their own promised legislation.

The right to access or to intrude on private land has long been a contentious and divisive issue. It has, regrettably, been fanned by the politics of envy over the years, as my namesake, my hon. Friend the Member for Hexham (Mr. Atkinson) emphasised. Emotions continue to run high, encouraged by the media, as currently demonstrated by their coverage of the Bill. That is regrettable, but it is a reality and will remain so unless it is addressed by legislation.

I willingly confess to feeling incensed by being denied access to areas that I want to climb and explore, but that are permanently closed, just as I am incensed by ancient covenants that prevent my constituents from building a swimming pool in their back garden, for example.

I welcome the reasonable approach that, as my hon. Friend the Member for North Wiltshire (Mr. Gray) reminded us, has been adopted by the Ministry of Defence, which owns much of the attractive countryside and coastland in my county, Dorset. The MOD makes it available for walking on most weekends and at other times during the year, thanks to the last Conservative Government.

Clear conflicts of interest exist on the issue with which the Bill deals. The right to ownership of property and the right to privacy are clearly defined in the European convention on human rights, and are rightly upheld by the European Court of Human Rights. It has been suggested that, if the Bill became law, landowners would be entitled to compensation from the courts.

I accept that the right of common access to open countryside, as proposed by the Bill, is not mentioned in the European convention on human rights, but it is a right that public opinion strongly supports and demands, as my postbag demonstrates. That demand will only grow, so it is right to address the issue now. It is reasonable for the European Court to take account of that growing demand, should it be necessary.

A number of my hon. Friends continue to advocate a voluntary approach, as do, understandably, those representing landowners and their interests. I do not believe that a voluntary approach would work. There are too many people representing both sides who will find it impossible to appreciate the approach of the other. The situation is not helped by the media, which tend to demonise those with strongly held views. That is why so little progress has been made in achieving the co-operation and understanding that would be necessary for a voluntary approach to work.

As the issue is so polarised and the opposing points of view are so entrenched, I believe that there is no alternative to legislation. I agree with the Countryside Commission's conclusions that any voluntary arrangements would be unlikely to deliver the extent and the permanence of access that the Government are now seeking.

Far from destroying the good will that is necessary to achieve greater access, the Bill would provide a framework for mutual trust and understanding to develop between landowner and rambler or walker. Legislation would make clear beyond any misunderstanding the obligations on all land users.

The Bill defines the rights and responsibilities placed on ramblers. The detailed list in schedule 1 defines those to whom the Bill would not apply, because of their thoughtlessness, willing destruction of property or sheer stupidity. That should be welcomed on both sides of the argument.

Those eager to access the land were described in a recent letter to *The Daily Telegraph* as people who

"do not want to destroy the countryside; we simply want to enjoy it peacefully, carefully and with as little disturbance to the local population as possible".

Such people will no doubt welcome the measure as a way of ensuring that decent, common courtesy is maintained, and as an assurance to the landowner that his land will suffer no detrimental effects as a result of their presence on it.

To the landowner, the Bill should be equally reassuring. It would place statutory obligations on those who are using the land in pursuit of recreation and provide the landowner with increased recourse—supported by the full weight of the law—in the event of maltreatment of property. The law would provide the landowner with specific powers; it might not be necessary to use them, but they would be instrumental in establishing a working relationship between landowner and rambler. Such powers would not be provided by a voluntary agreement.

[Mr. David Atkinson]

I share the reservations of the hon. Member for Pendle, as reported in *The Sunday Telegraph*, about the Government's proposed local access forums. Recommendations on such matters should be left to the Countryside Agency. I share the concerns of English Nature that owners of heath or downland could prevent public access by ploughing, spraying or fertilising land, deliberately destroying the characteristic vegetation and habitat for wildlife. I share the concerns of the British Association for Shooting and Conservation that the Bill must protect ground-nesting birds, such as merlin or golden plover, which would be at severe risk from unrestricted access during sensitive times of the year. There should be a far more realistic provision than the 12 days suggested in the Bill for organised shooting, from which the revenue generated is vital in maintaining moorland.

However, despite those reservations, I congratulate the hon. Gentleman on pioneering a Bill to enable our constituents to explore more of the natural British heritage, and I look forward to the legislation promised by the Government.

1.17 pm

Mr. Tom Levitt (High Peak): It is a pleasure and a privilege to speak in the debate. The right to roam is a genuinely cross-party issue on which concerns have been expressed on both sides of the House. I am especially pleased to follow the excellent contribution made by the hon. Member for Bournemouth, East (Mr. Atkinson), and hope that he will accept that he is excluded from the comments that I am about to make.

If we look back at history, we see that politicians on the losing side of an argument tend to resort to three tactics. The first is to misrepresent the arguments of one's opponent, so as to knock them down. We have seen far too many examples of that today; for example, the idea that ploughed fields or people's gardens could be included in the right to roam. The second tactic is to attack the messenger rather than the message. I congratulate my hon. Friend the Member for Pendle (Mr. Prentice) on his thick skin; I am sure that it is as valuable in this House as it is on the moorland. The final tactic is to appeal to the values of consensus in opposition, having fought against such values during 18 years in Government.

I do not need to remind hon. Members of the extreme beauty and importance to walkers of my own High Peak constituency. During the debate, I have been taken aback by the number of hon. Members who have said that they have been there. I hope that they were not campaigning, because they did not inform me that they were coming. However, they are all welcome to continue to visit the area.

My constituency is huge: 80 per cent. of its population live in only 20 per cent. of the area. It has limestone in the south and east, and the millstone grit of the Pennines in the north and west. The moorlands stretch from Greater Manchester to Sheffield, and High Peak itself extends from Buxton to Barnsley. It is a walker's paradise. I probably represent more sheep than electors. Nevertheless, I think it is correct to say that one third of the population of England can travel to the Peak district within an hour. That gives an idea of the pressures that exist in the management of visitors.

I must admit to the neglect of one my electoral areas: the Hope Woodlands polling station serves an area of about 100 square miles, but has only 46 electors. That means that I do not campaign there much, but I describe it to give hon. Members an idea of what the terrain is like in that part of my constituency.

A hundred years ago, the areas around Kinder Scout, which is the geographical centre of High Peak, were open to ramblers and for roaming, but that changed over the early part of this century. The landowners decided to enclose the land. They enforced their rights, as they saw them, and took action against walkers who strayed from the paths. Kinder Scout, which is the highest point on the Pennines, was surrounded by 15 square miles of land to which entry was prohibited.

On 24 April 1932, hundreds of campaigners met at Bowden quarry in Hayfield and elsewhere to set out on their walk across Kinder Scout. That day became an important chapter in the social history of Britain—the Kinder Scout mass trespass, which led to hand to hand combat and pitched battles with armed gamekeepers over a wide area. Walkers were beaten and arrested, and five ramblers were sent to prison, with sentences of up to six months for the crime of wanting to wander harmlessly and responsibly over open and uncultivated countryside.

I have met two of the original ramblers. One was Ewan MacColl, the folk singer, who immortalised the campaign in song. I met Ewan and Peggy Seeger, his wife, in the 1980s. In 1992—60 years after the original trespass but, unfortunately, after Ewan's death—Peggy came back to Bowden quarry to celebrate that anniversary. Benny Rothman, one of the walkers imprisoned in 1932, was with us and his passion for the right to roam had not dulled one bit.

Hundreds of people were there to celebrate, among them my hon. Friends the Members for Denton and Reddish (Mr. Bennett) and for Stoke-on-Trent, North (Ms Walley), and my right hon. Friend the Member for Dewsbury (Mrs. Taylor). We were elated by the occasion, although a little down in the mouth; it took place only a few days after a rather devastating general election defeat for the Labour party.

Back to 1932; the trespass struck a chord and there was uproar and public outrage because walkers had been imprisoned. The campaign to change the law stepped up a gear, but the war intervened. In 1947, 15 years on, the Hobhouse committee called for a statutory right to walk on what it called "rough country". The 1949 Act was a milestone in many ways, but it advocated a voluntary approach to access agreements, which some would have us believe is still applicable today. I hope to show why that is not the appropriate way forward any more.

The Peak district was the first national park to be set up under that legislation. In the park today, 80 square miles—including the area around Kinder Scout—are open to ramblers under access agreements. Incredibly, the Peak district national park contains 60 per cent. of all the areas of England and Wales that are subject to voluntary access agreements and most of it is in my constituency. Open access land is also owned by the National Trust and other bodies.

People approaching the park from Sheffield and Barnsley have to drive through many miles of beautiful countryside, which they are not allowed to enter, until they reach identical areas of beautiful countryside.

which they are allowed to enter, before they can walk freely on open moors, but even where there is open access, there are arrangements to close land where necessary.

A number of times, Conservative Members have asked, "What will happen when land has to be closed?" Land is frequently closed, some of it open access land. That land is closed by agreement for shooting or the breeding of birds, and large areas are closed down for several days in summer when the fire risk becomes too high. Walkers understand and respect those restrictions. They know why they are in place and there are no complaints about the temporary closing of the land for good reason.

The Peak District national park has 22 million visitors a year. It is the most popular national park in Britain and the second most popular in the world—only Mount Fuji in Japan has more visitors. A high proportion of those are day visitors, walkers and ramblers.

My hon. Friend the Member for Denton and Reddish mentioned the problems of erosion. In Edale, the entrance to the Pennine way has had to be split into three to manage the concentration of erosion on the linear paths. It must be said that the effects of erosion would be reduced in such areas if there were wider access, with fewer feet per metre to cause the damage.

Although the access agreements in the Peak district are voluntary, many of them are not altruistic—there is a quid for the pro quo. The Peak park makes payments to landowners in recognition of costs incurred to them by public access. However, the system is slow and cumbersome, and does not command as much respect as it should. In many cases, it is difficult to justify the on-going costs, particularly as they may relate to events that occurred when access was granted. The real reason for the payments is to give landowners an incentive to partake in the voluntary access scheme and to link that scheme with a code of practice for others to follow. As I shall demonstrate in a moment, the scheme is not succeeding in doing that. Part of the cost of access to the Peak national park arises from the comprehensive system of rangers, who patrol access areas and help and advise walkers on their rights, routes and responsibilities.

Most telling of all, however, is the fact that the final evidence is that the voluntary process has failed to give us anything like the 4 million acres of open countryside to which there could be open access. Despite the best endeavours of the Peak national park and the constant lobbying by walking groups, precious little more land is subject to open access now than it was in the 1970s. In the past 25 years, the voluntary approach has produced virtually nothing as regards the schemes, even where payments are involved. It is now time to move on and accept that it has not worked.

As my right hon. Friend the Minister said in his statement on 8 March, another drawback of the voluntary scheme is that it is, by its very nature, temporary. Presumably, any land that can be voluntarily designated as access land can be voluntarily withdrawn from access. As any walker will confirm, someone setting out on a day's rambling on the peaks needs primarily a reliable map. In future, that map will tell people where the open access land is and where it is not. Under a voluntary system, there is no guarantee that land that is open access land one day or one year will have the same status the next. The whole idea of our proposal is that the arrangement should be permanent so that people know what is open access land. That is the answer to the question raised by the hon. Member for South-East Cambridgeshire (Mr. Paice) and other Conservative Members who are no longer present.

In the spirit of the Bill, with the practicality of the Government's approach, the lessons learned from the Kinder trespass, the honourable history of ramblers and my constituency's contribution to that history will now come together to achieve a single goal: the right to roam responsibly and to share and enjoy, but at the same time preserve, some of the world's most glorious natural heritage.

1.29 pm

Mr. James Gray (North Wiltshire): I apologise to the hon. Member for Pendle (Mr. Prentice) and to the Minister because I must catch the 2.15 train from Paddington to attend my surgery in Chippenham at 4 o'clock, and so shall be absent for the rest of the debate.

I appreciate the opportunity to follow the hon. Member for High Peak (Mr. Levitt), who is my co-chairman on the all-party minerals group. I congratulate him on avoiding the extreme and class-warrior language, on which a number of my hon. Friends have commented, that personified the opening speech of the hon. Member for Pendle.

Mr. Sawford: Will the hon. Gentleman give way?

Mr. Gray: I have only just started my speech, and I must keep an eye on the clock, so I hope the hon. Gentleman will forgive me if I do not give way.

Such an approach to this matter was tellingly revealed in the speech of the hon. Member for Heywood and Middleton (Mr. Dobbin), who constantly gave us glimpses of his true feelings. It is not so much that he wants his constituents to have access to the countryside to go walking but that he resents the fact that a small number of people own a large amount of land. That is true, and most of them are pension funds. The British Rail pension fund is a substantial landowner, as is the Queen. Dukes and farmers are also landowners. The Bill does not reform the system of landowning. If that is part of the class warrior agenda of the hon. Member for Pendle, perhaps he should say so. As I understand it, the Bill is wholly and solely about access to the countryside.

We should cast the class warrior aspects to one side. However, I am concerned about Labour Members' caricature of the attitudes of Conservative Members. They seem to think that we are the dukes: the country landowners who are determined to keep the nasty townies in the town because we do not like walkers and we do not want people tramping over our estates. Nothing could be further from the truth.

The hon. Member for Pendle and I were at Glasgow university together, and he knows that my father is a minister in the Church of Scotland. My only property is a flat in Westminster, most of which is owned by the Bank of Scotland. I have no country assets, unlike the Minister, who has a pleasant country house just outside my constituency. I have no personal interests in those matters. I merely speak on behalf of my constituents who are farmers and landowners, and who are naturally concerned about some of the provisions in the Bill.

[Mr. Gray]

The caricature of Conservative Members that Labour Members have drawn is terribly unfair. The people in Chippenham, Malmesbury, Wootton Bassett and Corsham—the four main towns in my constituency—who are not landowners or farmers are determined walkers: they love walking. All my hon. Friends who have spoken are clear about the fact that we must find ways of improving access to the countryside. We are not saying, "Keep them in Chippenham, Malmesbury, Wootton Bassett and Corsham. Stay at home you lot. Don't come out into the countryside and walk." We are pleased that they want to walk in the countryside and we want to encourage them to do so. We are determined to improve their access to the countryside.

The debate is not about whether people should go walking, riding and fishing in the countryside, but about how they do that. The Bill has missed its mark, because it concentrates exclusively on the 5 million acres of land to which people apparently have no access. Of course, they do not. People do not want access to a huge moorland: they are not going to zig-zag backwards and forwards across it. They want decent access across the moor, to the mountains and fields and to farmland. They want not to wander all over the countryside, but to find ways of getting on to it, enjoying it, seeing the wildlife and enjoying the fresh air—all the things that we do when we go for a walk in the countryside.

That is why the Bill has missed its mark. Instead of saying to landowners and farmers, "Let us co-operate to work out a way in which people from the towns can get into the countryside," the Bill says, "You, the landowners and farmers, we're going to sort you out. You're the people who have been stopping us. You're the people who are putting up notices saying 'No Trespassing'. You're the people who are putting barbed wire across paths."

I can tell the hon. Member for Romford (Mrs. Gordon), who unfortunately may have come across brambles growing on to the paths, that, when one goes for a walk in the country, it may be a little uneven underfoot and little bits of bramble may grow on to the paths. If we had the right to roam anywhere we liked, she would have to deal with unevenness underfoot and brambles.

Mrs. Gordon: The hon. Gentleman is being extremely patronising. I was talking about designated footpaths, which are meant to be maintained and accessible.

Mr. Gray: I apologise to the hon. Lady if she felt that I was being patronising: I would not for a moment wish to do so. I was trying to make a sensible and serious point. Some hon. Members have given the impression that they do not understand what getting into the countryside is all about. I am perfectly content that there should be properly managed and properly organised paths. On a number of estates and farms in my constituency, the farmers go to great lengths to provide easily usable stiles and to make possible access for disabled people.

Those farmers go to huge lengths to keep the paths in good shape, to keep the brambles back and to ensure that there is wildlife land alongside the ploughed land, with butterflies and birds on it. We are finding ways of providing exactly what the hon. Lady wants: sensible, attractive, managed access to the countryside for all, not just the few. Conservative Members are great democrats.

Lorna Fitzsimons: The hon. Gentleman is making a plea for reasonableness, and for people to be able to share the countryside that he has the honour of representing. No doubt, his area is very beautiful—I happen to live in an area of great beauty as well—but his argument does not hold water. The problem could have been solved at any time over the past 18 years or more. If those who had the ability to provide access had wanted to co-operate, we would not need legislation now. Does the hon. Gentleman at least understand what has driven people to seek such legislation?

Mr. Gray: Had there been no increase in access to land in recent years, the hon. Lady would have a good point; but, since 1991-92, when a measurement was last taken, 1.1 million acres have been opened up to walkers, and 12,400 miles of paths. That is an increase of 23 per cent. There has been huge growth in the amount of land and the number of paths available to walkers.

Mr. Paice: Will my hon. Friend give way?

Mr. Gray: I think that I should make some progress. These are really introductory remarks.

The hon. Member for Rochdale (Lorna Fitzsimons) made a good point, which others have made today. There is a fine network of paths and rights of way across the nation, which is the envy of many other countries. I sympathise with the hon. Member for Denton and Reddish (Mr. Bennett) and the Ramblers Association: I hate it when I take my family out near my village of Slaughterford and find that a piece of barbed wire has been placed across what I know perfectly well is a proper path, that a notice saying "Trespassers will be prosecuted" has been erected, or that farmers have inadvertently ploughed up a path that we have the right to cross. I find that extremely annoying, and understand why the Ramblers Association wants to take direct action.

At the same time, however, I understand how frustrating it is for farmers to have three or four tracks across their fields going nowhere at all—a point made by my hon. Friend the Member for Hexham (Mr. Atkinson). An ancient right of way goes through the kitchen of a farmhouse in my constituency, and members of the Ramblers Association insist on going in at the front and out at the back in order to preserve it. How much more sensible it would be if we could change the law relating to rights of way, giving ramblers proper access to the countryside which they love while also protecting farmers.

No doubt, the Minister will be familiar with the problem of roads used as public paths—rupps—and boats, and the question of green lanes and four-wheel-drive access. That is a complex and ancient area of the law, and it needs to be sorted out wholeheartedly and comprehensively, so that we can provide a decent network of paths across the nation for walkers and others.

The Bill appears to address a need that does not exist. It seems to be saying, "Millions of people are desperate to get into the countryside but cannot. Let us open up the farmers' fields, or the moors and hills, so that they can."

However, all the polls show that the demand for recreation in the countryside is stable, and that, by and large, it is being coped with.

I spend two weeks every summer high on the National Trust cliffs in Cornwall, which provide some of the finest walks and, in mid-August, some of the best weather in the country. I rarely see anyone else using those National Trust walks. My village of Slaughterford is one of the picturesque and beautiful walking areas in Wiltshire, but we see incredibly few people there. I am not aware of the millions who are bursting at the seams to get on to other people's land. I suspect that a great deal more noise is created by the more militant members of the Ramblers Association and others who believe in making a huge fuss, not because they represent a large number of people who want to go into the countryside but because they represent the interests so clearly described by the hon. Member for Pendle. It has more to do with class warfare and the ownership of land than with peaceful enjoyment of the countryside.

Conservative Members oppose the Bill, but not because we want to deny people the right to get into the countryside; of course we do not. On the contrary, our entire aim is to find ways in which to encourage them to do so. We oppose the Bill because we believe that it has a different agenda. If the Government's Bill concentrates less on those class warfare aspects, and more on improving right of way access and securing proper access to the countryside, we will welcome it.

1.40 pm

Mr. Peter L. Pike (Burnley): I am glad to have the opportunity to say a few words. I congratulate my constituency neighbour, my hon. Friend the Member for Pendle (Mr. Prentice), both on introducing the Bill and on his extremely good speech. He recognised the change of situation since my right hon. Friend the Minister for the Environment made his statement earlier this month—on which I congratulate him—on this important issue.

All the emotive language has come from Conservative Members, who have talked about class warfare. Until the hon. Member for Bournemouth, East (Mr. Atkinson) spoke, I did not think that we were going to hear a single positive or thoughtful contribution. Conservative Members have used words such as evil, socialist, militant, politics of envy—those words have peppered speeches.

My hon. Friend the Member for Pendle referred to a briefing that was held just over a week ago by the Countryside Commission in the Moses Room in the House of Lords. He was sitting behind and I was sitting next to one Member of that House, who all the time muttered, "Nationalisation without compensation"—what a load of rubbish; what nonsense.

The Bill talks about—and the Minister's proposals will ultimately result in—giving rights of access to the countryside and rights to roam in the countryside, but with responsibilities. Every Labour Member has spoken of the balance: the need to give rights to people, but, at the same time, for those people to exercise responsibilities.

I should have said that I am president of the Lancashire Ramblers Association, a position that is held by rota. At some time in the future, my hon. Friend the Member for Pendle will take that position. I have no doubt that he will be a worthy holder of that post. He and I join the North-East Lancashire Ramblers on their family ramblers day, which takes place every year either in his constituency or in mine; this year, it is in mine on 26 June. We always look forward to it.

One of the things that I have always been proud of in my constituency—not every one of my constituents knows this—is that people can get off a train at Burnley central station and walk right into the countryside via a footpath that was put down by the council, aided by European and other funds. They can get to the countryside without crossing a single road. There are not many constituencies in an urban area where people can do that.

My hon. Friend the Member for Pendle referred to the inheritance tax and the way in which that was waived in certain instances to give the right of access, yet we do not know where the right of access is. That must be nonsense and a disgrace in 1999. We sometimes have to reflect on how those people got the land in the first place. It is not a question of the politics of envy. It is our countryside and we want people to be able to enjoy it.

In my constituency, people can see Pendle hill dominating the skyline. It is near the Trough of Bowland, the Forest of Bowland, Wycoller and the Bronte moorlands. There is so much for people to see.

I chair the rights of way review committee, which is an ad hoc committee that submits to the Government views on rights of way from various organisations. I accept that the majority of people will want to walk on designated footpaths, and not to go wandering off into fields. However, that fact does not make the concept behind the Bill wrong.

The Countryside Commission published the results of the 1994 national survey on our national rights of way. One of the questions asked whether paths were signposted from roads. The report stated:

> "Highway authorities—county, and metropolitan and outer London borough councils—are required by law to signpost every right of way where it leaves a metalled road."

The report said that, in 1994, 42 per cent. of all rights of way were signposted, which was an improvement, as only 34 per cent. were signposted in 1988. It said also that 52 per cent. of bridleways were signposted; that 9 per cent. of signposts gave additional information, such as destination of the footpath; and that 26 per cent. of paths were neither signposted nor easy to find from the road.

Labour Members mentioned the interest that the former leader of the Labour party, John Smith, had in the subject. When my right hon. Friend the Minister for the Environment introduces the Government's more comprehensive Bill, which will deal with more than one matter—I realise all the problems that will have to be dealt with, such as mapping—I shall give him 100 per cent. support. Like everyone else, I hope that the Government's Bill will be introduced in November 1999.

The Government's Bill on the right to roam will be a tribute to the late John Smith, and no greater Bill could be passed in the Labour party's centenary year.

1.46 pm

Mr. David Crausby (Bolton, North-East): One of the unfortunate truths of human nature is that we instinctively defend our own territory, often to the detriment of others. The fact is that genuine voluntary access to private land hardly ever happens without either the threat of legislation

[Mr. David Crausby]

or some type of cash incentive. In reality, therefore, there never will be any such thing as genuinely voluntary access on an acceptable scale.

Those who argue for voluntary agreements simply miss the point—which is that the demand for right of access is primarily about the principal right to walk peacefully and responsibly in uncultivated open countryside. Over the centuries, landowners' failure to volunteer access makes it essential to create a statutory right to roam.

Conservative Members, after so many years of denying the right to roam, are saying, "Don't be so aggressive. But, hang on, we're about to volunteer access." After so many attempts by people to gain access to the land, surely such assurances are nonsense.

In my own constituency, more than 100 years ago—and 36 years before the Kinder trespass—the people of Bolton were taught the hard lesson that those who own the land want to keep it entirely for themselves. Nothing much has changed.

In the late summer of 1896, Colonel Ainsworth, the local bleach works owner, decided to close Coalpit road, which was a track leading to Winter hill. In doing so, he was trying to deny the right of access of thousands of local workers to walk in the fresh air and enjoy the countryside after a week's work. He had no hesitation in doing so by force, hiring extra men to warn walkers off his property. He erected signs stating that trespassers would be prosecuted, and built a locked gate to block the road. Ainsworth's action caused outrage in Bolton, and a protest was organised, inviting the public to join a demonstration at Winter hill on the following Sunday. The demonstrators intended to test the right of way over the moors. A crowd of about 1,000 people met at the bottom of the hill, at Halliwell road.

As the peaceful demonstration proceeded up Halliwell road, it was joined by thousands of Bolton workers who flocked from their rows of terraced houses on to the march. By the time that they reached the disputed gate, there were an estimated 10,000 walkers.

At that stage, the assembly was addressed by a man called Joe Shufflebottom—which is a good old-fashioned Bolton name. He was a Bolton socialist and proud of it. He advised the marchers that legal action could ensue and that they should take care to keep to the footpaths and to avoid provocation. He said:

"We have met today to say to Messrs Ainsworth and Co. that we the people of England have the right to pass through and we will do so."

I hope that this year we shall deliver that right. His statement was met with cries of "Hear, hear" and applause. In the words of the *Bolton Chronicle* at the time, a scene of the wildest excitement occurred and a large crowd rushed at the gates and on to the disputed territory.

One of the gamekeepers who was attempting to take names was knocked to the ground and as the history books show, lost his notebook, his hat and his mackintosh. Police Inspector Willoughby, who was in charge of the police on the demonstration, was thrown over a low wall. At that point, he decided to send for reinforcements from Halliwell police station. Fortunately, there was little further trouble and a wagonette loaded with policemen was turned back on Halliwell road before reaching the scene of the affray.

The demonstrators then peacefully proceeded towards Belmont and an umbrella was opened to collect funds to defend the right of the people in the event of any prosecution. The collection amounted to a total of £4/10, mostly in coppers. The demonstration ended in good spirits and was unprecedented in the history of Bolton.

The *Bolton Chronicle* further observed that many of the walkers returned by the same route, calling in at local hostelries. It was said that the demand was so great that the wants of the hungry and thirsty ramblers could not be satisfied and the landlord of the Wright's Arms did a roaring business. It is clear that old habits have not changed.

The following week, a procession of 12,000 walked over the disputed land and the police allowed them through. Colonel Ainsworth's gamekeepers, however, took a number of names and 10 men had injunctions served on them restraining them from trespassing on Ainsworth's land. Two of them had costs awarded against them of more than £600, which was a fortune in those days.

The Bolton right of way movement was neither a total failure nor a massive success. The mass movement of 1896 died off and was channelled into legal battles that were fought on the hostile terrain of the British legal system.

The lesson of the story is that it does not matter how many people march over the moor—be it 10,000 or 100,000. Without a statutory right to roam, the rights of the privileged few will eventually take precedence over the majority. The law will consider the rights of the Colonel Ainsworths of the world to shoot grouse along with a small party of their friends to be more important than the rights of millions to enjoy the countryside. That is why a statutory right to roam is essential.

Despite Colonel Ainsworth, the tradition of rambling has prospered in Bolton and the Bolton Country-wide Holidays Association rambling club based in Bromley Cross in the north of my constituency has more than 300 members. Although Bolton is now well served by public footpaths, ramblers often choose to walk further afield. They write to me complaining that, when they walk in the Forest of Bowland, for example, access is limited or even non-existent. Much of the land is owned by the Duke of Westminster.

Such ramblers are, of course, reliable and responsible people and have a genuine respect for, and love of, the countryside. The accusation that allowing walkers greater access to the land will damage the land, threaten endangered species of birds and cause vandalism in the countryside is ridiculous. It is invented nonsense designed to justify selfishness.

Rather than being a threat to the countryside, ramblers will protect our rural landscape. Rather than allowing vandals on to the land, we will be recruiting thousands of unpaid countryside policemen who will ensure that the land on which they walk—land that they respect and love—will be protected. The ramblers whom I meet when I go out walking are more likely to pick up litter when they find it than to drop it and would be determined to protect wildlife rather than damage it.

The principles enshrined in the Bill have clearly influenced the Government's thinking on access to the countryside. My hon. Friend the Member for Pendle (Mr. Prentice) must be congratulated on pursuing the Bill, regardless of whether it becomes law.

We are lucky to live in a country that has some of the most spectacular scenery in the world. It is our nation's heritage, but it is not much use to us if the public are all but refused the right to enjoy it. The statutory right to roam will be a culmination of hundreds of years of struggle by people such as the brave men and women of Bolton, who pushed their way on to Colonel Ainsworth's land on that summer's day in 1896. Although they are no longer with us, they would be proud to hear that their part has been noted in our debate on right of access. It has been an honour and privilege to mention them and the part that they have played in the fight for the freedom to walk in the open and uncultivated countryside.

1.57 pm

Mr. Gareth R. Thomas (Harrow, West): I congratulate my hon. Friend the Member for Pendle (Mr. Prentice) on his entertaining and effective speech. Several unflattering comparisons have been made with the speech of my hon. Friend the Member for Denton and Reddish (Mr. Bennett), but they complemented each other with the potency of a Yorke and Cole combination. To take the footballing analogy a little further, my right hon. Friend the Minister has already had one excellent result and I hope that, like Alex Ferguson, he goes on to gain another in securing a right to roam Bill in the Queen's Speech in November.

Walking and rambling are hugely popular in this country. More than 400 million walking trips were made in 1996. A statutory right to roam will further increase the opportunities for leisure activity—for healthy walking, for tourism and for increased understanding of our environment.

A statutory right to roam would build on, and increase, the opportunities available through the existing rights of way network. Above all, it would deliver huge pleasure to all those who take advantage of it. We have some stunning scenery in our nation, but enjoyment of far too much of it is denied to the many and left locked up in the hands of a privileged few—a privileged few who have been defended today by the Conservatives and were also defended by a Plaid Cymru Member when my right hon. Friend the Minister made his recent statement.

Conservative Members claim that they, too, support high-quality access arrangements. Taking their words at face value, their mistake is in believing that a voluntary approach could deliver high-quality access. The voluntary approach has had enough time to deliver results. The right of access to land is not an issue that has suddenly arisen. It has been a political issue for more than 100 years and has been supported by the Labour party for much of that time. Those who advocate a voluntary approach should have been able to deliver more substantial and more wide-ranging access arrangements to demonstrate their view that statutory action was unnecessary.

Bearing in mind the potential 3 million to 4 million acres that we have been talking about, the small amount of additional land voluntarily made available pales into insignificance. If the election of a new Labour Government committed to examining a statutory right to access cannot stimulate a more active and more determined voluntary commitment to access from landowners, it is safe to say that, 100 years since the start of the campaign, the voluntary approach has demonstrably failed.

The Government carefully examined whether—despite the history—a voluntary approach could be made to work. Six sensible benchmarks were laid down, against which people were asked to judge whether a new form of voluntary approach could be developed. Some 84 per cent. of respondents to the Government's consultation exercise—a clear majority—made it clear that they did not believe that voluntary arrangements could deliver cost-effective access of sufficient quality, extent, permanency or clarity.

It is highly relevant to examine what is likely to happen in Scotland. The Scottish access forum, comprised of representatives of all sides of the access debate—including landowners, walkers and public agencies—has called on the Scottish Parliament to provide a

"right of access to land and water, exercised responsibly, for informal recreation and passage."

The forum developed a package of proposals after extensive consultation that commanded the support of all the forum members. John Grant of the Scottish Landowners Federation claimed:

"These legislative proposals will ensure that arrangements for public access to our land are among the best in Europe. They will enhance the quality of life of every citizen."

If the landowners' organisation in Scotland can take such an enlightened attitude to access legislation, surely Conservative Members—who oppose such statutory provision in England and Wales—should re-examine their view.

If Conservative Members cannot accept the views of Scottish landowners, perhaps they will listen to their own Scottish spokesman, Murdo Fraser, whose support for a statutory right to roam I made clear in an earlier intervention. Scottish walkers, Scottish local authorities and Scottish landowners support a right to roam. Even the Conservative party in Scotland supports a right to roam. Why not the Conservative party in England and Wales? Are Welsh mountains somehow more fragile than Scottish mountains? Are wildlife habitats on moors in England more at risk than those on Scottish moors? I do not think so.

It is ridiculous that the Conservative party in Scotland supports a statutory right to roam while the Conservative party in England does not. There is no massive difference on the issue between Scotland and the rest of the UK. What is different is that the Conservative party in England appears to be even more obtuse than its Scottish counterparts.

Beyond educating English Tories, the Scottish experience has a lesson for all those interested in access in England and Wales. The various interests have developed mutual understanding and effective partnerships to begin the task of implementing new access provisions. We need a similar sensible dialogue among landowners, managers, user groups, conservation interests and local authorities in England and Wales.

The new national access forums in England and Wales, coupled with the local access forums—which will bring together people with a detailed local knowledge, mirroring the membership of the new national forum—are sensible and important ways of securing wide support within local communities and the national scene for access packages.

Landowners—both individually and collectively—have an important perspective, and must be heard. They should have the discretion to close land or restrict access for

[Mr. Gareth R. Thomas]

defined reasons for a limited number of days. The Government's package will allow that to happen. Conservation interests also have a different and crucial dimension to bring to the forums. However, it is time that user groups were heard. The Government's approach will ensure that all interests are heard.

Legislation is urgent, but it will take time. It is an opportunity for ramblers and landowners to sit down locally and start hammering out the details of access. It is far better to start negotiating locally now, so that united advice from local interests can be presented to the new Countryside Agency.

We have been waiting for legislation for more than 100 years, and it is high time that the House had the opportunity to put such a Bill through. I wish my right hon. Friend the Minister for the Environment success in his behind-the-scenes negotiations.

2.4 pm

The Minister for the Environment (Mr. Michael Meacher): I start, as others have, with warm congratulations for my hon. Friend the Member for Pendle (Mr. Prentice) on the opportunity that he has given the House to debate the important issue of public access to the countryside—something for which we have been waiting, as my hon. Friend the Member for Harrow, West (Mr. Thomas) has just said, for the best part of a century.

My hon. Friend the Member for Pendle spoke with his usual eloquence and commitment, and exhibited a rich vein of humour that exposed how tenuous and fragmentary are Conservative Members' arguments against a right of access and how readily that lack of argument has been covered by resort to cheap slogans about class warfare. I always take note when Tories start to talk about class warfare. They know all about it, because they have been practising it for centuries.

My hon. Friend's gentle mockery demolished a number of myths and misrepresentations, and I pay tribute to him. He has campaigned tirelessly on a cause in which he clearly believes passionately, and he has contributed not a little to the Government's own preparations for a Bill. Since he introduced the Bill, the Government have announced proposals for improving access to the countryside. I am grateful to him for his decision to withdraw the Bill in favour of a Government Bill.

My announcement to the House on 8 March was, I am delighted to say, extremely widely welcomed. As my hon. Friends the Members for Heywood and Middleton (Mr. Dobbin) and for Tooting (Mr. Cox) said, their postbags and mine have never before been as full as they are now, with personal letters of thanks for our decision to legislate for a new statutory right of access.

For some reason, the announcement was also apparently unexpected. The cutting that I most relish was, I think, a leader in *The Daily Telegraph*. I do not have it here, but it said something like, "Michael Meacher stood up yesterday in the House of Commons and did something unprecedented in modern British politics. He delivered himself of a statement that had not previously been leaked to the press."

My hon. Friend the Member for Pendle spoke about mapping. He is right in saying that common land is already clearly demarcated and that upland common areas have already been mapped, but there are difficulties with areas of downland. I have already spoken with the Countryside Agency about getting a mapping exercise under way as quickly as possible, and we are certainly considering whether the right of access could, on that basis, be introduced by stages.

I do not believe that local access forums will take capricious decisions, largely because if any party has doubts, the matter can be referred upwards to the Countryside Agency.

Many hon. Members referred to publication of a Bill. It is of course my intention to bid for a Bill at the earliest parliamentary opportunity, but all hon. Members know that that depends on agreement within Government. I have no doubt, however, that the Government business managers will have heard the strong demands for early legislation.

Mr. Brake: When the Minister bids for that Bill, will it include a wider wildlife remit?

Mr. Meacher: The hon. Gentleman knows me well, because we have participated in many debates together. He raised that point earlier, and I am coming to my response to his speech in a moment. I will try to cover all the major points.

The hon. Member for South-East Cambridgeshire (Mr. Paice) made the point that we should rely on a comprehensive network of rights of way. The problem—as I made clear when he raised the point after my statement on the issue—is that, although some 74 per cent. of rights of way are open, some 26,000 miles of rights of way, or about a quarter of the total, are not open. The other main point is that open countryside is not always nicely criss-crossed in a manner that gives appropriate access. I believe that people will keep to rights of way or to paths. The surveys undertaken by the CLA show that two thirds of people want to do so. In my experience of rambling, I try to keep to rights of way because it is much easier to do so. However, there is no reason in many cases why people should not have area access, as opposed to linear access, in many areas of open countryside, provided that they fully respect wildlife and other interests. I made it clear in my statement, and will again, that those interests must be fully respected.

Mr. Paice: The point that I was trying to make was that the Government should concentrate on opening up the quarter of rights of way that are blocked, for one reason or another, and creating linear access over open land, partly for the reasons I gave earlier and partly because that would be more manageable. The issues that the right hon. Gentleman has rightly mentioned, including the effect on wildlife and the environment, could be much more carefully managed and monitored if the Government were to concentrate on developing a footpath network, even if that required some statutory intervention.

Mr. Meacher: I have already made it clear that I expect paths and linear access to be widely used. I do not accept the hon. Gentleman's assertion that we should be restricted in all circumstances. Area access is entirely appropriate in parts of the open countryside.

MR. MACLEAN *rose in his place and claimed to move,* That the Question be now put, *but* MR. DEPUTY SPEAKER, *pursuant to Standing Order No. 36 (Closure of debate), declined then to put that Question.*

Mr. Meacher: I thought that Conservative Members wished to have a debate on this issue. Perhaps they might allow me to respond to their arguments at some length, which is what I am trying to do.

I warmly thank my hon. Friend the Member for Denton and Reddish (Mr. Bennett) for his comments today and for the enormous contribution that he has made to the access movement. He mentioned the extension to woodlands, cliff and foreshore, riverside and canal banks. I wish to make it clear to the House that I have already asked the Countryside Agency to advise me on that issue, and I shall take close note when it reports. I agree with my hon. Friend that compensation is an issue, in the sense that, if extra expenditure is involved in improving or enabling access—whether through the construction of stiles, gates, guided trails, hides or car parks, for which it may be reasonable for charges to be made—there should be an opportunity to recover costs.

The hon. Member for Carshalton and Wallington (Mr. Brake) asked me when the Government Bill will be introduced. I can only repeat—any assistance that the hon. Gentleman or any other hon. Member can give in encouraging my colleagues to recognise the importance of such a Bill will obviously be helpful—that I shall certainly be bidding for an early Bill, and the earliest one that I can get. I cannot go beyond that. The hon. Gentleman asked whether that measure will be linked to a wildlife Bill or a Bill relating to sites of special scientific interest. I have made it clear that I believe that we need legislation on both counts. However, the hon. Gentleman will have to await the manner in which the Government will introduce legislation.

My hon. Friend the Member for Tooting made many points with which I strongly agree. I shall refer to those to which he asked me to respond. First, the local access forums will meet regularly, wherever it is necessary, by agreement. That does not mean that they will be meeting all the time. However, there will be regular meetings according to what the parties believe is necessary.

As for closure for land management reasons, landowners who want to close land will be required to provide good reasons—

Mr. Rowe: On a point of order, Mr. Deputy Speaker. I understand that one of the functions of the Chair is to try to protect private Members' time. There has been only one Friday during this Session when the Government have not made a statement. We are debating a Bill that the proponent has already suggested will be withdrawn. Is it fair to Members with Bills on the Order Paper to behave in this way?

Mr. Deputy Speaker: The previous occupant of the Chair ruled on this matter earlier. Please continue, Mr. Meacher.

Mr. Meacher: My hon. Friend the Member for Tooting also asked about the blocking of rights of way. I say to him, as I will say to everyone over the next few months, that it is an offence for landowners to prevent or obstruct access, for which they could be taken to court.

My hon. Friend raised an interesting point about the disabled. Local authorities are required to consider the needs of the disabled and I am glad that the Fieldfare trust has established standards of countryside access for disabled people.

If I may say so, the speech of the right hon. Member for South–West Norfolk (Mrs. Shephard), who is leading for the Opposition, was remarkable more for its weasel words and simpering acquiescence than for any genuine commitment. I noted that she said at the outset that the Conservative party supported increased access. She mouthed the words, but she will not will the means. She pays lip service to greater access, but she stops well short of supporting anything that will make it happen. She hides behind protection of the environment, biodiversity and the security of those who live and work in the countryside. I have made it abundantly clear that the Government support those issues, as does my hon. Friend the Member for Pendle. We shall certainly fully protect those interests when we introduce our Bill.

The right hon. Lady said that most people were aware of the extent of access. I wonder whether she is. We carried out consultation with Entec which showed that between 1 million and 1.5 million acres of countryside in our nation were not available for access. There is a further 1.5 million acres where access is sometimes tolerated but not secure, and could be withdrawn at any time. We are talking about 3 million acres where there is not secure access.

The right hon. Lady made it clear that the Conservative party supported voluntary co-operation. That was repeated by Conservative Members throughout the debate. I say to the right hon. Lady, as many of my hon. Friends have said, that we have had 50 years to deliver voluntary increases in access. What has that delivered? The answer is about 50,000 hectares only. That is about 3 per cent. of 4 million acres in 50 years. At that rate, it will take 1,500 years before we can secure 4 million acres. Is that the Tory party's policy?

The politics of envy is a phrase that has been thrown about a great deal. I noted that the right hon. Lady did not respond to the point that the Conservative party in Scotland has no problem with access or the right to roam. We would like to know why the issue is so difficult for the Conservative party in England. It is a problem only for the old-fashioned, stuck-in-a-time-warp Tory party in England.

The right hon. Lady asked whether we should not get a measure of the demand for access. How can we do that until the product is available? As for compensation, the proposed statutory right will still allow agricultural activities to take place on the land. Similarly, it will still allow the development of land if that is agreed, and it will still allow closure of land for good management reasons. As I have just made clear, we believe that reasonable extra cost to create access should be recoverable. It is a fair balance between the rights of landowners and the general interest.

My hon. Friend the Member for Brighton, Pavilion (Mr. Lepper) raised the matter of inheritance tax exemption for estates that were opened up. He mentioned a figure of £65 million in Sussex. That is one of the features of my hon. Friend's Bill. I am sure that the Treasury will have taken note of the point.

[Mr. Meacher]

My hon. Friend the Member for Pavilion also spoke of the voluntary access register, which has had such limited results. That is the key point. The Country Landowners Association wanted to co-operate with the Government. It knew that legislation was in the offing and tried to get a big increase in access from its members, but it has lamentably failed. The CLA has delivered very little—not for lack of trying, as I believe that it tried hard—but the amount of extra access is of only marginal significance and much of it is outside open countryside.

The hon. Member for Hexham (Mr. Atkinson) made a heart-rending plea for protection from militant aggression against landowners. What he meant, I think, is that we should rely on the magnanimity and generosity of landowners, whose voluntary increase in access in the past 50 years has been a drop in the ocean. If that method worked, we would follow it, but as his hon. Friend the Member for Bournemouth, East (Mr. Atkinson) so bravely stated, it has not worked. There is no reason to believe that it will work in the next 50 or 100 years.

The hon. Member for Hexham spoke of a right to roam being a socialist goal since 1890. The right to privilege and inequality has been a goal of the Tory party for the past three centuries. The hon. Gentleman asked how advice is to be given about closures. There will be notices at strategic points and in local papers, and there may be wardens or rangers to advise. However, closures already occur on land that is open for access. A significant amount of land is open for access, although nowhere near 4 million acres. It is sometimes closed, but that creates no problems, so I see no reason why there should be problems in future.

Intensive grazing land is a matter requiring advice from the Countryside Agency. With regard to changing the rights of way, I was glad to note that the hon. Gentleman in particular, given his speech, acknowledged that the Government would consider alterations to the right of way, but that that would be by agreement. There are good historic reasons for those rights of way. There may, at the margin, be good reasons for changing them, but that must be by agreement.

I thank my hon. Friend the Member for Heywood and Middleton for his welcome, together with that of many of my hon. Friends. He rightly pointed out that the issue of access is part of a wider countryside package. I announced on 8 March our proposals with regard to a substantial part of that package, but later in the year, I hope to return to the House with other important announcements. My hon. Friend the Member for Romford (Mrs. Gordon) pressed me strongly that that should be in November this year. I hope that I shall be able to satisfy her, but I have already explained the circumstances.

My hon. Friend the Member for High Peak (Mr. Levitt) made a marvellous speech recalling the great Kinder Scout historic trespass, whose defeat 70 years ago the Government are finally redressing. He mentioned the uncertainties of the voluntary approach. That is a good point. The only way to achieve certainty is through a statutory right, and by making clear the land to which it refers. That can be done only by mapping.

My hon. Friend the Member for Burnley (Mr. Pike) rightly drew attention to the quarter of rights of way that are still not open, after all the efforts of the past 20 or 30 years. My hon. Friend the Member for Bolton, North-East (Mr. Crausby) dramatically referred to the great fight of the people of Bolton. He said that the people have a right to pass through and intend to do so. I believe that, if they were here, they would welcome my hon. Friend's Bill and the statement of the Government's intention.

My hon. Friend the Member for Harrow, West made the important point that Scottish landowners have accepted the right to roam and there is no reason why we cannot achieve the same right in this country.

I now turn to the speech of the right hon. Member for Kensington and Chelsea (Mr. Clark), whose contributions to debates are always entertaining. I fear that he let the cat out of the bag by saying that he broadly supports right of access provisions. I respect him for saying that. The right hon. Gentleman is no respecter of persons or parties—including his own party. That is why he has such an honourable place in the nation's consciousness.

Mr. Alan Clark *indicated assent.*

Mr. Meacher: The right hon. Gentleman raised the point that militants will infiltrate environmental organisations. If any Member of this House is a man of the world, it is the right hon. Gentleman, and he must realise that miscreants, robbers and militants do not need a statutory right of access for carrying out their nefarious activities; I fear that they do so already.

The hon. Member for Bournemouth, East made a brave speech. In this House, the hardest speeches to make are those that defy one's party line. I respect that when it is done for the sake of integrity and conscience. The hon. Gentleman accepts the need for legislation and does not believe that the voluntary approach has worked or will ever work. I am grateful to him; perhaps good common sense is beginning to break through the Opposition's monolithic resort either to the cheap taunts that we have heard this morning, or to the cosmetic pretence—which I think that none of them believes—that, in reality, the voluntary approach will be effective.

The hon. Gentleman raised points about codes of conduct, guidelines and penalties. When I introduce legislation, it will be clear that we, too, have a strong belief in those matters. The protection of all forms of wildlife is important—for example, ground-nesting birds and animals in their breeding season. All those birds and animals have as much right as human beings to our beautiful countryside and need to be protected. I also endorse entirely what he said about those who live and work in the countryside.

The hon. Gentleman referred to the 12-day prohibition period. If a landowner offers good reasons that are acceptable to the local access forum, that figure could be higher, although I think that the existing figure is reasonably generous.

We thought long and hard about whether a voluntary approach would deliver the three criteria we seek: the extent of access, permanence of access and cost-effectiveness. We considered carefully the initiatives taken by the Country Landowners Association to encourage landowners voluntarily to offer greater access. I hope that the CLA will discuss those matters further; I think that its members deserve much credit for their action in developing access assessment and their access

register—which I am prepared to take further. With the statutory countryside agencies, we shall consider how to build on that work in developing our own proposals.

However, the key point is that the CLA tried to deliver voluntarily, but it was not able to do so. When assessed against the key criteria—especially that of permanence—set out in our consultation paper, a voluntary approach cannot deliver. By its nature, it cannot deliver permanence. With regard to extent, we have tried for 50 years to extend access and achieved 3 per cent. of our target; extent has to be statutory, if we think that 4 million acres is an appropriate area for access. As for the cost of access, the consultants showed that a voluntary right of access would probably cost four times as much as a statutory right. For all those reasons, a statutory right of access is needed and that is the appropriate way in which to proceed.

Many hon. Members, including my hon. Friend the Member for Pendle, are keen that access legislation should be announced—

It being half-past Two o'clock, the debate stood adjourned.

Remaining Private Members' Bills

HEDGES (CONTROL) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 7 May.

AGE LIMITS ON HEALTH CARE BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 16 April.

MOTOR ACCIDENT INJURY COMPENSATION BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 16 April.

SEA FISHERIES (SHELLFISH) (AMENDMENT) BILL *[LORDS]*

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 16 April.

COMPUTER MILLENNIUM NON-COMPLIANCE (CONTINGENCY PLANS) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 23 April.

PUBLIC HOUSE NAMES BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 16 April.

PENSIONS (AMENDMENT) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 16 April.

Incinerators

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Allen.]*

2.31 pm

Mr. David Lock (Wyre Forest): I am grateful for this opportunity to raise an issue that may seem, to some, to be a load of rubbish. However, rubbish—or how we dispose of it—is a major challenge facing public authorities up and down the country. The central problem, which the Government must take considerable credit for tackling, is that we cannot simply carry on putting rubbish into holes in the ground with an "out of sight, out of mind" approach. There must be, and are, better ways of disposing of the waste produced by an advanced industrialised society at the end of the 20th century.

In an impressive document entitled "Less Waste, More Value", the Government have set out a framework defining a hierarchy of ways of disposing of waste, which I applaud. At the top of that hierarchy is recycling. The target set by the previous Government was for 25 per cent. of household rubbish to be recycled by 2000. There is a long way to go, because only 7.5 per cent. of household waste was recycled in 1996-97. Incineration—obtaining energy or, even better, combined heat and power from waste—is next in the waste hierarchy. I want to focus on the planning and delivery of incineration projects.

I shall raise three specific topics on which I would welcome a response from the Minister. First, most new incinerators will be built under the private finance initiative process. That raises the difficult issue of the compatibility of open and informed public debate about the best way to dispose of waste and the secrecy imposed by the commercial constraints of the PFI process.

Secondly, how are we to deal with legitimate public concerns about dioxin emissions from incinerators? Thirdly, sensitivity is needed in selecting the right location for municipal waste incinerators, to meet the needs of local residents who are affected by traffic generated by the plants.

I hope that this is an appropriate time to have the debate because, in answer to a parliamentary question from the hon. Member for East Worthing and Shoreham (Mr. Loughton), the Minister said:

"Government guidance on the location of incinerators is included in Planning Policy Guidance note 23 'Planning and Pollution Control'. This will be updated soon when Planning Policy Guidance note 10 'Planning and Waste Management' is published."—[*Official Report*, 1 February 1999; Vol. 324, c. *471*.]

I am aware that "soon" is a term of art for the civil servant; it does not mean quite the same thing when the Tea Room staff tell me that one of their delicious bacon sandwiches will arrive "soon". The word is designed to give maximum flexibility to Ministers, but I hope that the Minister can give me a little more guidance on the likely time scale for the publication of the revised PPG10.

The first substantive issue on which I invite the Minister to respond is the effect of the PFI process. Paragraph 3.3.5 of "Less Waste, More Value" deals with incinerators and rightly recognises the need for

"full public involvement in the planning and design of projects".

That is right and is to be applauded. However, modern incinerator plants that meet today's rigorous environmental standards are expensive and long-term projects. Although the disposal of waste is a function of public authorities, the size of those projects means that they can be developed only by private companies through the PFI route.

I have no Luddite or fixed objections to the PFI, which can bring great benefits to the taxpayer, but PFI projects differ from public procurement projects in a number of key ways. I am grateful for the information from the House of Commons Library, which has advised me that contracts with local authorities for new incinerators typically seek a guaranteed supply of waste over a 25 to 30-year cycle to justify the investment of the private capital needed to build a new incineration plant.

Worcestershire has recently taken on a PFI project for a 25-year waste management contract. It is a total waste management system, which includes recycling, incineration and a vast reduction in the amount of waste that is dumped. I strongly welcome both the concept and the means by which it is delivered. A contract has now been signed with the Spanish company, Fosca, which appears from my dealings with it to be an entirely responsible and experienced contractor. However, as a result of the commercial confidentiality inherent in the PFI process, there has been virtually no informed public debate on the merits of that scheme. The details have seeped out and the local authority has quashed every request for information or a public debate on the ground that it would breach commercial confidentiality.

My constituents, some of whom may have to live in the shadow of an incinerator constructed to serve the whole county's needs, rightly wanted a debate on the merits of incineration and the appropriate location for an incinerator. They could not have one, as the issue was decided under a veil of secrecy and commercial confidentiality. Even some local councillors did not know what was going on. The contract, which spans some 25 years, has now been signed by the county council. We are all signed up to a waste management package, including an incinerator.

A public education exercise has now begun and a planning application will be submitted. However, that can be considered only on limited planning grounds. Pollution control issues will be dealt with by the Environment Agency, but those will be limited to technical issues.

There is no opportunity in that process for local people—even local councillors—to have their say on the overall strategy. The demands of commercial confidence in the PFI process come into direct conflict with the openness that the Government rightly require from public authorities in "Less Waste, More Value".

I do not expect a complete answer to this problem today, but I hope that the Minister accepts that there is a serious problem of open government in the PFI procurement process and will agree to consider it in detail and come back to me in writing.

The second issue that I wish to raise is the inter-relationship between site location for incinerators and emissions. It is a planning issue and I hope that it will be addressed in the new PPG10. Anyone living near an incinerator is entitled to be concerned about emissions, particularly dioxins. Those waste products from certain chemical processes are extremely persistent in the environment and, in February 1997, the World Health Organisation's International Agency for Research on Cancer classified them as a known carcinogen.

Her Majesty's inspectorate of pollution, which is now part of the Environment Agency, produced a report in August 1995, which stated:

"Municipal solid waste incinerators built in the late 1960s and early 1970s have been the dominant source of dioxins in recent years contributing an estimated 70 per cent. to total UK emissions."

I have no doubt that the authorities at the time considered—against the objections of environmentalists—that the incinerators constructed in the 1960s and 1970s were safe. We now know that, by modern standards, they were not. Only half a generation ago, parents and environmentalists were right and the so-called "experts" were wrong.

New levels of emissions required under the European Union's hazardous waste incineration directives are now tightly controlled. The British Government set their own level for dioxins, but there is still room for improvement. I am grateful to the Library for confirming that, for example, the level set in the Netherlands for dioxin emissions is 10 times stricter than the level set in Britain.

To be fair to the 1995 inspectors' report, it suggests that new regulations on incinerators will cut emission levels, but dioxins will still be released; and that incineration will still represent 10 per cent. of dioxin emissions in the United Kingdom.

Targets and limits are all very well, but no industrial process is 100 per cent. guaranteed. In a parliamentary answer last year, my right hon. Friend the Minister for the Environment accepted that two plants had breached dioxin levels set by the Environment Agency. That comes on top of dioxin hotspots in Hampshire, which the Environment Agency has concluded are caused by four local incinerators. Although it is accepted that, of themselves, those hotspots could not be a direct risk to human health, none the less, I am sure that they will be of concern to local residents.

There is legitimate public concern about the operation of incinerators. I contend that, if public confidence in this method of waste disposal is to be increased, it is highly inappropriate to locate incinerators in the immediate vicinity of residencies or schools. Some industrial processes can operate perfectly satisfactorily near people's homes, but I ask my hon. Friend the Minister to accept, and to make it clear in the planning guidance that is shortly to be published, that municipal waste incinerators are not among them.

The third issue that I invite the Minister to consider is transport. Waste incineration to recover energy or power and heat from waste is a green issue. The waste is mainly transported to incinerators by lorries, and the ash is taken away in the same manner. Ash occupies only about 40 to 50 per cent. of the space that compacted dumped waste would occupy. However, for a large incinerator, that is still many hundreds of 40-tonne lorry loads going in and out of a plant each day. It would be ironic and counter-productive if this green measure were to make the lives of local residents an environmental misery due to the noise, congestion and pollution caused by lorries coming to and going from the site.

Paragraph 5.5 of planning policy guidance 23 states that planning decisions must ensure that

"waste is recovered or disposed of without harming the environment and in particular without endangering human health or causing a nuisance through noise, or adversely affecting the countryside or places of special interest."

I invite the Minister to reflect on the fact that there is a slight problem. Under the regulations, people who live in the countryside are being afforded greater protection than those who live in urban areas. Surely the rights of people in towns not to suffer unacceptable levels of congestion and inconvenience are just as valid as the rights of those who live in the countryside.

On incinerators, paragraph 5.17 of PPG23 states:

"Planning authorities will need to take into account visual impact, noise, storage facilities, traffic considerations and transport requirements (both in relation to the waste input and the removal of any residues). The location of the incinerators will be a balance between the source of the waste to be incinerated and the place of disposal of the residues, in order to minimise the transport requirements of such developments."

I urge the Minister to emphasise and highlight those recommendations in the planning guidance to be issued, and to reflect on one particular matter.

Could the Minister ensure that proper account is taken of the cumulative effect of waste transport and other transport using access roads to a site before any local authority can properly consider a planning application for an incinerator? Could he formulate the guidance so that it cannot be an answer to a transport planning objection that lorries already use an access road, or that it carries some industrial traffic, so more lorries cannot make any difference?

Some level of traffic is acceptable on access roads, but there is a point at which greater levels of traffic, especially on roads that pass by people's houses, would add to congestion and pollution and environmental degradation of the area. Incineration can only be justified as a green measure. Local authorities should be directed to approve planning applications only if the total effect on road congestion and pollution of the application is justified, taking account of the existing traffic on the road, that which is reasonably anticipated from the growth of industrial development in the area, and that related to the incineration plant.

I do not oppose all incinerators, and I accept that, for waste that cannot be recycled, they have a place; but they raise complex issues that must be dealt with in a sensitive manner. A residual concern is that the local authority that has a duty to dispose of the waste is often the same authority that must consider an application for planning permission for an incinerator to discharge that duty. It may also be the same authority that is party to a private finance initiative agreement with the applicant for planning permission, and the same authority that may incur financial loss, to be paid for by council tax payers, if planning permission is refused and the project is delayed. It may also be the authority that will prevent the level of that loss from being disposed to the public, or even other councillors, owing to the commercial confidentiality requirement in the PFI contract. The current procedure is not designed to build public confidence.

I hope that my hon. Friend and other Ministers in his Department, which influences various stages of the process, will consider those conflicts carefully before issuing further planning policy guidance on the development of incinerators.

2.46 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Nick Raynsford): I congratulate my hon. Friend the Member for Wyre Forest (Mr. Lock) on securing the debate, and on taking the opportunity to raise a matter that is not "a load of rubbish", as he nicely put it at the beginning of his speech, but extremely important. He made a number of pertinent comments. It is refreshing to be able to reply to an Adjournment debate that has raised issues of real concern, rather than less significant matters.

My hon. Friend will understand that I cannot speak about any specific proposed facilities that may become subject to formal planning processes. I can, however, outline the general issues relating to planning policy in respect of incineration, and try to respond to the hon. Gentleman's questions about the PFI and environmental protection.

In England, we produce about 122 million tonnes of ordinary, non-hazardous waste each year. The bulk of it comes from industry, but substantial amounts come from households and the commercial sector. Waste must be dealt with quickly, for amenity and health reasons, but simply disposing of it also means some loss of useful material. Two key principles of sustainable development are that good use should be made of waste to reduce as far as possible the demand on natural resources, and that the disposal that is undertaken should have the minimum environmental impact; but it is also important for the amounts of waste generated in the first place to be minimised.

Those matters were addressed in the Government's consultation document "Less Waste: More Value", issued last year. I appreciated my hon. Friend's welcome for that document. The issues will be considered in detail in the forthcoming new waste strategy for England and Wales. Parallel initiatives are under way in Scotland and Northern Ireland.

We need to reduce the amounts of waste, to reuse and recycle effectively and to recover value from as much as possible of the remainder. Even so, a residual proportion of wastes will still have to be dealt with by either landfill or incineration. Landfill takes up large areas of land, and may limit subsequent use of the land. In contrast, incineration can be undertaken on a smaller site, but is a long-term process. A balance needs to be drawn between the two approaches.

As my hon. Friend knows, a proposed new European landfill directive is now at an advanced stage. If adopted later this year, it will set exacting targets for a reduction in the amounts of waste dealt with by landfill. It will require biodegradable municipal waste going to landfill to be reduced to 75 per cent. of that produced in 1995 by 2006, to 50 per cent. by 2009 and to 25 per cent. by 2016. Those targets can be put back by up to four years by those member states, such as the UK, which, in 1995, put more than 80 per cent. of their collected municipal waste to landfill.

There will need to be a major and urgent change in the ways in which we deal with wastes to meet those exacting targets. Even if the best efforts are made to minimise waste and the maximum credible levels of recycling and composting are undertaken, there will still be a substantial amount of material for which incineration is the only credible option.

Incineration is a much more effective way in which to recover energy from waste than, for example, tapping gas from landfills. However, when power is generated, only about 30 to 50 per cent. of the input energy is converted into electricity. The remainder is dissipated as waste heat and through cooling systems. Imaginative combined heat and power schemes can utilise that additional heat to bring direct benefit to local communities. Although incinerator residues will, in general, be landfilled, as my hon. Friend recognised, the amount is much smaller than the amount involved in burying untreated waste.

Even so, waste management facilities can be unpopular with the general public. There has been substantial public opposition to many proposed waste incineration facilities. The concerns are often dominated by local traffic implications—to which my hon. Friend rightly drew attention—the fact that such facilities are generally permanent compared with landfills, and fears about emissions that are harmful to health, which he also raised. I shall take each of those concerns in turn, together with the other issue that he raised: the PFI.

In the interests of safety and to minimise nuisance, it is important that facilities are served by a good road network, have clear access and minimise lorry movements close to dwellings. Proposals for new sites may incorporate provisions for access improvements.

In addition, the Government's new integrated transport strategy "A New Deal for Transport: better for everyone" draws attention to the need for greater use of rail and river transport, fewer and shorter journeys where possible and less empty running. That applies as much to transportation of waste as to other movements of materials.

It is often necessary for large incinerators to have a protracted operational life because of the scale of the capital investment that is required. It is not possible to avoid that, but it means that particular care is needed in selecting potential sites, taking into account future provisions for development as well as current local issues. Subsequent management should also take heed of local people's concerns.

It is probably fair to say that the most important factor in public opposition relates to fears that incinerators will have harmful effects—if not now, possibly in future—if different materials are burnt in them. The performance of some incinerators in the past was poor in terms of the amount and types of emissions to the atmosphere. Following the introduction of stringent new pollution control standards under part I of the Environmental Protection Act 1990, all existing incinerators were either upgraded to meet exacting environmental standards or closed.

All new facilities—I hope that this reassures my hon. Friend—are now required to meet very high environmental standards in terms of emissions and for all other aspects of operation, within authorisation that is issued by the appropriate regulatory authority, usually the Environment Agency. That authorisation sets out operational requirements. Those are enforced by the agency to ensure that facilities are designed, constructed and operated to the highest standards. Those controls remain in place to prevent any unauthorised materials from being incinerated at some future date.

Those tough domestic controls are now reinforced by an EU hazardous waste incineration directive and a proposed non-hazardous waste incineration directive. Modern incinerators need no longer be the "bad neighbour" developments of the past.

Mr. Tom Brake (Carshalton and Wallington): Does the Minister agree that, from both a capital investment point of view and a transport point of view, there is perhaps a good case for having small local incinerators that are based in the community where the waste is generated?

Mr. Raynsford: I will come to that point. The location of incinerators and minimising the journeys that are needed to take material to be incinerated are important issues. In certain cases, small local incinerators may be appropriate. However, in others, greater size is necessary to make a venture economically viable, particularly when linked with a combined heat and power facility.

In my constituency of Greenwich, a large proportion of municipal waste is transported to the very near south-east London combined heat and power plant—which provides an effective facility for our part of south-east London, and demonstrates that a large incinerator can co-exist with local residential communities. There are, therefore, merits in such approaches.

Identifying appropriate locations for proposed facilities is a land use issue within the town and country planning controls exercised by the relevant waste planning authority. Waste local plans should contain criteria for assessing planning applications and, often, indications of general areas within which particular types of waste management facilities may be acceptable. However, the plans must be based on careful consideration of all the relevant social, economic and environmental issues.

Mr. Lock: I have heard all that my hon. Friend has said, and I entirely agree with him. However, does he agree that—taking all the considerations in the round—a site with good road access that is away from residential accommodation is more likely to build public confidence and be acceptable than a site adjacent to houses and schools?

Mr. Raynsford: I hear what my hon. Friend is saying. However, as I was saying, facilities such as the south-east London combined heat and power plant, for example, are, by their nature, in areas that are close to residential accommodation. Moreover, proximity to potential users is vital in searching for the most effective environmental solution in combined heat and power plants that involve heat recovery. Sometimes, it may well be appropriate—provided that the necessary safeguards are in place, and the community is confident that those safeguards are effective—to seek a location that is in a residential area, or in an area with other users who may benefit from the heat recovery process.

The planning system also involves the determination of planning applications. I hope that my hon. Friend the Member for Wyre Forest will be reassured by the fact that—when there are concerns that a local authority may be influenced by considerations other than the purely planning ones that should be the primary concern in assessing such matters—there are provisions for contentious cases to be called in for decision by my right hon. Friend the Secretary of State for the Environment, Transport and the Regions after a public inquiry process. There is the option to consider a call-in request also when it is felt that issues of national significance should be taken into account. Applicants will, of course, have a right of appeal against a local authority planning refusal, a failure to determine the application or imposition of planning conditions that are thought to be unreasonable.

There has to be greater appreciation of the fact that there are strong environmental arguments for locating waste management facilities close to the areas where the waste arises. The "proximity principle" helps to ensure that problems are not simply exported to other regions. Local communities need to appreciate that the waste that they produce should, as far as possible, be dealt with locally, and that they will have to accept the necessary facilities. That will help to ensure that environmentally damaging bulk transportation of materials is kept to a minimum.

My hon. Friend the Member for Wyre Forest rightly asked when the new planning policy guidance note 10 would be prepared. He also said that "soon" was a word enjoyed by civil servants. Although I am not able to give him the precise timing, I can assure him that Ministers are very conscious of the need to proceed on the matter and that we shall soon consider both the new guidance and the timing of its publication. I hope to be able to give my hon. Friend some good news on the matter in the reasonably near future.

I conclude with a few words about the private finance initiative, a point that my hon. Friend also raised. The Government are keen to ensure that commercial confidentiality is not used as an unnecessary excuse for withholding information about PFI or other contracts. The Department supports the Government's approach that a public sector body should withhold information on commercial confidentiality grounds only when disclosure would cause real harm to the legitimate commercial or legal interests of suppliers, contractors, the public sector client or any other relevant party.

A representative from my Department has written to the clerk of the council in Upper Arley parish in my hon. Friend's constituency stressing that our guidance note "Local Government and the Private Finance Initiative", published in September 1998, encourages local authorities to be as open as possible in the information made available on PFI contracts. In view of what my hon. Friend has said this afternoon, I undertake to look further into the case, and I shall write to him.

I hope that I have made it clear that the Government take the issue very seriously indeed and are seeking to find the best possible environmental option for dealing with waste, while at the same time reassuring local communities about issues that, perfectly understandably, have caused concern. As my hon. Friend recognises, it is not an easy issue; it must be approached with determination and with sensitivity to the conflicting environmental, social and economic issues. I believe that we are moving in the right direction and that the policies that we are promoting will help to ensure that in the years ahead we deal with the problems.

Question put and agreed to.

Adjourned accordingly at one minute past Three o'clock.

House of Commons

Monday 29 March 1999

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

NEW WRIT

Motion made, and Question proposed,

That Madam Speaker do issue her warrant to the Clerk of the Crown to make out a new writ for the electing of a Member to serve in this present Parliament for the county constituency of Newark in the room of Fiona Elizabeth Ann Jones.—*[Mr. Arbuthnot.]*

Hon. Members: Object.

Madam Speaker: As the motion is opposed, it will have to stand over until the time for raising matters of privilege—after statements.

Oral Answers to Questions

CULTURE, MEDIA AND SPORT

The Secretary of State was asked—

Chess

1. **Maria Eagle** (Liverpool, Garston): What recent representations he has received concerning the status of chess in the UK. [77368]

The Minister for Sport (Mr. Tony Banks): I have in recent months received a number of representations on chess from right hon. and hon. Members on both sides of the House and from members of the public, and all of them have been in favour of chess being classified as a sport. Hon. Members will be aware of my strong support for chess and of my recent announcement that, at the earliest parliamentary opportunity, we intend to amend existing legislation so that chess can be "recognised" as a sport.

Maria Eagle: I thank my hon. Friend for that reply, and welcome very much the support that he has shown for reclassifying chess as a sport. Does he agree that chess is an excellent pursuit in which boys and girls and men and women may learn concentration, strategy and tactics? Does he also agree that it is an excellent pursuit for children in after-school clubs—where it may have an immediate impact by increasing our younger children's concentration in school?

Mr. Banks: Both the Secretary of State and I agree entirely with my hon. Friend's view, which has been expressed by hon. Members on both sides of the House, that chess is enormously valuable not only to young people, but to all people—although it does seem to be a sport that is better played the younger one is. We have an 11-year-old champion—Jessie Gilbert, from Croydon—who was the youngest adult winner of the world championships, which was absolutely amazing. We have 50,000 children playing chess in clubs across the country. Furthermore, the new opportunities fund offers another opportunity for chess to be taken into after-school clubs. There are, therefore, plenty of opportunities. Chess is a wonderful British success story in sport. We should recognise it as a sport, as do 11 of our partners in the European Union.

Mr. John Bercow (Buckingham): Given the hon. Gentleman's reported remark that chess should be reclassified as a sport

"because we are very good at it",

will he explain to the House how chess meets the requirement of the Physical Training and Recreation Act 1937, which stipulates that, to be categorised as a sport, an activity should necessitate some physical—as distinct from mental—effort?

Mr. Banks: The hon. Gentleman—who does a very good impression of a small pawn in the House—makes a point. I said only inter alia that we should recognise chess as a sport because we are good at it. Although that does not seem to be a bad reason for recognising it as a sport, there are many other reasons why we should do so. Nevertheless, the hon. Gentleman was absolutely right in saying that it does not meet the definition of a sport under the 1937 Act—which is precisely why I said that we shall seek the earliest parliamentary opportunity to amend that Act.

Libraries

2. **Ms Beverley Hughes** (Stretford and Urmston): What initiatives have been introduced to improve *(a)* access, *(b)* quality of service and *(c)* value for money in local library services. [77369]

The Minister for the Arts (Mr. Alan Howarth): My right hon. Friend the Secretary of State has required all library authorities to produce annual library plans for the first time. Books are at the heart of a public library service, and annual library plans report on, among other matters, the range and adequacy of the stock of books and accessibility of service. My right hon. Friend has also announced substantial additional funds for libraries, totalling almost £300 million, to enable them to take advantage of the opportunities afforded by information and communications technology.

Ms Hughes: I thank my hon. Friend for that reply. Does he agree that there is considerable scope for modernisation and innovation in our library services? Will he congratulate my local library service on introducing innovations—such as implementing smart cards to enable self-issuing outside working hours, linking library services to sports centres and linking provisions for schools and communities to provide enhanced facilities for both? There is probably more innovation across the country than we are aware of. What role might my hon. Friend play in disseminating good practice and promoting modernisation throughout our councils?

Mr. Howarth: I am grateful for my hon. Friend's comments, and should like, very readily, to add my

congratulations to those that I know my right hon. Friend the Secretary of State expressed on his visits to her library service. We have seen some very remarkable increases in usage of libraries in her authority—particularly where libraries have been linked to leisure centres. That seems to be a good example of innovative good practice, and she is right to draw attention to it. With the instrument of the new annual library plans, we shall be able increasingly to establish standards to be applied consistently across the country, and to have better opportunities to identify good practice and to disseminate that practice. We shall certainly be keen to do so.

Mr. Peter Ainsworth (East Surrey): While the Minister is in congratulatory mode, will he join me in congratulating Conservative Kent, Surrey and Bedfordshire county councils on preserving all their library services, despite the cuts in funding from central Government? Will he urge Labour-controlled councils such as Brent, Camden, Lambeth, Haringey, Merton, Wolverhampton, Wirral and Southwark to follow that example, because they are busily engaged in closing libraries? Will he have a special word with the Secretary of State, who has a particular relationship with Islington council, which is closing five of its 10 local libraries? That is hardly likely to encourage access, quality of service or value for money, is it?

Mr. Howarth: I am afraid that I cannot offer the congratulations that the hon. Gentleman invites me to. He is at his most selective and biased, as is all too plain to the House. He cited the example of Surrey, which was a very close-run thing; the council tax payers of Surrey had a narrow squeak. The hon. Gentleman is wrong about Islington, which has withdrawn the proposals to which he referred.

My right hon. Friend the Secretary of State takes very seriously his statutory responsibility under the Public Libraries and Museums Act 1964 to superintend and promote a comprehensive and efficient library service. We have announced the best local authority standard spending assessment settlement for seven years, and there is no justification for cuts to library services. We are invigilating closely what is going on authority by authority. We have made inquiries of several authorities. We are determined that this country's precious library service should be fully maintained and enhanced.

Millennium Commission (Volunteering)

3. **Mr. Andrew Dismore** (Hendon): In what ways the millennium fund has promoted volunteering. [77370]

The Secretary of State for Culture, Media and Sport (Mr. Chris Smith): The Millennium Commission is making a major and enduring contribution to promoting volunteering in the United Kingdom. Its millennium awards scheme is enabling 40,000 individuals to put their bright ideas for community projects into action, and many of the capital projects that it is supporting will provide significant encouragement and opportunities for volunteering.

Mr. Dismore: Will my right hon. Friend join me in congratulating the 4,000 people who have already received awards, particularly the two from my constituency—one for an environmental project and the other for a family learning project? How does he envisage the fund contributing towards dealing with social exclusion?

Mr. Smith: I join my hon. Friend in congratulating all the millennium award winners on their work in developing their skills and giving something back to their community in the process. The aim is that 40,000 individuals will be assisted in that over the next five years. There are also many initiatives in the capital projects funded by the commission. The commission has granted £22 million to the changing places scheme, which is an umbrella scheme incorporating 21 community projects in England and Wales that will reclaim wasteland and enhance local environments. It relies heavily on local volunteers and 70,000 are expected to contribute to the project, which will make a major contribution towards tackling social exclusion.

Mr. Tony Baldry (Banbury): The Secretary of State will be aware that the Department for Education and Employment is also producing what appears to be an excellent scheme on millennium volunteers. Will it be possible to produce a directory of the many worthwhile millennium initiatives for use by Members of Parliament, local councillors, citizens advice bureaux and others? It is also important to know the local contact points for such schemes. The millennium volunteers project is a great idea, but it will not be great in practice if people do not know with whom to get in touch.

Mr. Smith: The hon. Gentleman's point about the millennium volunteers programme will be fully addressed by my right hon. Friend the Secretary of State for Education and Employment. We are working closely with him and the Millennium Commission to ensure that all the initiatives are properly co-ordinated and that detailed information is available. The millennium voyager bus is going around the country—it has recently visited Birmingham—full of information about what is happening in each area, how to contact the organisations involved and what is planned for the millennium year.

Football (Disabled Supporters)

4. **Mr. Bill Rammell** (Harlow): What progress has been made with the implementation of the football task force report "Improving Facilities for Disabled Supporters". [77371]

The Minister for Sport (Mr. Tony Banks): On 25 November, I wrote to all the organisations identified in the report as having a role to play in implementing the task force's recommendations. The responses that I have received have been positive, indicating that the task force's proposals either have been implemented or are in the process of being implemented. On 17 March, I wrote to those organisations that have yet to reply, asking them for an indication of the progress that they are making.

In addition, I have taken steps to implement the practical recommendations made in the report that fall to the Government through the Building Regulations. Those relate to amending the approved document for part M of the Building Regulations to require all new stadiums, new stands and extensions to existing facilities to provide

wheelchair spaces in accordance with the "Guide to Safety at Sports Grounds"; to drawing up a sliding scale for the numbers of designated seats in new stands and stadiums for people who are ambulant disabled or visually or hearing impaired, and to amending part M accordingly; and to extending the future role of the Football Trust to improve disabled facilities at grounds.

Mr. Rammell: I thank my hon. Friend for that response. Does he agree with me that facilities for disabled people at most English grounds still leave a great deal to be desired? Will he ensure that the provisions of the Disability Discrimination Act 1995 are fully implemented by all those clubs? Does he also agree that, to succeed with the world cup 2006 bid—which is a key priority for the Government and for most hon. Members—the new national stadium and access to it for the disabled must be world class?

Mr. Banks: I agree with my hon. Friend. Part III of the Disability Discrimination Act 1995 will undoubtedly improve access at sports venues for people with disabilities. My hon. Friend is right to point out that we now have a real opportunity in the construction of the new Wembley to ensure that it is a state-of-the-art stadium for not only able-bodied but disabled supporters, whatever their disability. The building of the new Wembley stadium is crucial to our 2006 bid, and I am delighted that we have cleared the hurdle of the approval of Wembley plc, and we can now proceed to the design stage.

Mr. Nick Hawkins (Surrey Heath): Does the Minister agree that we should try to improve facilities for disabled supporters not only of football, but of other sports? Will he bear in mind the needs not only of disabled spectators, but of paralympic athletes? I have discussed this matter with the Minister, and I know that he is aware of the concerns of many paralympians about the lack of proper facilities for disabled competitors at Crystal Palace. I hope that he can tell us that that matter is being addressed.

Will the Minister join me in welcoming the very good new facilities, including facilities for the disabled, opened yesterday by Trevor Brooking, the acting chairman of Sport England, at the Lightwater leisure centre in my constituency?

Mr. Banks: I most certainly agree with the hon. Gentleman, and I acknowledge the part that he plays in the promotion of disability sport in this country. He is right to point out that our paralympians are among the finest in the world. We should see them in terms not of their disability, but of their sporting achievements and prowess, about which we have much to feel proud. The Disability Discrimination Act 1995 will apply to all sporting venues, not just football stadiums. There is much that we can do to improve our grounds, whether for athletics or for football, to ensure that we provide the best possible facilities for disabled spectators and our disabled sportsmen and sportswomen.

Ms Claire Ward (Watford): Does my hon. Friend agree that some clubs have made considerable progress in opening up their grounds and making football accessible particularly to the disabled, but also to families and children? Does he also agree that the decision by Chelsea football club to keep open the job for Graham Rix after his conviction shows cynical disregard for the views of the family of the victim, and is a step back in making football accessible to all?

Mr. Banks: Football clubs such as Blackburn and Northampton have provided facilities for disabled supporters. That is admirable and should be replicated around the country.

On the matter of Graham Rix, it is for the club to decide. Mr. Rix is rightly paying the price for his criminal act. Whether the club should have made such an announcement so soon after the sentence had been passed is a matter of judgment, and some people may feel that it has erred in its judgment. However, it is a matter for the club, and Mr. Rix will suffer his due penalty, as he should.

BBC

5. **Mr. Norman Baker** (Lewes): If he will make a statement on the renewal of the BBC charter. [77373]

The Secretary of State for Culture, Media and Sport (Mr. Chris Smith): The BBC charter was renewed in 1996 to run for 10 years. It will next be reviewed in the run-up to 2006.

Mr. Baker: Will the Secretary of State try to ensure that the BBC spends a greater proportion of licence payers' money on programme making? Is he aware that the BBC is awash with—indeed, submerged in—management strategies, management consultants and mission statements, and that the situation has reached such a point of absurdity that Broadcasting house has no broadcasters in it, only managers? Will he ensure that licence payers get better value for money by having more spent on programmes and journalists and less on gobbledegook managers?

Mr. Smith: I have much sympathy with the hon. Gentleman's point. It is entirely a matter for the governors to allocate the BBC's resources, and it is very important that the Government do not intervene in those decisions; but it is also important to ensure, as hon. Members of all parties would wish, that the BBC devotes as much of its resources as possible to making good programmes for its viewers and listeners.

Mr. Robert Sheldon (Ashton-under-Lyne): Since the BBC is the prime cultural institution in the country, will my right hon. Friend do all that he can to promote its cause up to and beyond the renewal of the charter?

Mr. Smith: I will certainly seek to do that. The BBC is our premier public service broadcaster, and I was delighted to read a week ago of the comments made by Mr. Alan Yentob, who seized strongly on the point that the BBC's pre-eminent task is to act as a benchmark of quality in the broadcasting environment.

Mr. James Gray (North Wiltshire): If the BBC is indeed a benchmark of quality, is the Secretary of State not concerned about declining standards in both television and radio? What does he think about the recent announcement that the licence fee is to be increased to more than £100? Is that not too much for, for example,

the elderly, the disabled and the housebound? Would not some of the money be better used in finding rebates for them?

Mr. Smith: We are, of course, following the five-year programme of licence fee settlements put in place by the Conservative Government. We felt that it was correct to follow that prospectus, because all the BBC's plans had been based on it. It is, however, important to bear in mind the affordability of the licence fee, especially for those who are not particularly well off. The review panel that I established to report to me in July on the licence fee is considering that issue.

Mr. Denis MacShane (Rotherham): Has my right hon. Friend seen last week's BBC report, showing that 3 million fewer people now listen to parliamentary coverage because of the transfer of "Yesterday in Parliament" to long wave and the dumping of "The Week in Westminster" in a graveyard slot? Is he aware that, according to the same report, the "Today" programme has not gained a single new listener between 8.30 and 9 o'clock? Does that not show that the BBC's decision to move parliamentary coverage out of the mainstream was a complete disaster? It was a disgrace when it was made last year, and it should be reversed. There has been a general drop in BBC listening and viewing figures, which are now at 30 per cent. To what percentage of the national audience does the BBC have to drop before the licence fee itself is called into question?

Mr. Smith: The BBC has indeed published its study of what happened following the changes to "Yesterday in Parliament". I know that it is of great concern to many hon. Members, and indeed to you, Madam Speaker. The report is out for consultation, and the closing date for responses is Friday 30 April. I very much hope that hon. Members of all parties will express their views forthrightly to the BBC.

BBC1 and BBC2 between them have not 30 per cent., but 40 per cent. of the national viewing figures. That is a healthy and substantial segment of the viewing population. The important factor to sit alongside that is the reach of BBC programming, which is well over 90 per cent. in an average week.

Mr. Richard Spring (West Suffolk): Does the right hon. Gentleman agree that a subsidy of £2 billion from the licence fee payer means that the BBC has a clear obligation to protect the public interest? I echo the comments by the hon. Member for Rotherham (Mr. MacShane); in that regard, does the Secretary of State share my concern that, since the Radio 4 changes a year ago, "The Week in Westminster" audience has dropped 65 per cent. and the "Yesterday in Parliament" audience has fallen by fully 73 per cent? Will he remind the director-general of the corporation's clear public service responsibility to react to those figures?

Mr. Smith: I will remind the BBC, the governors and the director-general of their duty as a public service broadcaster not only to entertain, but to educate and inform. My personal view is that accurate and full coverage of what happens in Parliament is part of that duty, and I am sure that that is a point that many hon. Members will wish to make. However, it is not, and should not be, up to the Government to make a Government view known to the BBC about its programming decisions: it is up to individual Members of Parliament to do so. I shall do so, and I am sure that many colleagues will also do that.

Commonwealth Games

6. **Mr. John Grogan** (Selby): If he will make a statement on the Government's policy towards the Commonwealth games in Manchester in 2002. [77374]

The Secretary of State for Culture, Media and Sport (Mr. Chris Smith): We want to see a highly successful Commonwealth games in 2002. I am pleased to say that £112 million of lottery money will help to build facilities that will not only house the games, but provide a lasting sporting legacy for the people of Manchester. I am pleased also that a detailed sports programme for the games has been agreed and that the programme for athletes with disabilities has been fully integrated. Manchester 2002 Ltd. will now be able to work up a detailed budget and pursue television sales and sponsorship.

Mr. Grogan: Does my right hon. Friend agree that the Manchester Commonwealth games will be an excellent showcase for Britain in the year of the Queen's golden jubilee and that their success will enhance our chances of attracting similar prestigious international events? Is he, therefore, seriously considering the case for central Government financial support for the costs of the opening and closing ceremonies and security?

Mr. Smith: There is already substantial support for building the facilities. It is early days yet in determining the revenue needs of the games, because much will depend on accurate estimates of the costs, both of running the games as a whole and of the opening and closing ceremonies. Much will also depend on the sale of television rights and the amount of private sector sponsorship that is sought. At this stage, it would not be right to pre-empt decisions on those issues.

Mr. Ronnie Fearn (Southport): Is the Secretary of State aware that, at last week's meeting of the Select Committee on Culture, Media and Sport, we were informed that there might be a danger on the site that has been proposed for the Manchester games stadium, because deep mine workings are still in operation underneath that site? A fortnight ago, we visited the site and we were not informed of any difficulties. What will the Secretary of State do about that problem?

Mr. Smith: I am aware of the issue. A number of former mine workings are near the site of the facilities that are due to be built. All those have been identified, and the stadium and other facilities will be sited in areas that are unaffected.

Television Licence Concessions

7. **Ms Christine Russell** (City of Chester): If the BBC funding review panel will review the basis on which concessions are given for television licences. [77375]

The Minister for Tourism, Film and Broadcasting (Janet Anderson): Yes. The terms of reference for the review panel require it to

"consider the current structure of the concessionary licence scheme and whether a suitable alternative structure could be available".

Ms Russell: Does my hon. Friend agree that the present system is unfair, riddled with anomalies and downright divisive? That is the view of most pensioners and older people in my constituency. Furthermore, is my hon. Friend aware of the miserly £1.25 rebate that blind people can obtain off their licence? Will those two concerns be passed on to the review panel?

Janet Anderson: I congratulate my hon. Friend on the excellent job that she does in representing the views of her constituents. The Government accept that the current concessionary licence scheme is imperfect and unsatisfactory. I can confirm that the review will consider the concession for blind people, which the Government accept is currently of little help, but the way forward must be considered as part of a wider review of concessions.

Mr. David Heath (Somerton and Frome): Is not the hon. Member for City of Chester (Ms Russell) absolutely right? Is it not absurd that two pensioners in Frome, who live next to each other in identical flats—one in a sheltered scheme, one outside it—are asked to pay totally different amounts for their television licences? Should we not have a system that treats all pensioners equitably?

Janet Anderson: The hon. Gentleman hits the nail firmly on the head. The unfairness of the current scheme is a problem. The Government accept that the concessionary licence scheme is imperfect and unsatisfactory, but we must be aware that any substantial extension of concessionary arrangements could be expensive. We shall consider in detail the outcome of the review.

Mr. Lindsay Hoyle (Chorley): Obviously, I welcome my hon. Friend's statement. However, will she consider ensuring that the people who benefit from a cheap licence will not suddenly face an increase when the anomalies are removed? Will she consider ensuring that all pensioners benefit from a £5 licence?

Janet Anderson: May I say, as I have said already, that we must be aware that any substantial extension of the concessionary scheme could be very expensive? We await the deliberations of the review, and we shall give detailed consideration to them. Let me repeat that we recognise the unfairness of the present scheme, which is undoubtedly imperfect and unsatisfactory.

Theatres (Funding)

8. **Mr. Andrew Lansley** (South Cambridgeshire): If he will make a statement on the future of funding for smaller theatres. [77376]

The Secretary of State for Culture, Media and Sport (Mr. Chris Smith): In recognition of the important contribution that smaller theatres make to my Department's objectives of access, excellence and education, we are discussing with the Arts Council a review of regional producing theatres to be undertaken in the coming year.

Mr. Lansley: I am grateful to the right hon. Gentleman for that answer. May I extend to him an invitation to visit Cambridge Arts Theatre, if he has not recently done so? He will find the theatre working hard towards accessibility, excellence and education through its work with local schools. What does he expect the quantum of funding to be for small regional theatres? When he comes to discuss accessibility, will he bear in mind the fact that accessibility to theatre may include support for touring companies from west end theatres in London that are able to visit regional theatres?

Mr. Smith: Yes, indeed. We have put in place £125 million of additional funding over the next three years for the performing and visual arts, through the Arts Council. I am pleased that a major proportion of that money has already been made available to the regional arts boards. Eastern Arts, for example, has received a 15.4 per cent. increase in funding for the coming year, and I expect a proportion of that money to support regional theatre. We have also put in place new audiences funding for the Arts Council, and some of that is already going into support of touring.

Charlotte Atkins (Staffordshire, Moorlands): Is my right hon. Friend aware that my name is listed among the members of the Shadow Arts Council, despite the fact that I have never been asked to join such a group? Does that not raise doubts about the credibility of that organisation, especially as it refuses to accept that the Government are giving an extra £125 million to arts organisations over the next three years?

Mr. Smith: I do indeed understand my hon. Friend's surprise at her inclusion as a supposed sponsor of the organisation. It is shared by several others among those included on the letterhead list that the organisation issued. I very much welcome any group of people who wish to act as advocates for the cause of the arts in the United Kingdom, but I wish that that organisation would get its facts right before entering the public prints.

Mr. Peter Ainsworth (East Surrey): Does the Secretary of State agree that small theatres up and down the country, including the Palace theatre in Newark, can perform valuable services to their local communities? Is he concerned that it is now Arts Council policy to let small theatres that it funds go to the wall, perhaps because they do not fit into some great managerial scheme? If not, how does he explain why so many theatres face closure or crisis when the Arts Council is apparently sitting on a £7 million fund that it could extend as a lifeline for core funding for those theatres instead of keeping it up its sleeve? That threatens their survival. Will he call on the Arts Council to release those funds to ensure the survival of regional small theatres?

Mr. Smith: Of course, the Arts Council has already made available in quite a number of cases substantial additional funding to regional theatres. The Bolton Octagon had a 7 per cent. increase; the Chester Gateway, 14 per cent.; Duke's, Lancaster, 29 per cent.; the Manchester

Royal Exchange 8 per cent.; the Stephen Joseph theatre in Scarborough 39 per cent. Substantial additional funding is going to many regional theatres. Having said that, there is concern that regional theatre in general has been suffering financially over many years, principally through decisions taken by the previous Government in cutting money for them. That is why I am asking the Arts Council to take a thorough look across the board at the state of regional theatre right the way across the country so that proper funding decisions can be taken.

MILLENNIUM EXPERIENCE

The Secretary of State was asked—

Millennium Dome (Transport)

29. **Mr. Norman Baker** (Lewes): What progress is being made in securing adequate transport arrangements for visitors to the dome. [77398]

The Secretary of State for Culture, Media and Sport (Mr. Chris Smith): Excellent progress is being made in delivering new transport infrastructure services that support the public transport objective of the millennium experience project. For example, the first of six new boats for the riverbus services was launched last month and construction work on the new dome pier is on time. The transit link guideway and vehicles that will bring people to the site from Charlton railway station are under construction. Phase 1 of the Jubilee line extension is due to open at the end of April, and phase 2 in the late summer. The on-site coach park is complete. The arrangements for park-and-ride car parks are progressing to plan. The travel industry has confirmed a range of attractive and competitive package offers for travel to and entry to the dome.

Mr. Baker: I am grateful for that comprehensive answer. If the millennium dome is the rip-roaring success that the Government are working hard to achieve, is the Secretary of State confident that the planned infrastructure, when it is all in place, will be sufficient to carry passengers to the dome? Does he accept that the Jubilee line has been given signalling inferior to what was originally planned, and that the line through Charlton station, which is serviced by Connex South Eastern, already operates at 1.8 per cent. above capacity, according to figures released today? What contingency plans exist to deal with a success so fantastic that there are not enough public transport places?

Mr. Smith: We anticipate that the dome will, indeed, be a fantastic success and that at least the 12 million visitors currently expected will wish to visit. We want them all to come by public transport. That is why we have been careful, with our colleagues at the Department of the Environment, Transport and the Regions and the various operating companies, to ensure that adequate infrastructure is in place.

Mr. Peter Ainsworth (East Surrey): Will the Secretary of State join me in welcoming the news that National Express will offer an all-in package of travel and admissions to the dome? Given that nearly half the visitors are expected to arrive by rail, what discussions has he had with London Underground about arranging a similar package for people using the Jubilee line extension, assuming that it is indeed finished on time?

Mr. Smith: Discussions are continuing with a large number of other travel and transport operators to ensure that a comprehensive range of packages is available. The National Express package announced a week and a half ago is but the start.

Mr. Lindsay Hoyle (Chorley): Will my right hon. Friend consider making tickets to the dome available in the north-west? People must be able to use west coast main line services efficiently and get to the millennium dome on time.

Mr. Smith: The New Millennium Experience Company is conducting detailed discussions with all the train operating companies, including those that handle the north-west main line and its branches. I am confident that announcements will be made shortly about any conclusions that are reached.

Millennium Dome (Religious Content)

30. **Mr. James Gray** (North Wiltshire): What will be the religious content of the celebrations planned at the dome on 31 December 1999. [77399]

The Minister for Tourism, Film and Broadcasting (Janet Anderson): The New Millennium Experience Company is currently developing plans for the opening celebrations of the dome on 31 December this year in discussion with Government and others, including the Lambeth group. The nature and scope of the celebrations will be announced in due course.

Mr. Gray: I am glad that we still have time to make representations to the Minister. Will she take this opportunity to acknowledge that 2000 and the millennium mean only one thing: the 2000th anniversary of the birth of Jesus Christ? Will she find a way of ensuring that there is a moment for quiet Christian reflection in the dome during the opening ceremony on 31 December, led by leading clergy from the Roman Catholic, Church of England and non-conformist Churches?

Janet Anderson: I assure the hon. Gentleman that we recognise the significance of the millennium as a Christian anniversary, and discussions are continuing to decide how that will be reflected on the opening night. We hope to make an announcement in due course.

Mr. David Borrow (South Ribble): Does my hon. Friend agree that, as many people will travel to the millennium dome next year, it will provide an ideal opportunity not just for Christian worship and for displaying Christian beliefs but to present the many religious faiths that exist in this country? That will be an important experience for communities that are overwhelmingly of one faith and may not have knowledge of the range of faiths in the United Kingdom.

Janet Anderson: We understand that we must recognise the interests of all faiths represented in this country. Discussions are continuing about the matter, and we hope to make an announcement soon.

Mr. Simon Hughes (Southwark, North and Bermondsey): The House will be grateful for the Minister's

announcements as far as they go. However, can she confirm that those in charge of the events have received a request from the Archbishop of Canterbury and the Cardinal Archbishop of Westminster that some time be set aside in the minutes before midnight on new year's eve for a Christian act of worship? Why is there any delay in the Government's saying, "Yes, of course", since it is very simple request and that is the most obvious occasion?

Janet Anderson: As I said earlier, discussions are continuing. We are seeking to ensure that those who want to be involved are part of the opening celebrations. We will make an announcement about the matter as soon as possible.

31. **Mr. Keith Vaz** (Leicester, East): How the multi-faith nature of Britain is to be demonstrated in the dome. [77400]

The Minister for Tourism, Film and Broadcasting (Janet Anderson): The New Millennium Experience Company has worked hard in partnership with the Lambeth group to ensure that the multi-faith nature of the United Kingdom is reflected sensitively in the dome. The zone that will provide the focus for faith issues will encourage visitors to explore moments in human experience. The architecture of the zone will evoke the idea that it is a stopping place on people's spiritual journeys—whatever their faith. The NMEC is also providing a separate quiet space that will be available for private prayer and meditation by all faiths, and space has been made available for the performance of daily prayers by Muslims, which will be funded by that community.

Mr. Vaz: I congratulate my noble Friend Lord Falconer of Thoroton on the work that he has done to ensure that the Lambeth group truly represents all faiths in Britain. Will the Minister assure the House that the celebrations will not be hijacked by the Archbishop of Canterbury? We must recognise that many faiths in Britain wish to be represented in the dome and present at the ceremony. Will the Minister give a further assurance that other faiths and other races will be invited to the dome to make it and the opening celebrations truly representative of the diverse nature of Britain in 1999?

Janet Anderson: I thank my hon. Friend for his support for our attempts to ensure that all faiths are properly represented. *[Interruption.]* I point out to the hon. Member for North Wiltshire (Mr. Gray) that we are trying to give as detailed a response as possible. I am sorry that he is taking the trouble to denigrate that; he should welcome what we have said.

As I said to my hon. Friend the Member for Leicester, East (Mr. Vaz), we are doing our best to ensure that all faiths are involved and will make an announcement on the matter as soon as possible.

Mr. Gerald Howarth (Aldershot): Does not the Minister understand that she cannot have it both ways? If she accedes to the request of her hon. Friend the Member for Leicester, East (Mr. Vaz) that faiths other than Christianity should be well represented in this millennium experience, that must, to some extent, be at the expense of what the festival is all about. As my hon. Friend the Member for North Wiltshire (Mr. Gray) said, the festival is about Christianity; if the Government cannot come off the fence and understand that it should be a glorious celebration of 2,000 years of Christianity, and get the Prime Minister on-side, what on earth do they think they are doing?

Janet Anderson: Obviously, the hon. Gentleman was not listening earlier, so I repeat that we do recognise the Christian significance and importance of this event, but I am extremely sorry that he should imply that we should exclude large sections of our population who follow different faiths. The Government's intention is try to include everyone; I am sorry that that is not the Opposition's position.

PRESIDENT OF THE COUNCIL

The President of the Council was asked—

Periodic Adjournments

39. **Mr. Denis MacShane** (Rotherham): If she will make it her policy to announce the likely dates of periodic adjournments at the start of each Session. [77408]

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): I understand that hon. Members would prefer to have a greater degree of certainty about Parliament's timetable, and recognise that that would contribute to efficient management in the House and for individual Members. However, it is not possible to predict the progress of business with sufficient accuracy to give so far in advance dates as precise as those sought by my hon. Friend.

Mr. MacShane: I find my right hon. Friend's answer disappointing. I realise that she has inherited a ramshackle system for running this place—probably one that William Rufus would have recognised—but if we are to modernise and to have joined-up government, we need a modernised Parliament and a modernised parliamentary calendar. No other Parliament in the world has a system as absurd as ours, in which we do not set dates. The system is unfair on Members with families, and on Members who want to plan things in their constituencies and to undertake other political and parliamentary business outside the House. Can we consider the matter again and try to institute a parliamentary calendar that stands for a year, allowing for emergencies and special exceptions? That would be welcomed by all Members of the House.

Mrs. Beckett: I understand the attractions of a more fixed calendar. However, my hon. Friend will be aware that, broadly speaking, the House has a pattern of sittings with which hon. Members are familiar. We try to give as much notice as we can. For example, on 4 February, I gave notice of the weeks that would be included in the Easter and Whitsun recesses. In recent years, the warning for the spring recess has been 67 days on average. In one year, notice was only seven days; I gave 116 days' notice, so I think that we are moving in the direction that my hon. Friend wants.

Sir George Young (North-West Hampshire): Could not the right hon. Lady move a little further towards her

hon. Friend, who expressed such disappointment in her original reply? Will she give the House the full dates of the Whitsun recess? She has told us the week, but she has not told us which days before and after that week might be included. Will she also give us a target—for example, the end of June—by which date she would hope to announce the dates for the summer recess?

Mrs. Beckett: I understand that for the past 10 years the dates of the summer recess have not been announced before the middle of June. I take the right hon. Gentleman's point about giving greater notice, but I fear that the progress of business is sufficiently uncertain that at present I am not able to give him the extra dates for which he has asked. I shall do so as soon as I possibly can.

Millennium Compliance

40. **Maria Eagle** (Liverpool, Garston): What recent assessment she has made of the readiness of Government Departments and the wider public sector for millennium compliance. [77409]

The Parliamentary Secretary, Privy Council Office (Mr. Paddy Tipping): On 16 March, my right hon. Friend the President of the Council announced the results of the fifth quarterly review of progress in tackling the millennium bug in Government Departments, agencies and key parts of the wider public sector. The Government continue to make good progress on tackling the bug and the majority of bodies have nearly completed work on business critical systems. Encouraging progress has been made across the wider public sector. However, a concerted effort is necessary in some areas, and is being made, to ensure that the remaining work is finished on time.

Maria Eagle: This Government have done far more than most Governments throughout the world, and certainly more than the previous Conservative Government, to ensure that we shall be ready for 2000. However, does my hon. Friend agree that there is a patchy picture across local government, and will he explain what central Government are doing to encourage colleagues in local government to ensure that they are ready in time?

Mr. Tipping: By any international standard, the United Kingdom is in the top handful of Governments who are taking matters forward. However, it is important to recognise that the bug problem is everyone's problem—private sector and public sector together. Good progress has been made in the public sector, but, as my hon. Friend rightly says, there are problems in some of the smaller councils. Several initiatives have been taken, including the setting up of small groups of teams in Government offices to work with local authorities.

Draft Bills (Committee Scrutiny)

41. **Fiona Mactaggart** (Slough): What draft Bills have been made available for scrutiny by Committees of the House before Second Reading; and if she will make a statement. [77410]

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): Five Bills have been published in draft and I expect at least two more later this Session. Three such Bills have been considered by Select Committees of this House, and one by a Joint Committee with the Lords.

Fiona Mactaggart: Does my right hon. Friend agree that the opportunity to provide early scrutiny of Bills helps to avoid poor drafting? Has she noticed that, in the back of today's Order Paper, there are more than 100 amendments to the Employment Relations Bill tabled by the Secretary of State for Trade and Industry? Does she share my hope that pre-legislative scrutiny of a wider range of Bills will obviate the need to table so many amendments at a later stage in the Bill's passage?

Mrs. Beckett: My hon. Friend will recognise that, because we are at a relatively early stage in this Parliament, it is more likely that such problems will arise. However, I strongly share her views, first, that it is undesirable in principle for there to be many amendments to Bills and that it would be better if they could be avoided; and, secondly, that they are more likely to be avoided if Bills are published in draft and there is greater scrutiny of legislation before it comes before the House.

Mr. Douglas Hogg (Sleaford and North Hykeham): Does the right hon. Lady agree that, in pursuit of her objective of ensuring better scrutiny of Bills, it would be good to look back on the policy initiative of my right hon. and noble Friend Lord St. John of Fawsley and the concept of the Special Standing Committee, which enables the Standing Committee in question to take evidence before Committee stage? Will she consider reviving that practice and committing Bills to such Standing Committees?

Mrs. Beckett: The Immigration and Asylum Bill is currently before a Special Standing Committee, and I endorse that practice. During this Session, we are exploring several options to try to determine which are likely to be the most fruitful. However, I believe that having a variety of measures available is the best way forward.

Dr. Tony Wright (Cannock Chase): A Bill that is soon to appear in draft form is the freedom of information Bill. Has my right hon. Friend read the observations on that legislation contained in the Macpherson report on the Stephen Lawrence inquiry; and can she give the House an assurance that Macpherson's comments will be incorporated into the draft Bill?

Mrs. Beckett: I am not in a position to pre-empt the drafting of the Bill. As we debate the Stephen Lawrence inquiry report later today, such matters can be explored, but I am confident that my right hon. Friend the Home Secretary will have taken careful note of that report.

Iraq

42. **Mr. Tam Dalyell** (Linlithgow): Pursuant to her oral answer of 1 March 1999, *Official Report*, column 734, concerning a Select Committee on the effects of sanctions

against Iraq, to which relevant colleagues she has passed on the concerns of the hon. Member for Linlithgow; and what was their response. [77412]

The Parliamentary Secretary, Privy Council Office (Mr. Paddy Tipping): I asked that our exchange on 1 March be drawn to the attention of the relevant Foreign Office Ministers. However, the Government's position remains the same: that there is no need to set up a specific Select Committee on Iraq, when the Select Committee on Foreign Affairs and the Select Committee on Defence are already able to examine issues relating to the Government's policies toward that country.

Sitting Hours

43. **Sir Teddy Taylor** (Rochford and Southend, East): For how many hours the House sat in the latest parliamentary Session; and what were the figures for five, 10 and 15 years ago. [77413]

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): Last Session, the House sat for 2,117 hours and 36 minutes. In the 1992–93 Session, the figure was 1,985 hours and six minutes, and in the 1987–88 Session, 1,978 hours and 40 minutes. In 1983–84, the first Session of that Parliament, the House sat for 1,909 hours and 29 minutes. In other words, I confirm that the House sat for longer last Session than in the past.

Sir Teddy Taylor: In view of those worrying figures, does it not concern the Leader of the House that the Government are not subject to daily scrutiny for long periods during recesses? In view of Members' increased work load, might there not be a case for reducing the length of recesses and, perhaps, adjourning the House earlier than the normal 10 pm?

Mrs. Beckett: The parliamentary calendar and timing of the parliamentary day are kept under continual review by this Government, as they have been by many Governments. The hon. Gentleman will know that, up to now, although we have made some improvements following the Jopling reforms and in this Parliament, all the complications that arise from making major changes have led to their being incremental and experimental. I suspect that that will continue.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): My right hon. Friend will be aware that, luckily, the common sense of the House of Commons is such that most Standing Committees are ignoring the suggestion that they should meet at 9 o'clock on Thursday morning. So far, modernisation has not caused too much difficulty. I trust that she will consult very widely with those who operate in Committee—Standing and Select Committees—before she makes any changes. On a personal note, since I am working longer hours than I was when I came here in 1966, and still spending Fridays in my constituency, I hope that she will not modernise our practices any more—otherwise I shall find myself working 24-hour sessions.

Mrs. Beckett: I know that my hon. Friend, like so many Members, is permanently on duty, although I understand her wish to have more freedom about how and where that duty is exercised. I certainly assure her that we keep under review the changes that have been made and, indeed, would think very carefully about further changes. The motivation behind such changes is always to make this House more efficient and effective in the way in which it carries out its work.

Mr. Ronnie Fearn (Southport): Is the right hon. Lady aware that, owing to the hours that we now work, particularly on Wednesdays and Thursdays, members of the public cannot see the House of Commons as they used to be able to? Has she any idea about how to facilitate members of the public seeing the House at various other times?

Mrs. Beckett: The House has considered these problems. Of course, it can be something of a moot point; some members of the public would rather see the House working than merely its facilities. People can always, of course, see the facilities of the House during recesses. We keep under review the degree of access that the public have to the House, and take it into account.

Main Committee

44. **Ms Gisela Stuart** (Birmingham, Edgbaston): What progress has been made with plans for the creation of a Main Committee. [77414]

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): The Modernisation Committee agreed a report on Wednesday, and I expect it to be published on Tuesday 13 April. I hope that the House will have an early opportunity to debate it.

Ms Stuart: I thank my right hon. Friend for that answer. Will she elaborate on whether she expects that the creation of a Main Committee will allow greater scrutiny and debate than the current Select Committee structure?

Mrs. Beckett: The motivation behind examining and making such a proposal is to allow more time for ordinary Members to raise matters on which they would want debates, and to provide extra time for some of the excellent business for which, sadly, it is difficult to find time on the Floor of the House, such as debates on Select Committee reports.

Millennium Compliance

45. **Mr. Brian White** (Milton Keynes, North-East): What assessment she has made of the preparedness of *(a)* Government Departments and *(b)* the wider public sector in dealing with millennium compliance problems. [77416]

The Parliamentary Secretary, Privy Council Office (Mr. Paddy Tipping): I refer my hon. Friend to the reply that I gave to my hon. Friend the Member for Liverpool, Garston (Maria Eagle).

Mr. White: Given that programmes dealing with the financing of 2000 will be running by Wednesday night, will my hon. Friend assure the House that the monthly

reports that are due out very shortly will begin to include contingency plans that are built on the excellent work that the Government have already done?

Mr. Tipping: I assure my hon. Friend, who has taken a very close personal interest in this matter, that the Government are engaged actively on this issue. Contingency plans are being made. As he knows, monthly statements to the House will begin to be made in the very near future.

Procedure Reform

46. **Mr. John Bercow** (Buckingham): If she will make a statement on recent Government proposals for reforming the procedures of the House. [77418]

The Parliamentary Secretary, Privy Council Office (Mr. Paddy Tipping): The Modernisation Committee has considered a number of proposals based on evidence from the Government and elsewhere. The Committee's most recent report recommends an experiment with a parallel forum sitting in the Grand Committee Room off Westminster Hall.

Mr. Bercow: I thank the hon. Gentleman for that answer. What does he regard as the principal outstanding problem relating to the procedures of the House, and how and when does he propose to address it?

Mr. Tipping: The problem is that 659 hon. Members, including the hon. Gentleman, want to raise issues on the Floor of the House and have their say. The Government welcome that and seek new opportunities to give Back-Bench Members the chance to raise issues.

Berlin European Council and Kosovo

3.30 pm

The Prime Minister (Mr. Tony Blair): With permission, Madam Speaker, I shall make a statement about the European Council in Berlin, which I attended with my right hon. Friends the Foreign Secretary and the Chancellor of the Exchequer.

This European Council had two principal tasks: to reach agreement on the Agenda 2000 package of negotiations for enlargement of the European Union, including changes to agriculture spending and to the structural and cohesion funds; and to prepare for the appointment of a new European Commission. I pay tribute to the immense skill shown by Chancellor Schröder in bringing the negotiations to a successful conclusion. The conclusions of the Council have been placed in the Library of the House.

The European Council was, however, overshadowed by events in Kosovo, which were constantly in the minds of European Council members during the meeting, and I shall begin with that matter.

European Heads of State and Government were unanimous in condemning Milosevic's barbarity and intransigence and in supporting NATO action. Air strikes are continuing and intensifying in the wake of the renewed repression in Kosovo. Thirteen additional Royal Air Force planes are being committed to the NATO operation this week. I know that right hon. and hon. Members will join me in giving their continued full support to the British forces engaged. Thirteen countries have aircraft committed to that operation.

Even as we speak, there are continuing atrocities perpetrated by Milosevic against defenceless Kosovar civilians, but one thing should be made very clear: the idea that this barbarity and renewed ethnic cleansing started last Wednesday when NATO began its campaign is simply absurd.

The massacres that we are witnessing now were planned by Milosevic in the past two months when he built up an army and special police presence in the Kosovo region totalling 40,000 troops and 300 tanks—a deployment far greater than at the height of last year's fighting and savage repression. In the two days prior to the NATO campaign, 20,000 people were driven from their homes, and in the past month, 65,000 were driven from their homes. That is in addition to the 300,000 people who were driven away last summer. It is now clear that Serb participation in the Paris peace talks was a cover for Milosevic's offensive preparations. We now know that on 20 March, the day after the talks were suspended, armed Serbs started summary executions and ethnic cleansing. They have continued ever since.

In our view, our response to those appalling acts, far from halting or slowing down the allied action, must be to intensify it and see it through to a successful conclusion. For every act of barbarity and every slaughter of the innocent, Milosevic should be made to pay a higher and higher price. I hope that no one who has seen the utter, callous brutality with which the Kosovar Albanian people have been treated is under any remaining illusions about the nature of the Serb regime. The proper answer to that is not weakness but strength.

We are also addressing the growing refugee problem created by Milosevic's brutality. I have today set up a cross-departmental group to respond rapidly to that crisis. A joint military and civilian team will visit Macedonia and Albania later this week. The Department for International Development has allocated an extra £10 million as our initial contribution to the international effort, in addition to the help that we had already committed.

I shall now turn to Agenda 2000. On agriculture, the European Council agreed to phased price cuts of 15 per cent. for milk and cereals, and 20 per cent. for beef. It also set limits on agricultural spending, bringing the common agricultural policy under tighter control than before. Agricultural spending by 2006 is planned to be less than 2 per cent. in real terms above its level next year, and falling. Of course, some of us wanted more, but it is worth contrasting this outcome with the increase of 9 per cent. agreed at the Edinburgh European Council in 1992—and UK consumers will, when these reforms have been implemented, benefit by about £1 billion a year, or £65 for a family of four.

On the structural and cohesion funds, the European Council agreed that spending in the existing Union should total 213 billion euros in the period 2000 to 2006, an 11 per cent. reduction in the Commission's proposal. Within that total, full and proper account will be taken of the interests of the UK.

Cornwall, west Wales and the valleys, and South Yorkshire will qualify for the first time for assistance under objective 1 of the structural funds. Merseyside will retain its objective 1 status. A safety net will safeguard the position of regions of the UK qualifying for assistance under objective 2 of the structural funds. This will cover 14 million British people. There will be a special package for Northern Ireland, assuring assistance at a level equivalent to objective 1 status. There will be a special transitional programme of assistance totalling 300 million euros for the highlands and islands of Scotland, which no longer qualify for objective 1 status. That sum is double the amount available for other areas losing objective 1 status, and is comparable to the amount that the highlands and islands would have received as an objective 1 area. That is a tremendous deal for Scotland.

The negotiation also covered the revenue side of the Union's finances. It was agreed that more revenue would be raised from contributions linked to gross national product and less from value added tax receipts and customs payments. There is also to be a change in the way in which payment for the UK abatement is divided among the other member states. But no change was made to the own resources ceiling, the limit on revenue available for the Community budget. That is significant and welcome.

In the past two major negotiations on European finance, in 1988 and 1992, the European Union, when it made changes, agreed an increase in the revenue ceiling: that is an increase in the share of the European Union's wealth which taxpayers can be required to contribute towards EU spending. For the first time there has been a major Community financial settlement without an increase in the potential burden on taxpayers. In 1988, the settlement envisaged spending rising by 17 per cent., and in 1992 it foresaw spending rising by 22 per cent. This time spending within the EU 15 will fall in real terms over the period covered by the agreement.

On the abatement, I am delighted to report that the presidency conclusions say in terms that the UK abatement will remain. In line with the 1988 and 1992

[The Prime Minister]

European Council conclusions, the UK accepted that we should not make a windfall gain out of changes to the method of EU financing; that is the gain from a switch from VAT to GNP contributions and from an increase in the collection costs for traditional own resources. On the same principle, I agreed that the abatement will not apply, after enlargement, on an amount of expenditure in the new member states equal to the pre-accession aid in those member states which is itself now unabated. So any expenditure unabated now will remain unabated after enlargement. But the vast bulk of expenditure in the new members after enlargement will qualify for the abatement, because it is abated now. The result is that there will be no reduction in the United Kingdom's rebate. Our objective was secured. I said that the Government would maintain the abatement. We have done so.

Heads of State and Government also agreed to invite Mr. Romano Prodi, former Prime Minister of Italy, to be the next President of the European Commission. I warmly welcome his appointment. Mr. Prodi has a strong record of economic and political reform.

The European Council's intention is that the new Commission should be appointed and start work as soon as possible after the European parliamentary elections, and remain in office for the remainder of this year and the five years starting from January 2000.

There was unanimous agreement among Heads of State and Government that the new Commission will need to give urgent priority to a programme of far-reaching modernisation and reform, in which Community funds, programmes and projects are properly managed, the Commission's services are correctly organised and the highest standards of management, integrity and efficiency are ensured.

The middle east peace process was also discussed at the European Council, and we urged that the transitional period established under the Oslo agreement be extended beyond 4 May 1999, with the aim of reaching agreement on final status issues within one year.

I am pleased to say that agreement was finally reached on the trade and development agreement with South Africa—an historic step in consolidating prosperity and democracy in South Africa and developing the European Union's relationship with that country.

To sum up, the outcome on Agenda 2000 is an agreement that makes significant reforms to the CAP; puts the Union's financial house in order in preparation for enlargement; brings spending under control and reduces Community spending as a proportion of Community GNP, even after allowing for the costs of enlargement; gives a fair deal to UK regions that receive support from the structural funds; and maintains the UK abatement.

That is a good result for Britain and has been achieved by a new Government who have rejected the sterile confrontations and isolationism of the recent past, and who engage constructively with Europe to get a better deal for Britain. I commend it to the House.

Mr. William Hague (Richmond, Yorks): On Kosovo, the Prime Minister knows that we have expressed our hopes and concerns about the long-term future of policy towards Kosovo, but he also knows that we have expressed support for the present action and the air strikes, and I reaffirm that support today.

The loss of a NATO plane is a reminder of the great risks that our aircrews run as they do their job, and the rescue of the pilot is a reminder of the extraordinary ability of the armed forces involved. Does the Prime Minister agree that we went into the action in full knowledge of those risks, and that we should now have the resolve to see it through? Nothing would be more disastrous for the humanitarian situation that he described or to the credibility of NATO than if we backed out of what has been started.

I welcome what the Prime Minister said about refugees. May I ask him three specific questions about events in Kosovo? First, he referred to an intensification of military action. Can he confirm that NATO has extended its operations to target Serbian ground forces? Will that mean a new combat role for the allied rapid reaction corps based in Macedonia? What protection will those NATO forces give to Macedonia?

Secondly, what is being done to try to involve Russia in our diplomatic efforts? Will the Prime Minister tell the House what contact he or the Foreign Secretary have had with the Russian Government in recent days?

Thirdly, what preparations are being made now for aid, reconstruction and peacekeeping in the event of the military action being successful, as we all hope?

On the matter of the European Council in Berlin, however, is it not the case that the summit failed to agree on many of the objectives set by the Government, and failed to make the fundamental reforms necessary to prepare adequately for enlargement, or to make the European Commission effective and respected?

The Prime Minister's spokesman said two weeks ago that the common agricultural policy reforms agreed by farm Ministers were "unsatisfactory" because they did not go far enough, yet the Prime Minister has accepted a deal that falls significantly short of even those reforms. Ministers said last week that now that the euro was in existence, the cohesion funds were an anomaly to be re-examined, yet the Prime Minister has signed up to a deal that keeps those cohesion funds in place for the future.

A Foreign Office Minister said this month that the objective at Berlin was to freeze the EU budget, yet it was agreed at the summit that the EU budget would rise. Is not the result of the Berlin deal that British contributions to the European Union, taking account of the rebate agreement, will go up? Is not that the truth of the matter?

The other thing that the Prime Minister promised us before Berlin was root-and-branch reform of the Commission. The commitment to a new Commission later this year is welcome, provided that it means a new Commission. Can the Prime Minister confirm that, at the end of a major summit of EU leaders, just one week after the explosive report on fraud, all the Commissioners who resigned, including Mrs. Cresson, are still sitting behind their desks at the Commission; that those Commissioners are still looking forward to receiving £250,000 pay-offs; that there is still no truly independent fraud office to police the Commission; that no instructions have been given to the new Commission President to make sure that the Commission does less in the effort to do better; and that, on the contrary, Downing Street says,

"integration is part of our mantra—the PM is busy integrating now".

in the words of the right hon. Gentleman's spokesman? Is it not true that a summit that was supposed to prepare the EU for the next decade has left it with a largely unreformed agricultural policy; with cohesion funds still there; with enlargement more distant rather than nearer; and with a disgraced Commission still in place?

The Prime Minister: First, on Kosovo I thank the right hon. Gentleman for his support and I agree that it is important that we have the resolve to see this through. The intensification certainly includes action taken against the repressive forces in Kosovo. There is no new role there envisaged for our own forces in Macedonia. In respect of Russia, I have myself spoken to Prime Minister Primakov. The Foreign Secretary has been in close contact with his opposite number in the Russian Government and is due to speak again to him later today. We are putting aid and peacekeeping measures together now, and part of the humanitarian package is making sure that we get aid to people there.

In respect of the European Council, it is best to compare the deal that was secured by this Government—[HON. MEMBERS: "Oh."] Well, I think it is a fair comparison; the Opposition do not seem to want to make it, though, do they? On our basis, real-terms spending within the 15 falls, but one wonders what the Conservatives negotiated when they were in office: it rose by 15 per cent. in 1988 and 22 per cent. in 1992, and at Fontainebleau it rose by more than either 15 or 22 per cent. That is what happened when the Conservatives were negotiating for Britain. They did not merely remain isolated; they were pretty unsuccessful in their isolation.

I seem to remember that the key tests that were set for me were—point number one—whether I would maintain the United Kingdom abatement and—point number two—whether we would get a good deal on structural funds. That is what the right hon. Gentleman and his colleagues were saying a few weeks ago. I notice that he did not even mention either of those two points in his statement. I take that as the best endorsement for my negotiating position I can have.

However, the right hon. Gentleman is right that we wanted the reforms to go further. He is wrong that root-and-branch reform has been put off in respect of the Commission. Not at all; we are due to meet the President elect of the Commission within the next couple of weeks and we will agree specifically—there is no doubt about this—a clear mandate for reform of the European Commission and the way that it operates. People in Europe expect no less from us and we intend to deliver it.

Mr. Paddy Ashdown (Yeovil): Bearing in mind the statement that is to follow on Northern Ireland, I am reminded of the old saying about sorrow coming not in single spies but in big battalions. The Government are in for quite a tough week, I think.

On the European summit, is it not the case that there is good news and bad? The good news is that the Government have retained the rebate; the bad is that they have done so—as, indeed, others have succeeded in doing—by sweeping everything under the carpet. The summit did not tackle the tough decisions that needed to be tackled. I understand why that is so, because the Government were facing two crises—one in the Commission and the other in Kosovo—but is it not the case that they will have to be tackled and that we cannot safely widen the EU until they have been tackled?

On the question of Kosovo, may I put four brief points to the Prime Minister? First, is it not the case that, if the voices of the Kosovar Albanians were heard in the Chamber, they would be saying, "For God's sake, don't stop until the job is done."? I can tell the Prime Minister that I have been in touch with people in Kosovo in the past 24 hours, and that is exactly what they are saying: "It is appalling, it is terrifying, it is horrific, but please keep going and, if you can, speed it up."

Secondly, will the Prime Minister give us a clear assurance that whatever needs to be done to cope with the humanitarian catastrophe—which has been described as the worst that we have seen since the second world war—will be done, not only for reasons of humanity but for reasons of stability? One of Milosevic's clear and specific intents is to ensure that the appalling flood of refugees now being forced—at gun point and by atrocity—over the border into Macedonia, Albania and Montenegro destabilises those countries.

Thirdly, would it not be useful if we heard a little more about the pressures and divisions growing up within the Former Republic of Yugoslavia? Montenegro has clearly said that it is Milosevic's fault that the intervention is taking place and wants to leave. The Vojvodina are saying the same thing and the Sanjak similar.

Lastly, on the question of troops on the ground, may I put this to the Prime Minister? Surely he will agree with me that there can be no point in terminating this operation—or, indeed, in putting the lives of our service men and women at risk—and leaving Kosovo with less than a durable and sustainable peace. If that is to be done, there is no other way to do it than by establishing, whether by law or in fact, an international protectorate. Rambouillet is one way to do that, but if Milosevic will not agree we shall have to establish it anyway. The only way to do that and to secure peace is to have troops on the ground. If that is not the Government's plan at the moment—as I believe it is not—will the Prime Minister at least say that he will not exclude it in the future?

The Prime Minister: On the European Union summit, I take issue with the right hon. Gentleman's assertion that we have swept all the issues under the carpet. It is worth pointing out that the EU 15 are in agreement about the enlargement process—the five plus one coming into the European Union. In one sense, as I said earlier, we would have preferred more fundamental reform of areas such as the CAP. However, we have agreed a basis on which structural funds are hugely reduced for the 15. Countries throughout Europe are prepared to give up some of their European Union money to allow enlargement to happen. Taken together, the structural and cohesion funds are less than the European Commission was looking at. There are elements of CAP reform in the cuts in the price of beef, cereal, milk and other products, which are very important for the future. We now have an agreed basis for enlargement to happen, and there is no reason for the process to slow down.

Although people can always say that perhaps we should have gone further and done better—I would say that myself in relation to some of the areas of reform—it is worth underlining what we did agree. One of the great pluses for Britain was that we were not the people who were proving difficult in this negotiation. We secured every single objective that we wanted—*[Interruption.]* For the benefit of those Opposition Members who

[The Prime Minister]

are shouting, we did it without the absurd and often counterproductive posturing that has characterised their relationship with Europe over the past few years.

In respect of Kosovo, I agree with the first three points that the right hon. Gentleman made about the Kosovar Albanians. He is absolutely right: if people ask their representatives, of course they will say that what is happening on the ground is terrible, but it is absurd to imply that before the NATO action began those people were living an untroubled and stress-free life. This has been building up for months and months.

On the humanitarian crisis, I agree that we must do all that we can to ensure that people can go back in safety at a later date. What the right hon. Gentleman says about Montenegro and other areas is absolutely correct. We cannot do enough in pointing out to our own people, particularly when we have people reporting from Belgrade, that we are dealing with a state-run media. People there are shown what they are allowed to be shown, and nothing else—[HON. MEMBERS: "Like here."] No, as a matter of fact, it is not like here. People should know the difference.

As for troops on the ground, we have made it clear that we favour ground troops in pursuit of a viable settlement. We have said all the way through, however, what the problems are with putting in ground troops to fight their way through. In respect of the international protectorate, I believe that, de facto, to use the right hon. Gentleman's words, Rambouillet offers a proper protectorate. Obviously, the purpose of the ground troops would be to go in in support of that.

Mr. Donald Anderson (Swansea, East): No objective observer, on the continent or in this country, can deny that the Berlin Council was a triumph for both the European Union and the Prime Minister. Why? Because we are now perceived as a part of a team, not as isolationists sniping from the sidelines. As part of a team, we can reach a good deal for this country, including—I speak as a Member from south-west Wales—objective 1 status for my area. On that subject, how will the Government respond in terms of matching funds for my region and others?

On Kosovo, the solidarity of the European Union and the NATO 19 has been magnificent. Will my right hon. Friend spell out what financial assistance will be given to the neighbouring countries to allow them to cope with the flood of refugees? Will he confirm that, throughout the bombing campaign, we shall not lose sight of the fact that, ultimately, there will have to be a political settlement?

The Prime Minister: I thank my hon. Friend for his comments on the Berlin summit. The issue of matching funds, like any expenditure of money, will have to be dealt with within the resources that we have available to us. My hon. Friend was right on the rebate. I should point out to hon. Members that, over the next few years, because of the settlement that we have gained, not only on the rebate but in the structural funds, Britain's actual net contributions will—for the first time since we joined the European Community—be far more in line with those of comparable countries such as France and Italy.

On Kosovo, we are giving financial assistance to the countries that have to deal with the problems of refugees. Part of the £10 million that I announced earlier is to deal precisely with that. I agree with my hon. Friend that, ultimately, there will have to be a political solution. We have always wanted a political solution. First, however, we must stop the murderous repression in Kosovo.

Sir John Stanley (Tonbridge and Malling): Will the Prime Minister place in the Library a paper setting out in the fullest possible form the justification for his statement today that, two months prior to the current military operations, Milosevic was planning the comprehensive ethnic cleansing of Kosovo?

The Prime Minister: I am perfectly happy to give the House—and anyone else—the evidence of that. There is absolutely no doubt about what has been happening. If the right hon. Gentleman and others like him want evidence of it, I shall list some of the things which happened long before this NATO action started. For example, over a year ago, in February 1998, in Likosane, 26 people were killed. Shortly afterwards, in March, in Donje Prekaze, 54 people were killed. Shortly after that, in August 1998, the entire town of Junik was destroyed. In Donje Obrinje, in October 1998, 18 people died. In Racak, in January 1999, 45 people were killed.

Those examples do not include all the places that were "cleansed" of people who were driven from their homes. A quarter of a million people were homeless before the action even started, and that number is on top of those who had to leave their homes even earlier. There is no doubt about what has been happening in Kosovo. To those who say that such actions began only when the NATO bombing began, I say that it has been going on month after month after month. The only difference is that now the situation is getting the publicity that it deserves.

Mr. Bill Rammell (Harlow): Will the Prime Minister reject out of hand the perversity of the position of the Conservatives—who reject federalism while in the next breath complaining when various European Union countries try to assert their national interest and when they do not get all they would wish out of a European Union summit? May I also warmly welcome my right hon. Friend's defence of the British abatement—which demonstrates that the fact that we are positive in our relationship with Europe does not mean that we have abandoned our national interest? Finally, does my right hon. Friend feel that enough progress was made on reform of EU finances to ensure that enlargement starts before 2006?

The Prime Minister: On the desire for even greater reform, my hon. Friend is right to point out that part of the difference in the common agricultural policy reform agreed at the Agriculture Council was that it was agreed by majority voting, whereas there has to be unanimity at the Council of Ministers and at the prime ministerial, Heads of Government and Heads of State level. Of course, we should have liked things to go further, but that is not to understate the reform that was agreed.

On the rebate, I have always noticed that other countries firmly defend their interests within the European Union. Any notion that France, Germany or Spain do not fight for their own national interests would be contradicted by attenders at any one of those meetings. The difference is that, when those countries have a national interest to be secured, they do not think that

standing up for their own national interests will be helped by being anti-European. That is the difference between the two.

On my hon. Friend's final point, the settlement provides a basis for enlargement. Now there should not be any hold-up in the enlargement process, except for what is necessary to ensure that those countries are in a fit state to join.

Mr. David Davis (Haltemprice and Howden): Everyone will be just as appalled as the Prime Minister at the increasing viciousness of the Milosevic regime to the Kosovars since the start of the bombing. Did the Prime Minister predict that increasing viciousness, particularly given the evidence that he has just outlined? If he did, why was not more of the immediate military action focused on mitigating it?

The Prime Minister: We held back from military action to give the political process a chance to work. That is what we were trying to do for months and months. We were doing that not because we were unaware of what was happening on the ground but because we wanted, if at all possible, to go the extra mile to get a diplomatic solution. Unfortunately, we did not get that. Repression is going on now in Kosovo and our obligation is to act. We have taken action and we should take it all the way to see it through.

Mr. Tony Benn (Chesterfield): Is the Prime Minister aware that, whatever the legality or morality of the war that has been launched against Yugoslavia, the bombing has gravely worsened the refugee crisis, quite apart from the ethnic cleansing, which, as he said, has gone on for some time? The refugees alone may well destabilise the Balkans and the situation may get out of control. Is he also aware that General Wesley Clark saying that NATO would "devastate" Yugoslavia—a phrase that I heard him use on the television—was bound to consolidate opinion in Yugoslavia around their Government, as would happen in any country?

Russia—the one country that might have some influence—has been alienated. Is it not clear that, at some stage, there will have to be discussions? Rambouillet is dead. There is no possibility of going back to Rambouillet and sending troops in after we have bombed a country. What is required is United Nations action, a ceasefire of the kind that the Prime Minister urged so skilfully in Northern Ireland, and bringing in someone of international status—maybe Nelson Mandela or someone of that character—to try to get the sides together before the situation gets totally out of control.

The Prime Minister: First let us be clear where the responsibility for the refugee crisis lies. It is not NATO bombing that has caused the refugee crisis; it is the policy of brutality and repression against innocent Kosovar Albanian people. I have no doubt that, when their country is subject to air strikes, there will be anger among the Serbian population, but let us not forget that they do not get the full picture. There is no proper news communication. There are no free newspapers. There is no independent television station that reports to the Serbian people what is being done in their name in Kosovo. Many ordinary Serbian civilians, even though they may dislike the NATO bombing campaign, would be horrified by what is happening in Kosovo under the Milosevic regime. We remain willing at any point to engage in peace talks and mediation, provided that Milosevic comes back into line with the agreements that he made last October and has never honoured. Any agreement has to take Rambouillet into account. Of course it has to be based on that. Rambouillet offered a good deal for Serbia. That makes it all the more tragic that Milosevic preferred to intensify his repression rather than accept the deal.

Mr. Bowen Wells (Hertford and Stortford): Is not the Prime Minister's failure in Berlin demonstrated by the fact that the European Union development budget for the next seven years was passed without alteration, in spite of the fact that we are highly dissatisfied with it, that it is the cause of much of the fraud and maladministration of the Commission and that it is not focused on the poverty base that we want to tackle?

The Prime Minister: The negotiation concentrated on Agenda 2000, the structural funds and the common agricultural policy, but Britain is taking the lead on development issues in the European Union, and doing a good job of it. I do not know whether the hon. Gentleman meant to say that the Berlin summit was a failure in general. I am too modest to read out quotes from newspapers from other European countries. [HON. MEMBERS: "Shame."] I could be prevailed upon. It may be perceived as a failure by the hon. Gentleman, but that is not the picture from outside.

Ms Candy Atherton (Falmouth and Camborne): I thank my right hon. Friend for his efforts to secure objective 1 status for Cornwall. May I ask him to convey the thanks of the county to the Minister for the Regions, Regeneration and Planning, who has been tireless in his commitment to Cornwall? Does my right hon. Friend have a message to convey to the people of Cornwall as we look forward to a new economic era?

The Prime Minister: I pay tribute to my hon. Friend, whose efforts have been more tireless than anyone's—as I have been able to testify every time I have met her in the past year or so. She has worked extremely hard to bring this about, and has urged on us the importance of objective 1 status for Cornwall. We negotiated hard for that because, although Cornwall has many tremendous advantages, it has real problems of economic restructuring. Objective 1 status will help it enormously. It provides the basis for a secure and good future for Cornwall, which did not exist before.

Mr. Tony Baldry (Banbury): The Prime Minister should realise that, until the common agricultural policy is fundamentally reformed, enlarging the Community will create severe financial difficulties both for those countries wanting to join the Union and for those that are already members. I acknowledge the Prime Minister's disappointment that more progress was not made on reform of the CAP, but when does he expect that process to get back on track?

The Prime Minister: I do not disagree with the hon. Gentleman—we would have preferred reform to go further, but we agreed greater reform of agricultural

[The Prime Minister]

policy than has been agreed by anyone else in the past two decades. It is worth pointing out that there will be a real decrease in the later years of the next financing period, and that will be the first-ever real reduction in CAP spending. We believe that that is a sufficient basis for enlargement. I should like to have gone further, not least because the European Union must face up to the fact that, when the WTO negotiations get under way, we shall be obliged to make greater reforms in common agricultural policy, so it is a good idea to prepare for that now. None the less, let us not ignore the real progress that has been made.

Mr. Jeremy Corbyn (Islington, North): Will the Prime Minister say a little more about his contacts with the Russian Government and the Russian Prime Minister to bring about a peace process and a ceasefire in Kosovo to stop the tide of refugees and the pogroms against the people there, and to stop the bombing? What contact does he propose to have with the United Nations? What has been Kofi Annan's involvement? Does he think that this is a matter for the United Nations, which should be brought on board, rather than for NATO, which is undertaking actions without UN approval?

The Prime Minister: As my hon. Friend will know, the Russian resolution at the Security Council was defeated by 12 to three. Kofi Annan has said that there are times when diplomacy no longer works. Our contacts with Russia have been perfectly amicable and close. The Russians disagree with the action that has been taken, but let us not forget that they participated in the Rambouillet peace talks and agreed with the outcome. They disagreed with Milosevic's refusal to sign up to the deal. It is true that the Russians do not agree with the NATO bombing campaign, but, as we constantly say, we have tried every diplomatic and political avenue and Milosevic will not agree. That is why, respectfully, we have to disagree with the Russians on the validity of our campaign.

Sir Peter Tapsell (Louth and Horncastle): Does the Prime Minister realise how tragically apt it was for him to go to Berlin to explain the reasons why he is the leading European advocate of an historically ignorant, politically inept, internationally illegal and half-botched policy that is already threatening to increase and extend the carnage in the Balkans? Is he determined to prove himself as stupid as the Kaiser?

The Prime Minister: Without replying to the insults, let me pick out one point on which the hon. Gentleman and I may agree. He referred to the carnage in Kosovo. The people who are responsible for that carnage are Milosevic and his henchmen. The hon. Gentleman's response is to do precisely nothing, to sit back and say, "Get on with it." That is not the responsible thing to do.

Mr. Gerald Kaufman (Manchester, Gorton): On the carnage in Kosovo, given the fact that not a single word issued by the Yugoslav media can be believed, while we have a freedom of the press in this country of which we are rightly proud, has my right hon. Friend heard from any of the armchair strategists, deploying their high-powered word processors from well behind the front line, whether they believe that the Kosovo people should be helped; whether, if they do, they have a better way of helping them than that being employed by the Government; whether they support our armed forces as they risk their lives in action; and whether they want us to win or to lose?

The Prime Minister: As ever, my right hon. Friend makes his point extremely well. Those who say that we should not be involved should listen to what ordinary Kosovar Albanian people and their representatives say. They are the ones who are living through this appalling situation, and they know that the alternative to NATO action is simply that it continues without the rest of the world lifting a finger.

Mr. Martin Bell (Tatton): As one who was in Kosovo the week before last, may I ask the Prime Minister to explain how the objectives that he rightly wants to achieve can be achieved by air power alone; and how, by the dispatch of more Harriers, we can stop Kosovar Albanians being murdered in barns and teachers being lined up on school playing fields and shot in front of their pupils? Surely we will have to commit ground troops at some time, or, if the political will is not there, let us admit that, and hang our heads and walk away in shame.

The Prime Minister: On ground troops, I refer the hon. Gentleman to what I said in response to the right hon. Member for Yeovil (Mr. Ashdown). The targets that we are selecting are ones that affect Milosevic's military capability and, specifically, ones related to the Kosovo repression. The NATO action will continue to intensify. Anyone who believed that, after years and years of build-up, the action could end in a few days, was always suffering from a delusion and was always headed for disappointment, but I have no doubt at all that we will succeed in our objective. We should have total resolve to see it through, all the way.

Mr. Tam Dalyell (Linlithgow): Is Mrs. Ljubica Erickson, the wife of a distinguished Edinburgh university military historian and adviser to the Ministry of Defence, right when she says that there has been terrible collateral damage in the villages around Belgrade and that the trauma among old people, women and children has become appalling? If the Prime Minister were in the position of a Serbian soldier in Kosovo, knowing what was happening back at home and hearing that NATO intended to intensify the bombing, would there not be a danger that he might behave like an animal? What is the end object of all this? Until the bombing stops, is there any chance of involving the one people who can resolve the problem—the Russians?

The Prime Minister: In the end, people must face the consequences of the difficult choices that are being made, as we must in choosing to start the campaign. Our targets are military, and I caution against believing anything or anyone who is basing information on what is being said by the Serbian Government-run media.

Serbian soldiers had been carrying out brutality and atrocity for a long time before the bombing, and their attitude cannot be the determinant of how we run this. If they want to stop the NATO bombs, they can do so in one very simple way and that is by starting to treat people

in Kosovo like civilised human beings, instead of subjecting them to ethnic cleansing, which is what the Serbians have been doing.

People say that we have to find a political solution and ask why we cannot involve Russia more, but we have been trying for months—more than months—to find a political solution and Russia has been intimately involved in all those attempts. The truth is that no political solution is possible at the moment because Milosevic is determined to rid Kosovo of Kosovar Albanians, and he will do so by killing them if necessary. That is the truth. The choice, therefore, is let him do it, or try to stop him, and the latter is what we are doing.

Sir Archie Hamilton (Epsom and Ewell): When the Prime Minister supported Mr. Prodi for the presidency of the European Commission, did he take into account the accusations of fraud and other criminal activity levelled at Mr. Prodi when he ran the Italian state holding company, IRI?

The Prime Minister: Anyone who knows Romano Prodi knows him to be someone of the highest integrity. It does not surprise me in the least that the Conservative party should wish to begin with the new President of the European Commission by attacking and vilifying him.

Mr. Chris Mullin (Sunderland, South): Has the Prime Minister seen reports that the Serbs are rounding up Albanian civilians and holding them in military installations in Kosovo? Will he bear that in mind when selecting which targets to attack?

The Prime Minister: Yes, we do bear that in mind. We are getting the best information that we can about that. The use of human shields is a barbarous practice in itself, but we will take account of any information we have to try to minimise any damage.

Mr. Douglas Hogg (Sleaford and North Hykeham): Does the Prime Minister agree that the policy of President Milosevic appears to be to expel the Albanian population of north Kosovo, settle in Serbs—probably from the Krajina area—and then declare a ceasefire and assert victory? Were those foreseeable developments taken into account by NATO before the present policy was embarked on? If they were, will the Prime Minister tell us how he proposes to stop them and, if President Milosevic achieves those policy objectives, how he proposes to reverse them?

The Prime Minister: The right hon. and learned Gentleman's remarks make the case for the campaign that we have. The idea of getting rid of as many ethnic Albanians as possible from northern Kosovo is not new but has been talked about in Serb circles for some time, and that is precisely what has been going on for months and months. That is why we were right to take the action, and the only chance that we have of stopping that policy is to make Milosevic pay such a high price that he is deterred from following it. That is the only alternative

Mr. John Home Robertson (East Lothian): I happened to be in an aid truck on Mount Igman when air strikes were launched against the chetnik besieging forces around Sarajevo back in 1996. The only thing that was wrong with those air strikes was that they were at least a year too late. Does my right hon. Friend agree that those air strikes made it possible to achieve peace in Bosnia, and will he remind the House of that recent lesson from history? Action may be painful, but failure to act in the face of such atrocities would be appalling.

The Prime Minister: I agree with that entirely. It was as a result of the action by air strikes that we were able to get a settlement in that situation. I do not think that anyone who has witnessed the events of the past few days can be in any doubt about the nature of the regime that we are dealing with and the fact that we have no alternative, unless we are to let the brutality continue, to taking the action that we are taking.

Mr. David Curry (Skipton and Ripon): Does the Prime Minister reflect on how extraordinary it is for the Heads of Government to dilute an agreement reached by Agriculture Ministers which he had already described as "inadequate"? Will he be fair enough to admit that the decision is bound to make enlargement more difficult; that it makes the European Union unprepared for the next round of world trade talks; and that Britain's fundamental interests are less served by the rebate than by a fundamental reform of the CAP, which caused the problem in the first place?

The Prime Minister: It would be unwise, and possibly unfair, to enter into the last part of that question.

I agree with what the right hon. Gentleman said about the WTO talks. That remains a force coming down the track at the European Union that will give us the chance of another look at the whole area. The statement of European Council conclusions made it clear that, whatever happens with the CAP, we must still have the right proposals for the WTO negotiations in the interests of the whole of Europe. It would have been better to go further on CAP reform, although—thanks in many ways to what my right hon. Friend the Minister of Agriculture, Fisheries and Food negotiated—we gained more reform than most people would have contemplated a short time ago.

Mr. Malcolm Wicks (Croydon, North): There is something truly horrendous in the fact that a 20th century stained by Nazi genocide should end with genocide, first in Bosnia, and now in Kosovo where young men are being marched away to be shot, children are being terrorised and elderly people being made homeless. May I say that, while there are, again, some voices in the House calling for appeasement of a fascist regime, the great majority of Members of the House of Commons and the great mass of decent British public opinion supports the Prime Minister's endeavour to stop the atrocities and to end the genocide? We wish my right hon. Friend good luck.

The Prime Minister: I thank my hon. Friend for his words. I am sure that he is right.

Dr. Julian Lewis (New Forest, East): Is the Prime Minister aware that many Opposition Members fully support what he and the Government are trying to do, but worry that some of the methods involved may not be efficacious?

[Dr. Julian Lewis]

Is the Prime Minister aware of, and will he comment on, what seem to be well-founded intelligence reports, first, of increasing collaboration between the Iraqis and the Serbians, and, secondly, that Prime Minister Primakov was paid $800,000 by the Iraqis, which hardly recommends him as a good, honest middle man to resolve the present terrible crisis?

The Prime Minister: On the latter point, I have no comment to make, except to say that we know of nothing to substantiate it. In respect of Iraq and Serbia, there is no doubt that they have been in contact, but we know no more than that.

I thank the hon. Gentleman for the support that he gave in making his first point. It is interesting that the issue has, in a sense, moved from a matter of justification to one of efficacy and whether we will succeed in our aims. I believe that we will succeed. We have set clear objectives. We have in place the mechanisms to achieve them. Our only choice is to go through with them. Having seen over the past few days that there can be no doubt about the nature of Milosevic and of what he is trying to do—it has been graphically illustrated—there is no alternative but to see our action through with total and complete resolve. That is why I support, at the moment, intensification of the NATO effort.

Dr. Rudi Vis (Finchley and Golders Green): On the middle east, the Prime Minister said that the 4 May deadline has been extended. The extension has happened for good reasons, and I welcome it, but will he say whether any new date has been set?

The Prime Minister: Our proposal on the middle east takes account of the 4 May deadline. We have not stated a date on which we believe the final status talks should be concluded, and it would not be wise of us to do so at present. It is right to show that we do not want the peace process in the middle east to be held up at all for any reason. We want it to be driven forward.

Sir Alastair Goodlad (Eddisbury): In view of the reaction of the Serbs to the bombardment that has taken place, does the Prime Minister agree that early rather than gradual intensification of the bombardment, to the maximum capacity of the alliance, is likely to achieve the best results?

The Prime Minister: I agree with that entirely. As I said a moment ago, in the light of what has happened during the past few days, intensification, not backing down, is the answer.

Mr. Peter L. Pike (Burnley): Recognising that talks failed to end ethnic cleansing and extreme racism in Yugoslavia, must we not always remember the simple fact that Milosevic was killing his own people and that the way to end the bombing lies in his hands? If he gets his people to stop the killing in Kosovo, the bombing will stop immediately.

The Prime Minister: My hon. Friend is right. Milosevic has been a disaster for people in Serbia for many years. Anyone who has looked at his record over this long period knows that it was he, 10 years ago, who withdrew autonomy from Kosovo and began the process of using Serbian nationalism to drive people out of Kosovo. He has time and time again proved an instigator of violence and instability in this region.

Mr. John Wilkinson (Ruislip-Northwood): Through the fog of war over Kosovo, the full details of what actually happened at the Berlin summit are hard to discern, other than that it seems to have been business as usual, with the candidate for President of the Commission chosen within an hour. There was no sign that the Government will accede to the wishes of 70 Members of this House, set out in early-day motion 437, that our Commissioners be confirmed by Parliament. Will the British net contribution of £2.85 billion, as certified by the Economic Secretary to the Treasury in a letter to the *Financial Times* on 25 March, which is the second highest, go down the scale to fourth, fifth, or sixth? Is there any hope that our contribution will be reduced?

The Prime Minister: First, in relation to the process of selecting the Commission, we are using the same process that was used by previous Governments. [HON. MEMBERS: "That's all right then."] It is not, "That's all right then," but it is a little bit much for Conservative Members to start attacking us on this when, for 18 years, they could have changed it and chose not to, although it might be unfair to designate the hon. Member for Ruislip-Northwood (Mr. Wilkinson) as a supporter of the previous Government's policy. In respect of contributions, yes, as a result of our settlement, for the first time, although we will remain second-largest net contributors, we will be closer to France and Italy than we have been at any time in the history of the European Community. As a result of the rest of the settlement that we succeeded in achieving, not merely do we retain the abatement, we got a better deal on structural funds than any negotiated by the Government that he used to support—sort of.

Mr. Dale Campbell-Savours (Workington): Does my right hon. Friend believe that the Serbian military must, at some stage, recognise that, if Milosevic keeps up his nationalist stance, he himself will destroy the whole of the Yugoslavian military infrastructure? It is his responsibility. Is there any evidence that the military are getting that message? On a related matter, may I express the hope that we will not support any solution that leads to the partition of Kosovo?

The Prime Minister: On that latter point, no is the answer to that. On the former point, my hon. Friend is right. The responsibility rests entirely with Milosevic. This is a message that we will bring home to him and to the people in his military infrastructure.

Mrs. Margaret Ewing (Moray): Will the Prime Minister comment on recent news reports that countries adjacent to Kosovo may be closing their borders to refugees? Is there in place a genuine strategy to ensure that the European Union as a whole and our NATO allies share the problem of dealing with this sad situation?

The Prime Minister: On the humanitarian situation, we have announced the measures that we wish to take,

and that will obviously be done in co-ordination with other countries and with the UN's refugee programme. I hope very much that we can count on the support of the hon. Lady's party, and, indeed, all parties, in the action that we are taking.

Mr. Tony Worthington (Clydebank and Milngavie): There has been a tremendous welcome in Scotland for the deal that the Prime Minister has negotiated for the highlands and islands. Is it not a fact that it could never have been negotiated by the discredited previous Government or by the separatists, who would throw away the strength of the United Kingdom?

The Prime Minister: My hon. Friend must be correct because the isolationism of the previous Government would never have retained the rebate, let alone secured a deal on structural funds and the objective 1 and objective 2 safety net. As for the Scottish National party, nobody at the summit was in any doubt that we could never have secured this deal if Britain and Scotland had not stood together and negotiated as one.

Mr. Christopher Chope (Christchurch): Is the Prime Minister being frank with the House about the rebate? He said that there has been no reduction in the rebate, yet the Library—which has examined the detailed figures—calculates that, by 2006, the annual loss on the rebate to this country will be no less than 220 million euros.

The Prime Minister: The 220 million figure is the windfall gain that we would have made if issues that are presently unabated were subject to abatement. In reaching agreement, we did precisely what was acceded to in 1988 and 1992. However, the difference with this Government is that we have not only kept the rebate intact so that there will be no reduction but managed to agree that there should be no increase in the own resources ceiling. That was something that the previous Conservative Government signally failed to do.

Several hon. Members *rose—*

Madam Speaker: Order. We shall now move on.

New Writ (Newark)

4.31 pm

Mr. James Arbuthnot (North-East Hampshire): I beg to move,

That Madam Speaker do issue her warrant to the Clerk of the Crown to make out a new writ for the electing of a Member to serve in this present Parliament for the county constituency of Newark in the room of Fiona Elizabeth Ann Jones.

I shall be brief because an important debate on the Lawrence report is to follow. However, brevity should not disguise the importance of this issue: Newark needs and deserves to be represented in Parliament. The convention is that the party that formerly held the seat moves the writ. However, Madam Speaker, last week you announced that a by-election will take place because an election court had found that the seat of Newark was won by Labour in circumstances involving electoral fraud. Therefore, we believe that the convention does not apply.

Nevertheless, out of respect to the Labour party, I spoke last week to the Government Chief Whip and told her that if she did not move the writ, I would.

Mr. Dale Campbell-Savours (Workington) *rose—*

Mr. Arbuthnot: I shall give way in a moment.

I wanted to give the Government Chief Whip the chance to move the writ herself so that the people of Newark could be represented in this place. However, she did not do so. On the contrary, she wrote me a letter saying that she would oppose the issuing of a writ in order to give Fiona Jones the right to stand in the by-election if she was successful in her appeal. That is a pretty odd doctrine. After all, *The Guardian* told us on 20 March that Labour had refused to fund or to back Fiona Jones's appeal. Is that true? How long is this situation to continue? Are the people of Newark to be deprived of representation in Parliament while Fiona Jones appeals to the House of Lords and to the European Court of Human Rights?

Mr. Campbell-Savours: The right hon. Gentleman has been a Member of the House of Commons for a long time and he will recall many by-elections conducted over many years. He will also know that many of his colleagues won seats in general elections. Can he place his hand on his heart and say at the Dispatch Box that he knows of no case where a Conservative Member of Parliament elected to the House of Commons was in breach of the limits on expenditure under election law?

Mr. Arbuthnot: I know of no such case. In any event, in 140 years no Member of Parliament until Fiona Jones has been disqualified from Parliament for electoral fraud. Even if her appeal were successful, there is no chance that the Labour party would select her to stand again. On 20 March, *The Mirror* stated:

"She should never hold office again. She simply does not deserve to."

I quote that not because it is true—although it is—but because that is what the Labour party believes. In opposing the writ, the Labour Government are not acting in the interests of Fiona Jones. That is an absurd suggestion. They no longer care about her; they are acting in the interests of the Labour party.

[Mr. Arbuthnot]

The Labour party has even suspended the entire Newark constituency party—presumably so that it can once again impose a candidate from the centre. Mr. Phil Dilks, Labour's regional spokesman, told the *Newark Advertiser* that

"this decision has been made with the by-election in mind. We do not intend to be without Parliamentary leadership for a moment longer than necessary."

However, that is exactly what they do intend. By opposing this writ, the Government are refusing the people of Newark the right even to be represented in Parliament. The interests of the people of Newark are being completely disregarded by the Labour party.

Mr. Dennis Skinner (Bolsover): Is the right hon. Gentleman aware that such was the delay in calling the 1989 Richmond by-election—a matter that was in the hands of the then Tory Government—that I was prompted to move the writ? I was told by the Tories that if I would only hang on they could get their candidate ready. They got their candidate ready and he is now the Leader of the Opposition. Tory Members have been applauding me ever since—or have they?

Mr. Arbuthnot: I am grateful to the hon. Gentleman for that indication of support in the Lobby, although I hope that it will not be necessary because I hope that the Government will not force this matter to a vote.

Some might say that Newark has been deprived of a Member of Parliament not merely for the past few days, but since the general election. Fiona Jones, elected in May 1997, failed even to open her mouth to speak in this House until 1998. In her brief career here, she spoke four times. Many right hon. and hon. Members will have been completely unaware of what she looked like until she gained notoriety as the first Member of Parliament for 140 years to be disqualified for electoral fraud. The people of Newark deserve better. The Labour Government have the power to delay the by-election, but if they exercise that power the people of Newark will remember.

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): I beg to move, To leave out from "That" to the end of the Question, and to add instead thereof:

"this House do pass to the Orders of the Day."

Despite the fact—*[Interruption.]* We do have an important and sensitive debate after this—not that one would be aware of that from the attitude of Conservative Members. I want to explain with more brevity, I hope, than the right hon. Member for North–East Hampshire (Mr. Arbuthnot) achieved in his insulting remarks, why I am moving this amendment.

First, if we vote down the amendment, the by-election may not be able to be moved during this Session; that does not seem to me to be in the interests of the people of Newark. Indeed, that point was made in this House by the former Leader of the House, Lord Biffen on a previous occasion when an attempt was made to move a writ in such a way.

The right hon. Member for North-East Hampshire said that Madam Speaker had declared a by-election. She did not; she reported the decision of the courts and the fact of that decision.

The right hon. Gentleman also said that my right hon. Friend the Chief Whip had written to him to say that the Labour party did not want to hold the by-election now, in order to allow Fiona Jones to be a candidate. That is not remotely what my right hon. Friend wrote. I have a copy of her letter before me and I propose to share its contents with the House. She wrote:

"The Labour Party wants to ensure that the people of Newark are without a Member of Parliament for as short a time as possible. Fiona Jones has appealed against her conviction. The Court of Appeal has agreed to hear the Appeal early, on 13 April 1999. The Court of Appeal will decide whether the conviction stands or not. If this Appeal is successful, we will have to await the Court of Appeal's interpretation of Section 160 Subsection (4), and Section 173 of the Representation of the People Act 1983.

In these circumstances, it would in our view be clearly wrong to call a byelection whilst this Appeal is ongoing."

Mr. Alan Duncan (Rutland and Melton): Will the right hon. Lady give way?

Mrs. Beckett: No, because I do not want to take more than a minute or two longer. I am following the precedents set in the House in the past by moving an amendment to the motion.

Mr. Arbuthnot: Is the right hon. Lady aware that the purport of those sections of that Act is precisely whether or not Fiona Jones is allowed to stand in the by-election?

Mrs. Beckett: I believe that the right hon. Gentleman will find that he is mistaken and that it is a matter of whether or not a vacancy exists.

It is a breach of convention for the Opposition to move the writ. It is extraordinary that they have done so when the verdict to which they refer was given only 10 days ago, on 19 March; when an appeal is pending; and when an early date has been set for that appeal, which will be taken not only on the conviction, but on a point of law—on the interpretation of the Act, which the right hon. Gentleman apparently wants to prejudge.

Mr. Duncan: Will the right hon. Lady give way?

Mrs. Beckett: No, I shall not give way. The Lawrence debate is much more important than this childish nonsense.

Given that the appeal will be held in the near future—indeed, in almost as short a time as has elapsed since the case was first heard—it is in the interests of the House to move on from this business. I recommend—[HON. MEMBERS: "Contempt of the House."] Yes, I think that the way in which Opposition Members have behaved is a contempt of the House. It seems to me and to the Government that it is right to hold a by-election in Newark when a vacancy has been properly called. However, an appeal is outstanding, so I invite the House to accept the amendment, enable that appeal to be heard and allow the by-election to be called in a proper manner, if that is the outcome of the court's decision.

4.43 pm

Mr. Phil Willis (Harrogate and Knaresborough): I find it incomprehensible that, on the day on which we have discussed the conflict in the Balkans and we are to debate

the Lawrence inquiry report, we should involve ourselves in a matter that is little more than party political manoeuvring in its worst sense.

If Conservative Members had one inkling of the meaning of parliamentary democracy or of empowering the people of Newark, they would have waited until after the Court of Appeal decision on 13 April. In fact, their motion has nothing to do with empowering the people of Newark. The Liberal Democrats feel strongly that the people of Newark should have a Member of Parliament in whom they have faith and confidence and that, if a by-election is necessary, it should be fought as soon as possible. However, it is ludicrous for the Conservatives to be baying for a by-election before that Court of Appeal decision is given on 13 April; it simply shows how low the Conservative party has sunk.

4.44 pm

Mr. Douglas Hogg (Sleaford and North Hykeham): I represent a constituency which adjoins Newark. Therefore, and to that extent, I am rather well placed to report to the House the feeling in the constituency of Newark. I think that the electors of Newark will be extraordinarily dismayed by the disdain that has been shown by the Leader of the House and the hon. Member for Harrogate and Knaresborough (Mr. Willis), who speaks for the Liberal Democrats, for the proposal that we should have a by-election.

Mr. Gordon Marsden (Blackpool, South): Will the right hon. and learned Gentleman give way?

Mr. Hogg: Not at the moment, no.

The suggestion that we should move to the Orders of the Day rather than discuss parliamentary democracy and a by-election is frankly an affront to this House. The tradition is and the basic principle must be that people are not deprived of a parliamentary representative a moment longer than necessary. That must be especially true when the vacancy has occurred not through misfortune, but as a result of culpable behaviour. When there is culpable behaviour by a Government Member, there is a very special obligation on the Government forthwith to move the writ. The fact that they have not done so is, I suspect, a measure of their cowardice and their disdain for Parliament.

Mr. Fraser Kemp (Houghton and Washington, East): Will the right hon. and learned Gentleman give way?

Mr. Hogg: No, I am not proposing to give way. I am adopting, in this respect only, the example of the Leader of the House.

Mr. Lindsay Hoyle (Chorley): Will the right hon. and learned Gentleman give way?

Mr. Hogg: No, I have made my position quite plain.

The electors of Newark have a very special local reason for wanting an early by-election. For example, for 1999-2000, Nottinghamshire county council will have the highest band D council tax of all the shire counties.

Mr. Andrew Dismore (Hendon): Will the right hon. and learned Gentleman give way?

Mr. Hogg: No, I have made my position plain.

Indeed, the Nottinghamshire county council tax payer is facing the second highest percentage increase—9.9 per cent.—of any shire county. Even more particularly, in the Newark and Sherwood districts band D council tax will be the highest of the English shire counties.

Mr. Barry Gardiner (Brent, North): On a point of order, Mr. Deputy Speaker. Can it be in order for the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) to engage in blatant electioneering under the pretext of talking about the by-election?

Mr. Deputy Speaker (Sir Alan Haselhurst): That is not a point of order; it is a point of argument. This is an important House of Commons matter. Whatever the merits of both sides of the argument, they should be heard in a sober manner.

Mr. Hogg: I always welcome protection, and I am grateful for it, Mr. Deputy Speaker. The allegation that I was electioneering comes a bit rich from a Government who do not want an election in this constituency because they are fearful of the consequences.

There is the general matter of principle, but there is a local point, too. Local electors want a chance to express their opinion on council tax rates. Incidentally, they might also want to express their opinion on the level of policing in the county. In contrast to March 1997, the number of police in Nottinghamshire county council has fallen by 54—a significant number if one happens to live in Newark.

The explanation advanced by the Leader of the House is essentially an unworthy one. She does not want the by-election, to the prejudice of the electors of Newark, for the personal convenience of Mrs. Fiona Jones. I have nothing against Mrs. Fiona Jones, and do not want to be particularly critical of her—except that she has been found guilty of a criminal offence by a court. We must not lose sight of that.

We have been told that we are to await an appeal. For how long are we to await an appeal? *[Interruption.]* I know perfectly well that the legal process takes a long time; nobody is in a better position than I to know that. An appeal goes to the High Court. It might then go to the House of Lords. After that, I anticipate that it would go to the European Court. Months and months would pass—perhaps years. Are the electors of Newark to be deprived of representation for the personal benefit of Mrs. Fiona Jones?

Mr. Michael Foster (Hastings and Rye): On a point of order, Mr. Deputy Speaker, the right hon. and learned Gentleman is well versed in the law. Does he agree that Pinochet should have been sent to Spain immediately after the initial hearing?

Mr. Deputy Speaker: Order. That cannot possibly be a point of order.

Mr. Hogg: In any event, Pinochet should have been returned to Chile immediately, and should be returned there now.

Several hon. Members *rose*—

Mr. Hogg: I shall not give way.

Mr. Gerry Sutcliffe (Bradford, South): On a point of order, Mr. Deputy Speaker. The House is descending

[Mr. Gerry Sutcliffe]

into disgrace. The Lawrence family are in the Chamber for an important debate on the Lawrence case and the issues surrounding it. The two Front-Bench spokesmen each spoke on the motion for two to three minutes, but the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) has been speaking for longer than three minutes and is extending the debate to issues that are not related to the question. Will you ask for brevity on this question, Mr. Deputy Speaker, so that we can proceed to the next debate?

Mr. Deputy Speaker: Order. First, I say to the hon. Gentleman that there is no one in the Chamber apart from right hon. and hon. Members. Secondly, this is a serious debate and there is no control over the time that may be taken by an individual Member in making a contribution. I have, however, asked the House to deal seriously with the matter, and I hope that my request will be observed by all hon. Members.

Mr. Hogg: The point of order from the hon. Member for Bradford, South (Mr. Sutcliffe) seemed to me to demonstrate two points, both of which we have come to recognise. The first is Labour Members' reluctance to allow full and free debate in the House. They want to truncate the debate on this motion and proceed to the next business. It is perfectly true that the next business is important, but this business is also important, as you made apparent, Mr. Deputy Speaker. It is a disgrace that Labour Members are trying to curtail debate on what is essentially a matter of parliamentary principle.

The second point, with which Conservatives are already becoming familiar, is that Labour Members are afraid to meet the electorate when there is a good chance of them being rumbled. There is a good chance of them being rumbled in Newark, so they hope to conceal both their embarrassment and the arguments during the European and district council elections. That is a disgrace and I hope that my right hon. Friend the Member for North-East Hampshire (Mr. Arbuthnot), the Opposition Chief Whip, will push the motion to a vote and that my right hon. and hon. Friends will support it.

4.53 pm

Mr. Eric Forth (Bromley and Chislehurst): This matter arises directly from Madam Speaker's pronouncement on 22 March, in which she said:

"Under the provisions of the Representation of the People Act 1983, the seat is vacated with effect from 19 March."—[*Official Report*, 22 March 1999; Vol. 328, c.1.]

That much seems absolutely clear, so we are now discussing what rights the people of Newark have against the background of the fact that the seat has been declared vacated with effect from 19 March. Surely no Member of the House can deny the importance of that issue. I am grateful to my right hon. Friend the Member for North-East Hampshire (Mr. Arbuthnot) for bringing the matter to the House.

The problem is that for some considerable time—arguably since shortly after the last general election—the people of Newark effectively have been unrepresented because they have not had the full range of representation in the House that voters in a constituency would normally expect from their Member of Parliament. An issue immediately arose because people who are in the unfortunate circumstances in which Mrs. Jones found herself cannot properly represent their electors when they have been subject to the sort of accusations that were made in Newark.

Dr. Nick Palmer (Broxtowe): As a Nottinghamshire MP who has witnessed Mrs. Jones's work at first hand, I can assure the right hon. Gentleman that her constituents were receiving a full service until the time of the court case. I suggest that we allow Mrs. Jones the chance to have her appeal heard on 12 April so that her constituents can benefit from her continuing service.

Mr. Forth: I shall leave the hon. Gentleman to make his judgment on how effective Mrs. Fiona Jones has been in the House. I cannot say in detail what she has been doing in Newark, but I suspect that her activities in this place have been somewhat limited. *[Interruption.]* Labour Members seem to believe that what they do in this House is of no consequence, but I take a different view.

Mr. Hogg: Will my right hon. Friend inform the House that such is the Labour party's confidence in the appeal of Mrs. Fiona Jones that it decided not to meet her legal costs?

Mr. Forth: I shall come to the appeal in a moment. The other point that I want to make—

Mr. Clive Efford (Eltham): On a point of order, Mr. Deputy Speaker. Will you please point out to right hon. and hon. Members that they are not delaying Government business by conducting this debate? Instead, they are truncating a debate on a very serious issue that confronts the British people. The Stephen Lawrence debate is extremely important—

Mr. Deputy Speaker: Order. The current debate is perfectly well in order. There are many occasions in this place when there is competition between priorities as various matters are raised.

Mr. Graham Brady (Altrincham and Sale, West): On a point of order, Mr. Deputy Speaker. For the convenience of right hon. and hon. Members, will you confirm that there is no reason why the next debate should not continue until a later hour than is scheduled at present? That would mean that the debate would not be truncated.

Mr. Deputy Speaker: That is nothing to do with the occupant of the Chair.

Mr. Forth: I am pretty certain that my right hon. and hon. Friends and I would not oppose a 10 o'clock motion, were one to be moved, as we recognise the full importance of the next debate. I hope that Labour Members are not suggesting that simply because the next business is very important, the very important business that we are now discussing should be swept aside and ignored by the House. We must clarify the position when circumstances arise such as those in Newark. We must be clear, as a House of Commons, how we want to respond

to them, and my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) has given us that opportunity.

I wish to complete my reply to the hon. Member for Eltham (Mr. Efford). If Mrs. Jones had been the excellent representative in Newark that he claims, presumably the Labour party would have nothing to fear from having an early election involving either Mrs. Jones, if it were possible to do so, or her successor, reflecting in her glory.

Mr. John Hayes (South Holland and The Deepings): I have no wish to prolong the debate because I hope to speak in the next one, if I catch your eye, Mr. Deputy Speaker. I speak as a former Nottinghamshire county councillor who knows Newark extremely well.

This issue in Newark is about faith in the proper democratic process and in adequate representation, and it bears some relationship to the next debate. Against that background, it goes way beyond party matters or issues. The issue is about restoring the faith of the people of Newark in their elected representatives. That is a more fundamental issue than anyone has mentioned in this debate so far.

Mr. Forth: My hon. Friend makes a very important point. I am sure that we all suspect that the faith of the people of Newark in the political process has been shattered. It is important that we give them an opportunity to restore that faith at the earliest possible date.

The little argument that we have heard from Labour Members seems to revolve round the fact that, as there will be a relatively early opportunity for an appeal to be heard, there is no need to have a by-election at an early date. They seem to be saying that that is all right. However, my right hon. and learned Friend the Member for Sleaford and North Hykeham has said that we do not know whether the matter will end on 12 or 13 April; it could go beyond it. In fact, it could continue for a considerable period beyond that. It is unacceptable for the Government to be arguing that the people of Newark should be patient and wait for what might be a very long and exhaustive process to be completed. It is entirely unreasonable to expect the people of Newark to wait, unrepresented, for an indefinite period before a by-election takes place.

Mr. Peter Bottomley (Worthing, West): Are there not just two lowly, non-partisan points that need clearing up? Is not the first that the only relevance of the appeal is whether the former Member of Parliament will remain disqualified for five years, not whether there will be a by-election? Is not the second piece of information that the House deserves to hear from the Leader of the House—whether in an intervention or at the end of the debate—the earliest date, by her reckoning, that the by-election could take place?

Mr. Forth: I am grateful to my hon. Friend. That reinforces the point that I was making a moment ago, and goes a stage further. After the appeal process is exhausted, however long that might take, there would have to be a further selection process by the Labour party if it stuck to the argument that we have heard from Labour Members—that if, at the end of the appeal process, Mrs. Jones were cleared of the conviction, she might well be considered as a candidate. That would further prolong the matter.

Mr. Hogg: As a Member who represents a constituency adjoining Newark, I can tell my right hon. Friend that the prospect of the Labour party in Newark selecting Mrs. Fiona Jones as its candidate is negligible, because the local Labour party is wholly split. Unless she is parachuted in by those on the Government Front Bench, under no circumstances will she be the candidate.

Mr. Forth: It is not for me, or even for my right hon. and learned Friend, if I may say so, to intrude on the Labour party's selection process.

If, as the hon. Member for Broxtowe (Dr. Palmer) said, Mrs. Jones has performed an excellent job in representing the people of Newark, in spite of her difficulties, and if the Labour party is serious in its belief that she is essentially innocent and will be declared so after an appeal process, I should think that Mrs. Jones would have to be considered a possible candidate in the Labour party's selection process after the appeal process has been exhausted.

All these matters are of the greatest importance and could give rise to the thought that the House might want to reconsider the procedures surrounding by-elections, even in these unusual and, I hope, never-to-be-repeated circumstances. Because such important issues are involved, I believe that my right hon. Friend the Member for North-East Hampshire has done the House and the people of Newark a service in bringing the motion before the House today.

I hope that the Leader of the House will make it clear to the people of Newark that if the Government use their massed ranks to vote down the motion for an immediate by-election, the Government will at least have the decency to tell the people of Newark when they can expect to have a new Member of Parliament.

Question put, That the amendment be made:—

The House divided: Ayes 260, Noes 97.

Division No. 132] **[5.2 pm**

AYES

Abbott, Ms Diane	Bradshaw, Ben
Ainger, Nick	Brown, Rt Hon Nick *(Newcastle E)*
Ainsworth, Robert *(Cov'try NE)*	Brown, Russell *(Dumfries)*
Allen, Graham	Browne, Desmond
Anderson, Donald *(Swansea E)*	Buck, Ms Karen
Anderson, Janet *(Rossendale)*	Burden, Richard
Atherton, Ms Candy	Burgon, Colin
Atkins, Charlotte	Butler, Mrs Christine
Austin, John	Byers, Rt Hon Stephen
Banks, Tony	Caborn, Richard
Barron, Kevin	Campbell, Alan *(Tynemouth)*
Bayley, Hugh	Campbell, Mrs Anne *(C'bridge)*
Beard, Nigel	Campbell, Ronnie *(Blyth V)*
Beckett, Rt Hon Mrs Margaret	Campbell-Savours, Dale
Benn, Rt Hon Tony	Cann, Jamie
Bennett, Andrew F	Caplin, Ivor
Benton, Joe	Cawsey, Ian
Berry, Roger	Chapman, Ben *(Wirral S)*
Best, Harold	Church, Ms Judith
Boateng, Paul	Clapham, Michael
Borrow, David	Clark, Paul *(Gillingham)*
Bradley, Keith *(Withington)*	Clarke, Charles *(Norwich S)*
Bradley, Peter *(The Wrekin)*	Clarke, Rt Hon Tom *(Coatbridge)*

Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Cranston, Ross
Crausby, David
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Doran, Frank
Dowd, Jim
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Efford, Clive
Ellman, Mrs Louise
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Michael Jabez *(Hastings)*
Foulkes, George
Gardiner, Barry
George, Bruce *(Walsall S)*
Gibson, Dr Ian
Gilroy, Mrs Linda
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Grant, Bernie
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hanson, David
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Hopkins, Kelvin
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hurst, Alan
Hutton, John
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Johnson, Alan *(Hull W & Hessle)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kemp, Fraser
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Ms Oona *(Bethnal Green)*
Kingham, Ms Tess
Kumar, Dr Ashok
Ladyman, Dr Stephen
Laxton, Bob
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Linton, Martin
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marshall, Jim *(Leicester S)*
Marshall–Andrews, Robert
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Moffatt, Laura
Morris, Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Mullin, Chris
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Prosser, Gwyn
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Salter, Martin
Sarwar, Mohammad
Sawford, Phil
Sedgemore, Brian
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, John *(Glamorgan)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Stinchcombe, Paul
Stoate, Dr Howard
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Thomas, Gareth *(Clwyd W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Turner, Dr Desmond *(Kemptown)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Vis, Dr Rudi
Ward, Ms Claire
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*

Tellers for the Ayes:
Mr. David Jamieson and Mr. Clive Betts.

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Baldry, Tony
Bercow, John
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Rt Hon Alan *(Kensington)*
Clark, Dr Michael *(Rayleigh)*
Clifton–Brown, Geoffrey
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice & Howden)*
Duncan, Alan
Duncan Smith, Iain
Faber, David
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Goodlad, Rt Hon Sir Alastair
Gray, James
Green, Damian
Greenway, John
Hamilton, Rt Hon Sir Archie
Hawkins, Nick
Hayes, John
Heald, Oliver
Heathcoat–Amory, Rt Hon David
Hogg, Rt Hon Douglas
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
MacGregor, Rt Hon John
Maclean, Rt Hon David
McLoughlin, Patrick
Maude, Rt Hon Francis
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Ottaway, Richard
Page, Richard
Paice, James
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Rowe, Andrew *(Faversham)*

Ruffley, David
Shephard, Rt Hon Mrs Gillian
Soames, Nicholas
Spelman, Mrs Caroline
Spring, Richard
Stanley, Rt Hon Sir John
Streeter, Gary
Syms, Robert
Tapsell, Sir Peter
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Thompson, William
Tredinnick, David
Trend, Michael
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Wilkinson, John
Willetts, David
Woodward, Shaun
Young, Rt Hon Sir George

Tellers for the Noes:
Sir David Madel and Mr. Stephen Day.

Question accordingly agreed to.

Main Question, as amended, agreed to.

Stephen Lawrence Inquiry

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Kevin Hughes.]*

5.13 pm

The Secretary of State for the Home Department (Mr. Jack Straw): When I published the report of the inquiry into the tragic death of Stephen Lawrence on 24 February, I spelt out the Government's determination to take action. Last week, I published, as promised, a detailed action plan to set out our response to the report's 70 recommendations.

The action plan provides a framework for a major programme to deliver significant improvements in all key services. Much of that programme of work has already started; most of the inquiry's recommendations should be implemented by the end of this year, and the rest should be in place within three years.

I am taking personal responsibility for the delivery of the programme set out in the Macpherson report. I shall chair a steering group to oversee and monitor progress. The group will include members from the Race Relations Forum, the Commission for Racial Equality, the Black Police Association, the Association of Police Authorities, the Association of Chief Police Officers, the Police Federation, the Police Superintendents Association, Her Majesty's inspectorate of constabulary, the Metropolitan police and the Crown Prosecution Service.

I know that my right hon. Friends the Secretary of State for Scotland and the Secretary of State for Northern Ireland are considering carefully the report's implications for the criminal justice system and for policing in those parts of the United Kingdom.

As most hon. Members—particularly those participating in the debate—will, I hope, have had the opportunity of reading the action plan, I shall not go through it line by line. I should like, however, to say something about the plan's main elements.

Restoring confidence in the police among all sections of the community and increasing the openness and accountability of the police service are crucial. Only through mutual trust will our police service be able to work effectively for all sections of the community. We have to remember that, as the right hon. Member for Sutton Coldfield (Sir N. Fowler) said in his response to the Lawrence report, although it contains serious criticisms and a clear agenda for improvement of the police service—about which no one is being complacent—our police service is different from, and I suggest is significantly better than, the police services of most countries of the world, as it is founded on the essential element of trust and confidence between the community and the police service.

The new ministerial priority to improve trust and confidence in policing among ethnic minority communities will ensure that issues of central concern to those communities are given proper attention. Police performance in that sphere must improve and will systematically be assessed, as it will be in other spheres. Progress of police activities will also be assessed.

As recommended by the Macpherson report, Her Majesty's chief inspector of constabulary will be conducting a full inspection of the Metropolitan police

[Mr. Jack Straw]

service to review its community and race relations strategy. The inspection will also involve a focused examination of unsolved murder investigations. No inspection of that size and complexity has been undertaken before. Nevertheless, I am able to tell the House that the preparatory work for that inspection is well under way, and that, next month, inspection teams will begin their work.

New police discipline arrangements—another issue raised in the Macpherson report—take effect from Thursday, 1 April 1999. Key changes include introducing the civil standard of proof, a fast-track procedure to deal swiftly with officers caught committing various criminal offences and, for the first time, separate formal procedures for dealing with unsatisfactory performance.

One of the inquiry's recommendations was that I should consider the establishment of a fully independent complaints system.

Mr. John Bercow (Buckingham): I know that the Home Secretary will agree that, while we in no way wish to condemn the entire police force for the ineffective or recalcitrant conduct of a part of it, it is crucial that police conduct should not only be fair but be seen to be fair. In considering the proposal on a fully independent complaints procedure, will he accept that many people feel that it is fundamentally unjust that complaints against the police should continue to be investigated by current and former police officers?

Mr. Straw: I accept the hon. Gentleman's comment. Moreover, when he says that many people believe that that practice is unjust, these days, that also includes police officers. It is a matter of record that the Police Federation and, I believe, the Police Superintendents Association and the Association of Chief Police Officers accept the need for there to be an independent investigation of serious complaints, but not for less serious ones.

Currently, serious complaints are investigated by police services other than the one to which the relevant officers belong. In my experience, those investigations are extremely thorough and independent. None the less, the fact remains that they may not have the appearance of independence, which is why I am pleased that there is such widespread support for some changes.

Mr. Peter L. Pike (Burnley): My right hon. Friend will know that, some months ago, one of my constituents, Janet Alder, saw him about her brother, who died, almost a year ago, in police custody in Hull. Does my right hon. Friend accept that one of the problems in that type of case is that delays on the part of the Police Complaints Authority and the Crown Prosecution Service in making decisions cause considerable anxieties and concerns—that young lad is still not buried—and that we really must expedite decisions in such cases?

Mr. Straw: I am sure that my hon. Friend does not expect me to go into detail on that case, but I accept that the time that some investigations take—particularly investigations into the circumstances of a death—can cause great anxiety to relatives, although it is difficult to see how they would be conducted any quicker under an independent system.

In its report last year on police complaints and discipline, the Select Committee on Home Affairs also made recommendations for the establishment of a fully independent complaints system. Work is already under way on that proposal. A detailed feasibility study is being carried out and will be completed by April next year. I shall inform the House of the conclusions of that study.

The Macpherson inquiry raised concerns about the accountability of the Metropolitan police in comparison with other police forces. The establishment of the Metropolitan Police Authority will profoundly change the accountability of the Metropolitan police service to the communities that it serves. The Greater London Authority Bill, which is due to finish its Committee stage tomorrow, will establish an authority with virtually the same structure, functions and powers as police authorities outside London. The differences are explained entirely by the fact that the Met will continue to have national and international functions. It is important that the Home Secretary continues to play a role in the running of the service in respect of those functions.

Mr. A. J. Beith (Berwick-upon-Tweed): Does the Home Secretary recognise that the national and international functions have diminished somewhat with the creation of the National Crime Squad and the National Criminal Intelligence Service? The Home Secretary's insistence on taking such an active part in the selection of the Commissioner and the Deputy Commissioner is at variance with the Macpherson report's recommendations.

Mr. Straw: I accept that the establishment of NCIS and the National Crime Squad has changed the circumstances a little, but the Metropolitan police service still has major national and international functions relating to national security. It has functions relating to the capital that transcend the interests of some of the local communities in London and it has important international functions, as well as functions such as the protection of royalty. It is important that the Home Secretary should take an interest.

With the establishment of the proposed Metropolitan Police Authority, I do not believe that there will be any significant difference between the Home Secretary's involvement in the appointment of the Commissioner—taking account of the national and international functions—and his involvement with police services outside London. The Home Secretary has a veto over who may be included in the short list for every police force, in London or outside. That is when the crucial input into determinations is made. That point may have been missed in the debate. The Commissioner will be a Crown appointment. The other difference is that one member of the 23 on the Metropolitan Police Authority will be nominated by the Home Secretary in respect of the national and international functions of that police service. I do not believe that that is unreasonable.

Dr. Ian Gibson (Norwich, North): On the subject of police forces outside London, does my right hon. Friend have any comment on the report in *Tribune* this week that, according to Home Office figures, one third of the small ethnic community in Norfolk have been arrested by the police?

Mr. Straw: I am afraid that I have not read my copy of *Tribune* this week, but I normally do and I look forward

to it. I shall refer to stop and search powers in a moment, if my hon. Friend can await my remarks, without commenting specifically on the figures that he has given. I should be surprised if one third of the ethnic community had been arrested, but it is possible that at least one third of them have been subject to stop and search. I shall look at the figures carefully.

Mr. Simon Hughes (Southwark, North and Bermondsey): As the Home Secretary knows, we welcome the creation of the Greater London authority and the transfer of policing functions to a more democratic body. As someone who lives in south London when he is in London, he will know that the pressure on the police caused by racism and serious crime in recent years has been horrendous. When those two factors are combined, the pressure has been awful. Will the right hon. Gentleman confirm that, if the inspectorate's report makes it clear that the police in London need more resources to investigate unsolved murders, to deal with serious crime and to combat racism, the Home Office will not restrict the GLA from raising the money needed for London policing?

Mr. Straw: I shall not get into a debate about the budget of the Metropolitan Police Authority two years before it is established. We have properly funded the Metropolitan police service for this year, and I shall set the budget for next year after the usual consultation. I am sure that the new Metropolitan Police Authority, when it sets a budget for 2001, will fully take into account the needs of the Metropolitan police service.

I do not subscribe to the adjectives that the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) used about the Metropolitan police service. Of course there have been pressures on the police, but I believe that the Metropolitan police service has shown great skill in dealing with crime in London. That is reflected in its output. Speaking from memory, I can tell the hon. Gentleman that burglary is now down to an 18-year low in London, and street robbery is down to a nine-year low. There is a major agenda for the investigation of serious crime, but if the hon. Gentleman is talking about that, I refer him to the point that the right hon. Member for Berwick-upon-Tweed (Mr. Beith) just made. These days, a significant part of the investigation of serious crime, which by its nature takes place in the capital, is undertaken not by the Metropolitan police service directly but by NCIS and the National Crime Squad, which are separately funded.

I am conscious of the time, given the previous debate, so I shall move on to deal with the issue of freedom of information. Openness has a very important role to play in restoring public confidence in the police service and in increasing public confidence in other public services. I hope to publish a draft Bill and consultation paper on freedom of information in May. Under our proposals, all aspects of policing will be covered by freedom of information legislation.

We have made no secret of the fact that our proposals include two specific categories of information—information relating to informers and information relating to an investigation or prosecution—which will be exempt from disclosure under the legislation. There will be no statutory right of access to such information under the freedom of information legislation, but it is important to point out that, under separate legislation already passed, information relating to an investigation or prosecution is already disclosed to a defendant—and self-evidently has to be—when a case comes to court. However, information relating to the conduct of any such investigation—for example, how many officers are on the case, whether a computer system is being used, or what training and experience officers have in relation to similar investigations—will be disclosable subject to the appropriate harm test.

There is much more to freedom of information than legislation itself. I accept that there is a substantial amount of work to be done to ensure that there is a real cultural change towards greater openness in all public services—and that includes the police.

Mr. John McDonnell (Hayes and Harlington): I am sorry that I missed the beginning of my right hon. Friend's speech, but I was late arriving in the Chamber because I was delayed at another meeting. He may have dealt with this point, but will he give us an assurance that the reports of Police Complaints Authority investigations will be published in full? It is now almost 18 months on, and we have yet to receive the full publication of the report into the investigation of the case of my constituent Ricky Reel.

Mr. Straw: I cannot give the precise guarantee that my hon. Friend seeks, particularly in the case of Ricky Reel. I know that he has been very concerned about that case, as I have. He and I have had many discussions, and I have met Ricky Reel's family. We are seeking to ensure that Police Complaints Authority investigation reports can be published, provided that it is safe to do so. As my hon. Friend will be aware, sometimes it may not be safe to do so if it would prejudice a successful prosecution or compromise other investigations. Subject to that, we want as much openness as possible.

Effective race equality training is another crucial issue that we have to deal with if the police are to be equipped to operate fairly and effectively in today's society. I agree with the inquiry that all police staff, including CID and support staff, need such training. Ethnic minorities themselves must be involved in the development and delivery of the training.

Ms Tess Kingham (Gloucester): Will my right hon. Friend ensure that any training about the needs of ethnic minorities and racism in the police does not leave out Romany gypsies and gypsies in general, who are given protection under current legislation but who are often forgotten in training? They tend to be regarded as an open target for racism.

Mr. Straw: I will certainly ensure that my hon. Friend's point is taken on board when the training is developed.

National Police Training is already working with the Association of Chief Police Officers to develop a comprehensive programme to deal with the training issues highlighted by the inquiry. The programme involves review and revision of existing provision, setting clear standards for the design and delivery of training and identifying the best delivery methods.

The Home Affairs Committee is conducting an inquiry into the whole matter of police training and is expected to report to the House shortly. Her Majesty's inspectorate

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of constabulary has meanwhile been conducting a thematic review of police training. Once I have received and considered both reports I will announce further measures of reform.

Mr. Robin Corbett (Birmingham, Erdington): Will my right hon. Friend ensure in his discussions that the important issue of independent validation of training carried out both by National Police Training and by the individual forces is right at the top of the agenda? It is one thing for officers in the Met or elsewhere to be given training, but it is another thing entirely to validate the impact and effect of that training in the carrying out of their day-to-day duties.

Mr. Straw: I accept entirely that external validation of all training that involves public money is absolutely essential. That applies to the police service as it does to any other public service.

There is widespread agreement in the House and throughout the country that we must have a police service which fully reflects the racial diversity of the communities that it serves. I have already announced that I will set targets for forces on the recruitment and retention, and promotion, of ethnic minority officers. The targets themselves will be published next month and forces will be required to report on progress. I will be chairing a national police conference in mid-April to develop and spread good practice in this area.

Operationally, we know that there has been significant under-recording of racist incidents and a lack of understanding by some police officers of what such an incident is. One reason is that the police are used to gathering evidence to put before a court, so they apply an evidential test before deciding whether to record an incident as racist. Recording racist incidents is not about only that: it is about monitoring the level of perceived racist activity in society.

I hope that we can tackle the problem by accepting the inquiry's simplified definition of what constitutes a racist incident. The definition recommended by Macpherson is not in substance a new one. It is a simplified revision of one recommended by ACPO. As the inspectorate says in "Winning the Race, Revisited",

"in essence, an incident has a racial element if anyone says it has."

Some have criticised that definition on the grounds of its subjectivity, but it is a definition for the reporting and recording of such crimes, as the starting point of any investigation. Whether such crimes are the subject of a subsequent conviction is of course a matter for the judgment of the court on objective tests. The House will be aware that, to assist the courts, under the Crime and Disorder Act 1998, we have established new offences of racially aggravated crimes.

We accept the need identified by the inquiry for a co-ordinated response by the police and other agencies at a local level to racist incidents. The Racist Incidents Standing Committee, chaired by the Home Office, has published a good practice guide on effective multi-agency working.

Under the Crime and Disorder Act 1998, crime and disorder partnerships come formally into force this Thursday. They can play—and have already been playing—a major role in dealing with racist crime.

Ms Diane Abbott (Hackney, North and Stoke Newington): Does my right hon. Friend agree that the recruitment of black and ethnic minority police officers is one thing, but retention is an even more difficult issue? I know that he has met, as I have, the Black Police Association on several occasions. Will he give the House an undertaking that he will pay attention to the retention of black police officers and the circumstances in which they have to function?

Mr. Straw: I fully accept my hon. Friend's point. It is no good recruiting large numbers of black and Asian officers then to find that they leave the force because they are discontented with the environment in which they are expected to work. Therefore, retaining officers—and ensuring that they have similar opportunities for promotion and are promoted—is a central part of our agenda.

Ms Harriet Harman (Camberwell and Peckham): As my right hon. Friend will probably be aware, my borough of Southwark has only 4 per cent. ethnic minority police officers, but 30 per cent. of the population is from the ethnic minorities. I welcomed what he said a moment ago about setting targets. Can he tell us when we in Southwark will be able to make progress on narrowing and eventually closing that gap, to ensure that the police are properly representative of and sensitive to the community that they serve?

Mr. Straw: As I said a moment ago, I intend to publish targets next month for all forces, including the Metropolitan police service. They will not be broken down borough by borough, but that will be a matter for discussion between borough commanders, the Commissioner and—once it is established—the Metropolitan Police Authority. For all the criticism, we should remember that the Metropolitan police service has made the greatest progress in the recruitment and retention of black and Asian officers in the past few years. Their number now stands at 873, and that figure has increased by 42 per cent. since 1993. That progress provides us with some grounds for optimism that we can increase the pace in the near future.

Mr. Bernie Grant (Tottenham): Has my right hon. Friend considered the recording of a person's ethnicity, either of those involved in racist attacks or of those who are arrested and charged? When I looked into the stop-and-search figures, I found that the recording of people's ethnicity varied around the country. Will he pay some attention to that issue?

Mr. Straw: Yes, and we will introduce changes in the code of the Police and Criminal Evidence Act 1984 to ensure proper recording of individuals' ethnicity. Without effective and accurate recording, we cannot make proper judgments about how the police do the job we expect of them.

Like the inquiry, I strongly believe that the powers of stop and search are important for the prevention and detection of crime. However, I accept that there may be a

disproportionate use of those powers against ethnic minority communities and that discrimination is likely to be one of the factors that explains that disproportionate use. We have commissioned research within the Home Office to gather information on current practices within forces to access the practical implications of the inquiry's recommendations. We welcome the five pilot projects in the Metropolitan police service—in Tottenham, Brixton, Hounslow, Plumstead and Kingston—which are developing strategies to use those powers effectively. Following evaluation, we will review the recording of stops and, if necessary, introduce further new arrangements by the end of next year.

The inquiry also made recommendations on education. My right hon. Friend the Secretary of State for Education and Employment is taking a number of steps aimed at promoting cultural diversity and preventing racism in our schools. Citizenship education, which will foster an understanding of cultural diversity in Britain, has a prominent place in the revised national curriculum. The Government are determined to prevent pupils being tormented by racist bullying. The Department for Education and Employment will ensure that all schools have effective anti-bullying policies that can deal effectively with incidents of racial harassment. Further steps will be taken to ensure that all racist incidents are recorded and that parents and governors are informed of the nature of the incident and the action taken to deal with it. The fact that I am joined on the Treasury Bench by my hon. Friend the Minister for School Standards indicates the seriousness with which we take the inquiry's recommendations on education.

Recommendation 38 states that consideration should be given to

"permit prosecution after acquittal where fresh and viable evidence is presented."

The recommendation says only that the matter should be considered, and the inquiry did not come to a conclusion on its merits. As the inquiry asked me to do, I have asked the Law Commission to consider that recommendation.

In recommendation 39, the inquiry proposed that I, alone, should consider

"amendment of the law to allow prosecution of offences involving racist language or behaviour, and of offences involving the possession of offensive weapons"

in the home. I have made it clear that I have serious reservations about going beyond the law as it stands. I well understand the inquiry's concern, which stemmed from the behaviour of the five suspects, to which the report refers in chapter 7. We must balance those concerns with the rights to privacy and family life and to freedom of speech, which are enshrined in the European convention on human rights, as well as with obvious practical considerations. We will reach conclusions by the end of this year.

Mr. Harry Cohen (Leyton and Wanstead): Will my right hon. Friend give way?

Mr. Straw: Would my hon. Friend allow me to continue? I have already taken getting on for 25 minutes, and hon. Members on both sides of the House wish to take part in this truncated debate.

All that I have outlined represents a significant agenda for change. We must work together to build a Britain of which we can all be proud and in which racial equality is a reality. I do not want this to be a partisan agenda. I am grateful to the right hon. Members for Sutton Coldfield and for Berwick-upon-Tweed for their active support for the agenda set out in the report, to which they assented when I made my initial statement on 24 February.

The publication of the inquiry's report on that date was overshadowed by events to which I will refer briefly. First, there was the leaking of the report the weekend before publication. I have explained to the House my reasons for seeking an injunction to try to preserve the confidentiality of the report before it was presented to the House. I shall in due course publish the conclusions of the leak inquiry to the House.

Secondly, on the evening of publication of the report, the memorial plaque at the place where Stephen Lawrence died was vandalised. That appalling event shows how far we still have to go to tackle racism in our society. I visited the plaque with Mr. and Mrs. Lawrence to lay flowers on the day after the report's publication, and I want to pay tribute to them again for their continued dignity and courage through all these events.

My hon. Friend the Minister of State explained to the House on 26 February the circumstances surrounding the dreadful publication of the unamended—so-called unredacted—version of appendix 11 of the inquiry's report. As I have said, both in and out of the House, I am very sorry indeed that the error occurred. The Metropolitan police have been working hard to make sure that every measure is taken to ensure the safety of the witnesses named. I thank the police officers and civilian staff concerned for the way in which they have responded in this matter.

I visited Eltham with my hon. Friend the Member for Eltham (Mr. Efford) on 18 March and spoke to residents about their concerns. I want to record my appreciation and that of the local residents for all the work done by my hon. Friend in the lead-up to the report. He has represented the interests of his constituents, including the Lawrence family, and he has done a huge amount of work subsequently in the light of all the problems that arose following publication of the unredacted version of appendix 11.

The Government are determined—as I hope is the House—that events such as those must not distract us from our determination to take forward the agenda to implement the recommendations of the inquiry. Our vision is of an inclusive society, in which people are treated equally regardless of race, in which equality of opportunity for all is key and in which we, as a society, celebrate diversity in our lives and our communities. Our country—our Britishness—has been shaped by many different peoples over the centuries, broadening our languages and customs.

Britain was the host nation for a new labour force that we desperately needed—we sought it in the Caribbean and in Asia—and welcomed in the 1950s. Some groups came here and prospered, but the welcome was not wholehearted for many of them, despite the fact that we had invited them to emigrate here. While our record of race relations is better than that of many nations, there can be no room for complacency.

The Stephen Lawrence inquiry recommended that the Government should extend the Race Relations Act 1976 to the police. We agree, and as I told the House on 24 February, we will go further. The Act will be extended

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to cover all public services. It is time for the public service to put its own house in order on race equality. As employers, our track record could be very much better. To pick up a point raised by my hon. Friend the Member for Hackney, North and Stoke Newington (Ms Abbott), it is not only the police service that has much to do on the recruitment, retention and promotion of ethnic minority staff. That applies across the piece in public services.

I am sorry to say that most public services lag significantly behind the best in the private sector. I am setting targets for all services in my Department for the recruitment and progression of ethnic minority staff. I expect all my ministerial colleagues to do the same for their services. We have to remove all the barriers that prevent our young, and older, ethnic minority people from achieving their full potential.

Eighteen years ago, the House was discussing how to take forward Lord Scarman's recommendations following the Brixton riots. Much was set in hand after that report. Getting on for two decades after Scarman, why are we confronted with the findings of the Stephen Lawrence inquiry, so many of which appear to replicate those of Scarman? Part of the problem was that the focus after Scarman was on policing issues alone. I believe that the crucial failing was that the implementation of the Scarman agenda treated race and the whole issue of community relations as a bolt-on extra to the police's work. That is why, in my judgment, the changes required by the Lawrence inquiry will work only if they are systemic—embraced by the culture of the police force as well as in its practice. That must mean that they are implemented in the mainstream of the service at every level and do not become an add-on extra.

Providing a police service in which all sections of our multiracial, multicultural society can have trust and confidence is not peripheral to policing but its core task. I am determined that we will not be distracted from that task as perhaps we were 18 years ago after Scarman. We will take all the recommendations forward as a package. For each area covered by the recommendations, the action plan sets out the main programme of work, who will have lead responsibility for taking it forward, the milestones for progress and how we intend to review and assess its outcomes. My steering group to oversee implementation of the programme as a whole will meet for the first time in early May.

I am determined that the momentum should be kept up. I thank the right hon. Member for Fylde (Mr. Jack) for his suggestion that there should be an annual report on progress and an annual debate in the House. I can announce today that, in the light of his suggestion, we will publish an annual report on progress. I shall discuss an annual debate with my right hon. Friend the Leader of the House.

I have set out the comprehensive programme of action that the Government have set in hand in response to the Stephen Lawrence inquiry. It is the first stage in building non-racist public services—the first step towards a fairer, more just and much more equal society. I am determined to build a society where everyone, regardless of colour, race or religion, has an equal opportunity to succeed. I want the public services to lead the way as a diverse work force, and to lead the way in setting the best standards of service to the public. As I have already said, there is much that we can learn about that from the best of business, and we need to work together. Our public services need the most able and enthusiastic recruits from all communities, people who want to make a difference. The difference will be a fairer, stronger society that is better for us all. As I said on 24 February, it is that which will be a true testament to the memory of Stephen Lawrence.

Mr. Deputy Speaker: Before I call the right hon. Member for Sutton Coldfield, (Sir N. Fowler), I remind the House of Madam Speaker's decision that there will be a 15-minute limit on Back-Bench speeches.

5.49 pm

Sir Norman Fowler (Sutton Coldfield): In view of the time constraints, I will seek to be short.

Beyond any doubt, the Macpherson report is important and should not be allowed to gather dust. There are parts with which I disagree, and I have other criticisms of the way in which it has been handled. However, I make it clear at the outset that I in no way challenge the central messages of the report.

The death of Stephen Lawrence was a cruel and unnecessary tragedy. It was a racist murder, and there is no question but that the investigation that followed was deeply flawed. It is an affront to our sense of justice that the murderers of Stephen Lawrence remain at liberty. I am also in no doubt that the murder and the events surrounding it symbolise the challenge that we face in this country. That challenge is not remotely confined to the police: it is a challenge to us all. Our common aim must be to prevent racial discrimination in this country, and I reassert our total opposition to racially prejudiced behaviour of whatever kind. That entails not just uttering the right words but acting in the right way to prevent such discrimination.

I also recognise that the police must do more to win greater trust among ethnic minority communities. The Macpherson report levels criticism in that area, but it is important to emphasise that it does not seek to paint policemen and women serving today—often under difficult conditions—as racist. The report does not justify launching a general attack on the police. Police feel a vast amount of good will for the cause of improving relations. We should recognise that fact and not allow under any circumstances the present difficulties to be exploited by those who are antagonistic towards the police service.

I do not wish to avoid the challenge of the Macpherson report; nor do I wish to hide behind the currently fashionable criticism that it is badly written. It may be, but, if we are to ignore reports on those grounds, all kinds of official documents will bite the dust. The Home Secretary might even be able to make another tasteless joke about my books rather than being guided by my message. I believe that the Macpherson report sets down a fundamental challenge—and doing nothing is not an option.

I shall deal chronologically with the events surrounding the publication of the report. It is a great pity—the Home Secretary touched on this point towards the end of his speech—that the handling of the report has not matched the importance of its message. The House can judge such matters. The House can judge whether action could and

should have been taken earlier to prevent witnesses from being put in danger. I think that that was possible and that such action should have been taken.

The House can also judge whether the Home Secretary was correct in seeking an injunction against the whole of the British media because *The Sunday Telegraph* quoted in advance three or four paragraphs of a report that was to be published in a few days' time in any event. Personally—the House knows my interest as a journalist and as chairman of a newspaper company—I believe that that was both wrong and an overreaction. Even more crucially, the distinguished legal commentator David Pannick said that, according to legal principles, the injunction

"should not have been sought and it should not have been granted."

For the purposes of this debate, the central issue of pre-publication is as follows. We know that the Macpherson report was leaked deliberately and we know also—or at least strongly suspect—that the aim was to influence opinion in advance of publication. That is important for this reason: the purpose of the leak appeared to be to implant a message that was very hostile to the police and to the Commissioner. I have a copy of the first edition of *The Sunday Telegraph*, which was later withdrawn. I was given it in a BBC studio during an interview about the incident. The article has "Censored by the State" written on it. More seriously, the report states that the position of the Commissioner was highly vulnerable, and continues:

"Home Office officials have told the Sunday Telegraph that his position will be untenable if he does not accept the stinging personal criticism levelled at him by the report and that ministers would have no option but to demand his resignation."

Someone among the small group of people who had access to the report deliberately leaked its contents in order to send a particular message. I believe the public have a right to know what happened and who was trying to exert that influence. For the purposes of this debate, I give notice to the Government that we do not intend to allow the matter to drop. An injunction against the media is, by any standards, an important step, and an injunction that follows a leak from the Home Office or the inquiry team raises some very important questions.

I have no intention of moving through all 70 recommendations in the Macpherson report. I will concentrate instead on what I regard as the most important. It seems to me that the first and most fundamental recommendation is that a ministerial priority should be established for the police

"to increase trust and confidence in policing amongst minority ethnic communities".

That proposal is fundamental, but contains nothing new in principle. Since the formation of police forces in Britain, the police have had to win the public's trust. It has never been enough for the police in this country to say, "My uniform is my authority." From the start, the service has had to win respect from a public sceptical about the idea of an organised police force. As it happens, I believe the police have been astonishingly successful in that regard. However, no one doubts that much more must be done to improve relations with and trust within ethnic communities.

Macpherson sets out a range of proposals for achieving that objective. I suppose the most attention has centred on the proposal to make the police subject to race relations legislation generally. Subject to one proviso—which I shall come to later—I do not dispute that principle. It would be strange if the private sector were subject to race relations legislation but not the public sector, including the health service, the civil service and the police.

However, I have a different point about improving relations. I suspect that the proposals in Macpherson that will make the difference are not those that hit the headlines but the less dramatic recommendations, such as better training and the introduction of family liaison officers. For example, the report suggests that training courses designed to establish that good community relations are essential to good policing can achieve a great deal.

I think that that kind of approach will work because every opinion poll conducted in this country shows that the police service generally is one of the most respected services in this country. It remains a generally unarmed service. Relations between the community and the police are better in the United Kingdom than in any overseas country. Most people still regard the police as friends and believe that they can turn to the police service for help. The foundation of general public support exists already and can be built on and extended.

The general complaint about the police in Britain is not that they act officiously or are insensitive or inefficient but that there are not enough of them to meet the demands that the public legitimately place on them. The people want—this is also the message of the Macpherson report—an extension of community policing to every area. We should recognise that good community policing cannot be achieved by a police force that simply responds to emergencies, waits for 999 calls or patrols predominantly in cars. That is not what the public want.

Macpherson does not touch upon the strength of the police, but that fundamental requirement flows from the report's argument: we cannot achieve all that the report seeks to achieve if police forces are declining in strength. In international terms, the British police service is already small. In New York, there are 40,000 police. In London—which has the same population—there are 26,000 police, and that number is decreasing. If we are to be serious about joined-up Government policies, the issue of police strength must be tackled.

I strongly endorse one proposal in that area—there is nothing between me and the report on this point. It would benefit everyone if more policemen and women from ethnic minority backgrounds not only served in the police force but were retained by that force. I agree with the point made by the hon. Member for Hackney, North and Stoke Newington (Ms Abbott); it is not enough merely to recruit. It is also necessary to ensure that there is progress so that every recruit is given the opportunity to rise to the highest ranks in the police service. That must be the aim of any recruitment and retention policy.

What is my proviso about the proposals for the police? My concern is not that each of the different recommendations cannot be justified, but that, when all the recommendations are taken together, they might appear to add up to an onerous set of new obligations for serving policemen and women. We need to be careful about that. In their anxiety to do good and to change attitudes, the Government must guard against being too officious by introducing too many rules and giving the police the impression that they are constantly under

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investigation—under race relations legislation, by the inspectors of constabulary armed with new powers, by organisations such as the Audit Commission and, of course, under the complaints procedure.

A range of changes are in prospect for the complaints procedure and the disciplinary code—a new code with a new burden of proof. As the Home Secretary mentioned, there is the prospect of a new body to carry out investigations. As a result of the Macpherson report, there is now the prospect that a disciplinary offence—not a criminal offence—can hang over a policeman for up to five years after he has left the service. I have serious doubts about that, and even more serious doubts about another issue that the Home Secretary has added to that list: that he intends to consider whether legislation should be introduced to enable police pensions to be forfeited for serious disciplinary offences.

When my hon. Friend the Member for New Forest, West (Mr. Swayne) and I raised that matter at Home Office questions on 15 February, we were told by the Under-Secretary, the hon. Member for Vauxhall (Kate Hoey) that we had been badly briefed and that powers already existed. It is now clear that the hon. Lady was badly briefed and that, as my hon. Friend and I suggested, powers for disciplinary offences do not exist—and, in my view, nor should they. A pension cannot simply be confiscated; both the Labour Government and the previous Conservative Government have said that a pension belongs to the individual. I fear that the proposal will take us back to the days of grace-and-favour pensions and will be regarded as offensive in the police service.

Mr. Straw: I think the right hon. and learned Member for Folkestone and Hythe (Mr. Howard) will confirm that it is already the case that, when a police officer has, for example, been convicted of a serious criminal offence and the Secretary of State signs a certificate stating that that conviction brings the police service concerned into serious disrepute, that police officer may forfeit up to 75 per cent. of his pension. That is the portion of the pension that was contributed by the state; the remaining 25 per cent. is never subject to forfeit because that amount is assumed for these purposes to have been contributed by the individual.

Sir Norman Fowler: That is a rather dodgy argument, if the right hon. Gentleman does not mind my saying so; it could apply to any other pension scheme. The fact is that ownership passes. I do not dispute the fact that what the right hon. Gentleman describes is true for serious criminal offences, but he is not confining his proposal to such cases. He is saying that such considerations should be taken into account in respect of disciplinary offences. I am questioning that proposal.

Mr. David Maclean (Penrith and The Border): If the Home Secretary is considering the removal of the part of a police officer's pension that he is entitled to remove for serious disciplinary offences—possibly including racist offences or racist language—and as the Macpherson report has indicated that most of our institutions are also in need of reform, surely such a proposal should extend to health service workers and the whole of government and the civil service? Police officers would think that it was unfair for their pensions to be removed for certain offences while civil servants and others did not have their pensions removed if they committed similar offences.

Sir Norman Fowler: I hope that our debate will be constructive, so I would say that the Government need to think carefully and deeply about that matter and any precedents that it might set. I understand the point made by my right hon. Friend; as he is aware, I was involved with pension policy, so perhaps I have a greater interest in the subject than most people.

The general message sent out by that kind of proposal is even more important than its specifics. I believe that most police officers are overwhelmingly sympathetic to the case for reform, but in that process of reform it is essential that the Government take the police service with them. It will be in no one's interests to have a demoralised service reacting defensively; everyone should be aiming at having a police service that positively embraces and supports reform.

Mr. Andrew Rowe (Faversham and Mid-Kent): Will my right hon. Friend give way?

Ms Abbott: Will the right hon. Gentleman give way?

Sir Norman Fowler: Yes.

Mr. Deputy Speaker: Order. May I establish to whom the right hon. Gentleman is giving way?

Sir Norman Fowler: It is self-evident, Mr. Deputy Speaker: I give way first to the hon. Member for Hackney, North and Stoke Newington (Ms Abbott).

Ms Abbott: I am grateful to the right hon. Gentleman. I have listened carefully to his arguments about the onerous burdens that are being placed on the police. Does he accept that the police are in a different position from members of other public services? They alone have power over people's liberty—almost the power of life and death. It is not unreasonable that higher standards should be expected of them even than of people in other parts of the public sector. Does the right hon. Gentleman also realise the great concern among people—black or white, living in London or outside it—that serious allegations may be made against policemen and that they can walk away from those accusations simply by resigning and continuing to draw their pension? That does not apply only in the Lawrence case, but to a series of deaths in custody.

Sir Norman Fowler: I accept that there is a case to be explored and answered. I certainly accept that there must be the highest possible checks on the police. However, I advise the Government that it would not be right or sensible—nor would there be public support—if a set of proposals that were seen to be unjust were imposed on the police. That would be wrong.

Mr. Straw *rose—*

Sir Norman Fowler: If the Home Secretary will allow me, I shall give way to my hon. Friend the Member for Faversham and Mid-Kent (Mr. Rowe) and then I shall give way to him.

Mr. Rowe: I share my right hon. Friend's anxieties about the proposed pension arrangements. Is it not likely

that some of the older members of the police force might find it hardest to adapt to the new requirements—however necessary they might be—and that, in order to ease that problem, such officers might be expected to retire early? However, if, at the same time, their pensions were put at risk because of the behaviour that had caused the demand for their retirement, would that not be unfair?

Sir Norman Fowler: What would be unfair would be the imposition of a serious disciplinary offence that was considered unjust by the service and by the public. Rather than that we should all take entrenched positions, I urge that we should give these matters careful thought and consider whether it is sensible to proceed down that road.

Mr. Straw: I entirely agree with the right hon. Gentleman. He said that the matter needs to be explored, and that is true. However, it is crucial that what we do is fair not only to members of the public but to police officers; I have made that point on many occasions, in the House and outside it. As my hon. Friend the Member for Hackney, North and Stoke Newington (Ms Abbott) pointed out, the police do an extraordinary job. It is precisely because they do such an extraordinary job that that fact needs to be recognised in their terms and conditions of service.

Sir Norman Fowler: I think that that was a concession and that we are coming together. If the Home Secretary is agreeing with me, I shall move on, with that in my pocket. I genuinely believe that it is sensible to try to reach agreement on these matters.

We can also take it from the Home Secretary's published response to the Macpherson report that two other proposals are destined for the legal knacker's yard. The proposal in respect of double jeopardy—prosecution after acquittal—is set down as accepted by the Home Secretary, but what he means is that he is content for it to be considered by the Law Commission, and the word "consideration" is there in italics. Although I agree that it might be considered, I would be amazed if the Law Commission did not reject it. Similarly, the Government are right to be wary of changing the law in respect of racist language used in private places, such as a house. I do not think the Home Secretary mentioned this matter—

Mr. Straw: I did.

Sir Norman Fowler: I beg the right hon. Gentleman's pardon.

Whatever our views, we have to pass law that is enforceable by the police and the courts and that does not infringe other rights. Therefore, I believe that that proposal should be rejected. I should add that, if anyone wants confirmation of the sort of people we are up against, they should read appendix 10 to the report, which contains an account of the language used by some of the suspects in the case.

There is one further point to be made. Although the focus of the report is better community relations, some of the recommendations have a general application, as they relate to far more than one service. Take freedom of information. The Home Secretary mentioned that the report proposes that a freedom of information Act should apply to all areas of policing. However, proposals such as freedom of information cannot be considered in isolation, or as always applying to someone else; Government Departments have to apply them to themselves. In the topical case of the inquiry into the leak of the Macpherson report, the Home Secretary has personally blocked every sensible piece of information that is capable of being blocked. To give but one example, I asked, not for the individual identity of those being questioned, but whether, as a class, Ministers, officials, or ministerial advisers would be questioned. I was told by the Home Secretary:

"It would not be in the interests of the leak investigation now under way to give these details."—[*Official Report*, 4 March 1999; Vol. 326, c. 855.]

Ms Abbott: Quite right.

Sir Norman Fowler: I know that the hon. Member for Birmingham, Edgbaston (Ms Stuart) will support any restriction—

Ms Abbott: I said that.

Sir Norman Fowler: Oh, it was the hon. Member for Hackney, North and Stoke Newington. In that case, I am amazed. In all seriousness, we should avoid imposing obligations on the police that we are not prepared to accept ourselves.

Another proposal that has general application and commands agreement on both sides of the House concerns victims of crime. Macpherson criticises the police for dealing with the Lawrence family in a patronising manner. I can think of few things more hurtful than that and I hope that the wider use of family liaison officers will help to address that problem. However, the principle goes far wider, because, even now, we do not look after the victims of crime well enough. We appear to believe that, after a certain period, people automatically come to terms with their loss, but that is not necessarily true; as I learned at the initial meeting of Victims Voice last year, the loss continues and we should do more generally to help crime victims.

Fiona Mactaggart (Slough): Is the right hon. Gentleman aware that, in countries where freedom of information legislation applies to the investigation of crime, it is often used by victims; and that in many cases—for example, in south Australia—victims' being able to give information to the police has led to successful prosecutions? Does he not think that more powerful freedom of information legislation might help in this country?

Sir Norman Fowler: I was not arguing against freedom of information. I must confess that, in the past two years, I have become a strong convert to the cause, because getting information out of the current Government is enough to tax any Opposition. I say, as gently as possible, that if we are to have freedom of information, I want it to apply not only to the police and the other public services but to the Home Secretary. We look forward to the Home Secretary's draft Bill on that subject, but I must admit that a Home Secretary who has just introduced an injunction on the whole of the British media would not necessarily be my first choice to introduce a freedom of information Bill.

[Sir Norman Fowler]

There is a great deal in the report with which hon. Members from all parties can agree. No doubt there will be some who try to exploit the criticism of the police, and others—including, I suspect, one or two lawyers—who will never be satisfied. However, in my view, most people in this country will support a policy of constructive reform and, to an overwhelming extent, policemen and women will support it as well. That does not mean that each and every one of the proposals will receive support, but there is no doubt about the general support that the report commands.

For our part, the Opposition will support sensible measures to combat racism in this country; sensible measures to promote trust between the police and ethnic minorities; and sensible measures to work to eliminate racial discrimination, which clearly offends any concept of equality of opportunity in this country. We shall not support generalised attacks on the police or measures that unnecessarily harm the morale of the service; nor shall we support the making of bad law, however well-intentioned it is, or measures that infringe other rights. It is a question not only of condemning racism—although that is important—but of finding the right measures to fight racism. That second task will be far more difficult than the first, but we shall certainly do our utmost to help.

6.17 pm

Mr. Clive Efford (Eltham): First, I pay tribute to my right hon. Friend the Secretary of State for the Home Department for having established the public inquiry, and to Mr. and Mrs. Lawrence for their tireless campaign.

Our debate is about the sort of society we want for ourselves and, most important, for our children. Mr. and Mrs. Lawrence have said on numerous occasions that they want Stephen to be remembered for bringing an end to racial division in our society. No other parent should have to go through what they have been through. During the inquiry, Mrs. Lawrence said that she wished that Stephen had had the chance to bridge the divide between black and white. At the end of the inquiry, Neville Lawrence said:

"This is a very small place, this world of ours, we have to live together and now we have to say: let us put the past behind us, join hands and go forward."

Those are the sentiments of two parents who have been subjected to the most outrageous injustice. They are calling for change for the better and it is in that spirit that we should follow their lead. We live in a multiracial, multi-ethnic society and it is time we started to educate it and police it as such.

The report has had a dramatic effect on the community that I represent. There can be no doubt that the people who have suffered the greatest injustice are Mr. and Mrs. Lawrence, their family and, most of all, Stephen himself. However, the injustice done to many of the people named in the report has changed their lives. Some of them were only schoolchildren at the time when they gave evidence to the police, repeating hearsay that they had heard on the street or in the playground. They were too young to understand the importance of what they were saying, let alone that it might be published in a blaze of publicity six years later. Others were people who wanted to help the police to solve a terrible crime, or who came forward in response to an appeal for witnesses from Mr. and Mrs. Lawrence. Mr. and Mrs. Lawrence have expressed their concern for all those people, some of whom were given no idea that their names had been made public at the inquiry and would be published in the body, not merely in the appendices, of the report. Regardless of who is to blame for the publication of the appendices, too little regard was given to those people in this affair—until it was too late.

I am grateful to the Home Office, the police and the London borough of Greenwich for the support that they have given my constituents. However, my constituents should never have been put in such a situation in the first place. My right hon. Friend the Home Secretary should set out clear guidelines so that no error of this nature can again have such a devastating effect on the lives of innocent bystanders. We should never have to hold an inquiry of such magnitude again—lessons must be learned and procedures set out so that those mistakes can never be repeated.

Throughout the inquiry, I was forced to defend my constituents from the excesses of the media. On the morning following the publication of the report, I began the day by defending my constituents because they were being portrayed as racists who had not assisted the police in their investigation. Later that day, the report itself was being attacked over the release of the names of dozens of people who had come forward with information. People in my community are angry that they are being denigrated as racists because they have an Eltham postcode. The report states categorically that the police did not meet with a wall of silence when they appealed to the local community for information following Stephen's murder.

I thank my right hon. Friend for taking the time to visit Eltham to meet members of the local community and parents of the children from the estate that has recently featured in the media, and for expressing his concern over the way in which they have been treated. To suggest that racist violence is peculiar to Eltham is to suggest that problems do not exist elsewhere. That is to undermine the report.

Racism exists in our society today; it permeates every section and every institution. It is the responsibility of all of us—the decent-minded majority—to confront racism in all its forms, to provide education where there is ignorance and guidance where there is prejudice, and to be intolerant of those who place themselves beyond the bounds of human decency. It cannot be solved by this report alone; the process is on-going. I welcome my right hon. Friend's announcement that he will personally lead the steering group to co-ordinate and monitor the implementation of the recommendations.

In contrast to the response to the recommendations of the Scarman report, such as they were, which were allowed to gather dust on a Home Office shelf, the Macpherson report is the beginning, not the end, of change. I say to my right hon. Friend the Home Secretary that Mr. and Mrs. Lawrence should be part of his steering group. They are responsible for bringing us to this point, and have the right to see the issue through.

In my written submission to the second phase of the inquiry in July, I stated that I believed that the Metropolitan police were institutionally racist. The canteen culture that permeates the police allows the swaggering bigots to dominate in a system that militates against those who would challenge such behaviour if they were given the confidence

that the police service would back them if they did so. I called for police recruits to be vetted, to weed out as far as practicable those who uphold racist views. Our police force needs to undergo fundamental change.

Sir John Woodcock, the then chief inspector of constabulary, stated in 1992:

"What is happening to the police is that a nineteenth century institution is being dragged into the twenty-first century. Despite all the later mythology of Dixon, the police never were the police of the whole people, but a mechanism set up to protect the affluent from what the Victorians described as the dangerous classes."

That change is still being resisted. We must not be deceived into believing that there is no resistance today.

I was not one who called for the resignation of Sir Paul Condon on the publication of the report. I took the view that there is no shining white knight—it would be a he, and he would be white—standing in the wings who would do anything different from Sir Paul Condon. On many occasions, he has said that he accepts the inquiry's findings. If he did not mean what he said, and intends to prevaricate over their implementation, he should resign now. Leadership that brings about change is required; it is no longer acceptable to say the right things but achieve nothing.

Scarman rejected the notion that the Metropolitan police were racist. He stated:

"The direction of policies of the Metropolitan Police Service are not racist. I totally and unequivocally reject the attack made upon the integrity and impartiality of the senior direction of the force".

He went on to accept that some officers, particularly those below the level of "senior direction", were guilty of

"ill considered immature and racially prejudiced actions in their dealings . . . with young black people".

Eighteen years on, we are still having the same arguments. If the police have failed to change, "senior direction", as Scarman put it, has failed to deliver the changes required.

It is clear that the police must come within the scope of the Race Relations Act 1976. We must end the secrecy that surrounds investigation of police activities. It is unacceptable for the police to continue to investigate the police. There should be full disclosure of all areas of policing. Secrecy should be maintained only in the public interest, and not in the interests of those who are being investigated. Public confidence can be restored only if there is full disclosure and effective scrutiny in order to ensure that the system is being applied in the public interest.

Having said that, I must also say that I recognise that the majority of officers, like the residents of Eltham, are angry at being accused of being racist when they feel that they are not.

We must recognise the work that the police are doing to tackle racist crime. Deputy Assistant Commissioner John Grieve, who heads the Met's racial and violent crime task force, stated at a recent seminar in Greenwich that one of the police's problems was that they had stopped listening to their most trenchant critics. The police are beginning to understand that "colour-blind policing" is not the way in which to police a multicultural society. They are beginning to consult members of the black community in the investigation and prevention of crime, something that is to be welcomed and encouraged. The police merely reflect the society from which they recruit. That was not accepted at the time of Scarman, but must be accepted now if we are to carry through the report's recommendations for the good of us all.

We must view the recommendations as the minimum that we should do to tackle racism in our society. We should view debate around the issues raised in the report as a positive step—even when such issues are controversial. The issue of double jeopardy is to be considered by the Law Commission, and will be the subject of further debate. I shall therefore not dwell on it for too long. There must be a mechanism to allow for a retrial where a significant amount of new evidence has come to light. I accept that that must not be automatic, and that there should be rigorous examination of the evidence before that could be done. Perhaps there should also be an independent re-examination of the original police investigation to determine why such new evidence has suddenly come to light. That may alleviate some people's fear that the police might not put every effort into the original investigation.

The other controversial issue is that of policing racist language in the home. I commend the inquiry for raising the issue. I share the concerns about civil liberties and how law on such a matter could be enforced. We must consider what the inquiry is trying to achieve by such a recommendation. Primarily, it is concerned with the effect that the matter-of-fact use of racist language in the home has on the minds of young people. Schools are attempting to confront young people who use racist language, to get them to understand the reasons why it is wrong. The problem stems from the home where such behaviour is commonplace. At the end of the day, parents who instil such views in their children must be forced to account for their action.

Where a child is constantly using racist language in defiance of every reasonable attempt to educate him to understand why such language is unacceptable, a multi-agency approach is required to engage the parents in the process to deal with the problem. That may be achievable through parental orders under the Crime and Disorder Act 1998, as set out in the report's recommendations.

The report recommends that the national curriculum should be amended in a way that is

"aimed at valuing cultural diversity and preventing racism".

Schools already do a great deal, which must not be overlooked, but we must understand that teaching children about other cultures does not constitute anti-racism. Children must be made aware of what damage racism does to the victim.

The final recommendation on the on-going process of building and maintaining harmony in our communities is probably the most demanding—but, potentially, the most rewarding. The report has focused too much on institutions and not enough on challenging community groups and police consultative groups to address its findings. In a predominantly white community, there is often little representation of black individuals, and the problems faced by members of ethnic minorities are often overlooked. We must ensure that the whole community is engaged in seeing through the recommendations.

We must now begin the process of restoring confidence among all sections of the community. In 10 months, Sir Paul Condon will retire as Commissioner of Police of the Metropolis. That gives us a great deal of time to consider what we can and should expect from the Commissioner. It also gives us a chance to engage a cross-section of the community in that discussion. That could prove to be an

[Mr. Clive Efford]

enormous gesture to the black community, which could help to restore confidence in the Metropolitan police, and I urge my right hon. Friend the Home Secretary to consider engaging the community in that debate.

At the time of his murder, Stephen had a split second in which he could have chosen to run. He was an excellent athlete, as well as an excellent student, and it is possible that he would have outrun his attackers, but he did not run. The fact that to run was not Stephen's first instinct is a powerful statement to us all. He had done nothing wrong. He had been brought up to understand the difference between right and wrong. A few moments in the company of his parents would enable anyone to understand why that is the case.

Stephen could not have known that what would happen to him in the next few moments would be fatal, but he knew that he had right on his side, and he did not run. He saw nothing from which he should run, and for that he suffered an enormous injustice that his parents have continued to experience in their campaign. It is up to us now to demonstrate the leadership that will prove right the instinct that Stephen had on that road in April 1993.

6.31 pm

Mr. A. J. Beith (Berwick-upon-Tweed): We regard the report as extremely valuable. If it is implemented, it will enable us to move on from the appalling tragedy of Stephen Lawrence's murder and the failures of policing that the report revealed to an active campaign to rid our society of racism. The hon. Member for Eltham (Mr. Efford) has every reason to be as aware as anybody of the magnitude of the task. He spoke effectively and from experience about that.

The hon. Gentleman referred to the disclosure of information about witnesses in the publication of the appendix to the report. I shall clear that point out of the way now, lest it obscure the value of the report. I remain amazed that the inquiry team could have included that material in the appendix and that nobody in the Home Office spotted that fact during the nine days in which it had the report because, in every court in the land, every week, decisions are made to ensure that the names of people giving information do not become known, and I serve on a Committee that has to carry out a similar task in its work. An appalling error was made in both organisations. The formal responsibility lies with the inquiry team and has been accepted by Sir William Macpherson, but it is horrifying that the mistake could have occurred in the inquiry offices and the Home Office.

Without the Lawrence family, this report would not have been produced, because they rightly insisted again and again that a report was needed. We welcome the fact that the Home Secretary agreed to set up such an inquiry and has responded fully to it, although I am anxious about a few of his responses.

The initial police response has also been encouraging. When the report was published, the chairman of the Police Federation, Fred Broughton, said that it made painful but persuasive reading, but it was an opportunity for the police service to make

"real and lasting change and put its house in order".

He said also that

"we must look to the future and address our own agenda, structure and culture if we are to police with everyone's support."

That is a recognition by those whose responsibility it is to represent police officers—including representing them in disciplinary proceedings as well as representing their interests generally—that much work has to be done. That is an encouraging statement.

The investigation and the first inquiry were riddled with instances of amazing incompetence. If one removes the elements of racial stereotyping, it is still difficult to understand why the police behaved so incompetently, and that makes it more likely that racial stereotyping partially explains that incompetence. Frighteningly ignorant racial stereotyping appears to have led police officers to jump to conclusions and dismiss courses of action that they might otherwise have taken. They thought, "If the case involves a black person, he must have been in a fight. A black family would not understand us."

There was, however, real incompetence and a lack of basic attention to duty, to duty of care and to all the considerations that experience has led us to expect from police officers. That made their incompetence genuinely surprising to many people, except, perhaps, those who have found themselves in a situation similar to that of the Lawrence family, in which an unsolved crime has not been subject to the proper professional approach. For each of those people, there are many more who have experienced police officers doing their job properly but, in this instance, there was some of the worst incompetence that it is possible to find in policing.

As well as that lesson about incompetence, the Lawrence inquiry concerns a general policing issue that will be more puzzling to police officers. Any officer in any force reading the report would say, "We would not have done it like that. We would have made a better job of it." However, many police officers would be puzzled by the report's insistence that colour-blind policing is not enough. An understandable and traditional view of police officers is that they treat everybody the same. That is the instinct of fair policing. The police should have no favourites and no friends.

That policy does not work if the police are dealing with substantially disadvantaged and alienated sections of the community whose culture they may not understand and who have already had many adverse experiences of policing and authority. In those circumstances, more subtlety is required. There must be positive appreciation of the problems that a community faces and a positive attempt to overcome one's initial prejudices or instincts. That important point comes out of the report, and it requires an unexpected change of attitude by police officers who probably thought that they were doing right by taking no notice of colour, just as they might try to take no notice of religion or class. Sometimes, one must go beyond that.

The report makes many important detailed recommendations that have been accepted, including the extension of the Race Relations Act 1976 in full to police forces, new rules on the definition and investigation of racist or potentially racist crimes, and improvement of

family liaison, the treatment of victims and training. All those are valuable. The monitoring of stop and search powers is essential. In 25 years as a Member of Parliament, I have walked through the streets of London a great deal. On the vast majority of occasions on which I have seen a car stopped by police officers, the car's occupants have been black or Asian. That has always amazed me because the vast majority of people occupying the cars that move past me are not black or Asian. We have not attended properly to that problem.

The report contains recruitment and retention targets for police officers from minorities. Those are very important and must be pursued, but we must remember that the Metropolitan police have a serious recruitment problem to start with. They have difficulty recruiting in sufficient numbers. They have always had to recruit from far beyond London. If they are seeking recruits from somewhere like my constituency, as they often do, they have to go a long way to find members of ethnic minorities to recruit. For years, the Met has had to look to Scotland, Wales and the north of England because it cannot find enough recruits in London. That makes the task set out in the report much harder.

Sir Sydney Chapman (Chipping Barnet): Does the right hon. Gentleman accept that, in the Metropolitan police service area in particular, there is great difficulty not only in recruiting but in retaining police officers from ethnic minorities, who often want to go to police forces elsewhere in the country?

Mr. Beith: There is evidence of such police officers moving to other forces. There may be factors in the Met that need to be addressed to prevent that, as well as the positive incentives that need to be given to try to retain ethnic minority officers. Targets are clearly important.

Mr. Simon Hughes: As I hope my right hon. Friend accepts, and as hon. Members from other parties know, the Met tells us that it is having difficulty in recruiting high-quality officers—not only, but in particular, black and Asian officers—from London who understand the society that they are meant to police. I hope that my right hon. Friend will further accept that one of the best responses to the report would be positively to recruit to the police service good, competent, graduate officers, who will view policing as a worthwhile career. If we did that, there might not be the incompetence that the inquiry revealed.

Mr. Beith: I agree very much with my hon. Friend on that point.

I want to mention a couple more policing matters. The first is the issue of discipline, and especially the application of discipline to officers who have retired. I was surprised to hear the right hon. Member for Sutton Coldfield (Sir N. Fowler) so readily dismiss the great public concern about the fact that it is possible for officers to retire from the police force, sometimes on the ground of ill-health because of the stress of an inquiry, and escape all disciplinary proceedings as a result. The research of the Select Committee on Home Affairs referred to that. The answer may not lie in tinkering with police pensions, but an answer must be found. We emphasised that issue to the Home Secretary in the aftermath of the Hillsborough disaster and we do so again in this instance. It is an important issue, about which the public feel deeply. We hope for rapid progress on the independent investigation of complaints when the current discussions are complete.

Perhaps the most general comment that one can make about policing in the light of the Lawrence report is about the need for partnership and consent. Our view as a party about policing is that those approaches are fundamental to the success and acceptability of policing. They are also part of the best tradition of the British police force. The aim is to achieve policing by consent and in partnership with the local community. There has been a manifest failure to achieve that, difficult as it was to do with ethnic minority communities in London and some other parts of the country.

The primary aim is the restoration of partnership policing and policing by consent—in some instances, that will mean the introduction of something that has not been achieved at all. Having enough police officers in the community and the community feeling that it has some input into what the police do and what their priorities are, are all part of policing by consent.

That brings me to a recommendation on which I still maintain that the Government's response is less clear, and that is the role of the Metropolitan Police Authority. Its role will be slightly confused in any event because of the existence of the authority and of the elected mayor, who will have certain defined responsibilities. Some of those responsibilities appear in the Greater London Authority Bill in the section on policing. There are problems in other areas of government in London in determining who is responsible—the elected mayor or the authority—that might be reflected in policing. However, the report clearly recommends that the Metropolitan Police Authority should have powers of appointment and accountability for chief officers on the same basis as other forces. The Government's response is that the

"Secretary of State will continue to play a more active role"

in the appointment of the commissioner and deputy commissioner than applies in other forces.

The Home Secretary played down the difference and said that the situation would not be unlike that in other forces where, effectively, the Home Office has a veto on the shortlist. The position is slightly more complicated than that, but that is a reasonable summary. There is a considerable difference between a veto on the short list and "a more active role", which sounds very much like the Home Secretary putting up the name and telling the police authority that that is the name that it will have, or perhaps choosing from a couple of names that it is suggesting. The wording of the Government's response does not fit with the Home Secretary's indication that the recommendation is accepted and that the outcome will be pretty similar to the situation in other areas.

I take the view that national responsibilities that are still exercised by the Metropolitan police are not the real reason for the Home Secretary's desire to have a more active role. We are talking of a high-profile post and, if things go wrong, the result will be serious. The Home Secretary may feel that he or his successors might take some of the flak. The remaining national responsibilities of the Metropolitan police, important though they are, are not an argument for the rather curious and confused pattern that is summed up in the phrase "a more active role". That seems to be a recipe for not having sufficient accountability.

[Mr. Beith]

Freedom of information is another area where there is some difference between what the report says and what the Government are saying. The report states that "all areas of policing" should be included

"subject only to the 'substantial harm' test."

It is said also that there are no grounds for a class exemption for the police in any area. The Home Secretary immediately comes out with two class exemptions, one for material relating to informers and the other for that to investigations and prosecutions. It would seem that both would be covered in any event by the "substantial harm" test. That is a pretty obvious lesson from what happened over the report itself. If information leaks about informers, substantial harm is done to those people and to the prospect of gaining information in future. However, the report was explicit that a class exemption would not be required for that purpose.

When it comes to the test, the Home Secretary said in his response that there would be an "appropriate harm" test. There is a subtle shift of phrase from the "substantial harm" test. On this point, we shall carefully examine the draft Bill when it emerges.

One of the wider issues that the report raises is that of racist language in private places. It seems that there is a general feeling throughout the House, which is shared by most commentators outside it, that the proposal is not really feasible and is likely to lead to incursions into the general notion that we do not intrude into private property unless there are good grounds to believe that, for example, a serious crime is being planned.

Dr. Gibson: Is the right hon. Gentleman aware of the phenomenon of scientific and medical racism which purports to show that there are several species—for example, homo africanus and homo europi? One is of fair complexion, sanguine temperament, brawny form and gentle manners and is acute in judgment. The other is of black complexion, phlegmatic temperament and relaxed fibre and is crafty, indolent and careless. That appears in books in establishments throughout the country, from schools to universities. What is the right hon. Gentleman's opinion of that view?

Mr. Beith: I never encountered it in any serious book that I read in the course of my school or university life. Crazy and bogus medical views of a racist character have been found around the world for a long time. Thankfully, they are vigorously and effectively challenged. I should be surprised to find a book advancing the view that the hon. Gentleman has described in use as a text in any course in any reputable institution. However, I take the hon. Gentleman's point.

I shall move through some of the wider recommendations. Disclosures in inquest proceedings that are related to deaths in custody constitute an important recommendation which the Government have accepted, and we welcome that. However, we are very concerned to be sure that the Government's view about legal aid will be the same as that of the report, which is that, "in appropriate cases", there should be legal aid for families in inquest cases such as the Lawrence case. The Government talk about "exceptional" cases. We are rather suspicious of those slight shifts of words.

There are important recommendations about education. I would stress that there is a need for good home-school liaison to help the parents of ethnic minority pupils feel that they are engaged in school activities. I stress also the need, as in the police force, to recruit to the teaching profession more people from ethnic minority backgrounds. The issue of opposing racism should be in the planned citizenship component of the national curriculum.

There are many wider issues for society as a whole. Understandably, some police officers make the point that it would be to misread the report to assume that all its recommendations are directed at the police service. The recommendations are directed much more widely, and some of them go to the heart of the position of ethnic minorities in our society as a whole.

Racism and discrimination exist in all parts of society. Statistics show that discrimination. Unemployment rates are twice as high as the average for ethnic minority communities. Pakistanis and Bangladeshis are three to four times more likely to be unemployed as white adults. The number of exclusions from schools is rising and the rate for Afro-Caribbean boys is five times higher than that for white boys. In some local education authorities, the rate is much higher. The report refers to wider problems in society, which we must all address.

Ms Abbott: One of the wider issues on which the House might with profit reflect is that all political parties in the House should be doing more to ensure that the House is more representative of the society in which we live.

Mr. Beith: Quite right. My right hon. Friend the Member for Yeovil (Mr. Ashdown) addressed some strong comments to the Liberal Democratic party and to the community as a whole in a speech a few weeks ago in London. We have sought in every way that we can to find ways of making our own party a more effective route for people from ethnic communities to enter the House. It is a problem that has faced all three political parties. The welcome presence of the hon. Members for Hackney, North and Stoke Newington (Ms Abbott) and for Tottenham (Mr. Grant) is a reminder that, in all parties, we still have not achieved as much as we should in that respect.

That is a fitting note on which to conclude: in political parties, as in every other aspect of society, we have major battles to win.

6.50 pm

Ms Oona King (Bethnal Green and Bow): I am grateful for the opportunity to speak at this stage of the debate, not least because I am the only young black person in the country elected to Parliament. I do not know whether it is true, but someone told me that I am the only young black person—that is, someone under the age of 30 at the election—elected to a Parliament in the whole of Europe. That might suggest an institutional bias that faces young black people. We must deal with the parallel universes that black and white people seem to inhabit. I say that as someone with a black father and a white mother. The existence of those parallel universes was brought home to me by my childhood experience. My white family would always say, "Now, Oona, if you get lost, what you have to do is find a nice policeman, and he will look after you—he will take care of you."

The attitude on my father's side of the family was the exact opposite. Their attitude was, more or less, that if you are black, a white policeman can seriously damage your health. That was not just their own irrational prejudice and bias; it was their own experience. Indeed, my father is still exiled from the country that he came from because of institutional racism there and because he asked to be treated the same as a white man.

I was brought up with those two attitudes, so I understand my white family thinking that the policeman is the best person whom I could go to, but that was not my experience as a child. The very first contact that I ever had with a policeman was in Swiss Cottage. I was sitting on a fence, and a policeman came up to me and said—I hope hon. Members will excuse the unparliamentary language—"Oi, you black bitch, get down off that fence."

Those were the first words that a policeman said to me. I implore Opposition Members and people around the country to accept that that must inevitably diminish my respect for the police force. When the right hon. Member for Sutton Coldfield (Sir N. Fowler) says that the police are one of the most respected institutions in the country, I must ask him: respected by whom? It is not the case that the police are respected by the black community. That is a great shame, because it undermines our democracy. That cuts to the core of what it is to be British, and what we hope for in a democratic society.

The parallel universes are further illustrated by a comment made by the editor of a middle England newspaper who wrote after the Lawrence inquiry:

"The problem the police faced was that the poor parents' grief was unassuageable and so they felt the need to blame someone."

I am, frankly, disgusted by those remarks, but disgust, outrage, hyperbole and hysteria do not help us to come to an understanding, so I try to steer clear of that as much as I can.

The problem that the police faced was the fact that they were institutionally racist, institutionally incompetent and institutionally corrupt. Corruption is the twin brother of racism, and it affects us all. That is why the debate and the Lawrence inquiry are so important, for white people as well as for black people.

Mr. John Hayes (South Holland and The Deepings): Is the hon. Lady really telling the House that the police suffer from institutionalised corruption? Leaving aside that outrageous claim, does she not realise that by blaming an institution collectively, by assuming that there is some unconscious collective guilt, she is letting off the hook the officers who are certainly guilty of those charges, as they hide behind the collective allegations that she makes?

Ms King: If we can look at the issue that you raise by taking another "ism" and another institution, to see whether the point that you make is correct or not—

Mr. Deputy Speaker (Mr. Michael Lord): Order. The hon. Lady must use the correct parliamentary language.

Ms King: You are absolutely right, Mr. Deputy Speaker. I suffer from an inability to get that into my mind, even after two years in the House.

Perhaps the hon. Member for South Holland and The Deepings (Mr. Hayes) will consider another example—another "ism" and another institution. Let us take sexism and Parliament—the House of Commons. Let us look across the Benches. When the Home Secretary rose to speak, there was one woman on the Opposition Benches—and 26 men. Surely you would not deny that that shows that Parliament as an institution is biased against women? Would the hon. Gentleman deny that? I presume that he would not. [HON. MEMBERS: "I would."] You would say—I am sorry, hon. Gentlemen—

Mr. Deputy Speaker: Order. The hon. Lady must think carefully before she chooses her words.

Ms King: You are absolutely right, Mr. Deputy Speaker. Hon. Gentlemen just said that they would deny that there was discrimination against women, yet there are now just two women Members sitting on the Opposition Benches. That defies credibility and contravenes the facts.

I believe that there is institutional sexism. However, I also believe that all Members on both sides of the House are not individually guilty of being sexist. I do not believe that Conservative Members, for example, get up each morning and say, "Today we are going to deny women the right to be represented in Parliament." Of course they do not. That would be an absurd proposition.

What the hon. Member for South Holland and The Deepings is saying is that we cannot apportion the guilt where it lies—in the institution, rather than in the individual.

Mr. Hayes: I am grateful to the hon. Lady and I shall not attempt to punctuate her speech unnecessarily with further interventions. I should like her to develop the theme that she initiated. She is telling the House that those are not matters of choice but unconscious matters; when people act in a prejudiced, unreasonable, unfair or discriminatory way, they are not making a personal choice for which they should be sanctioned but are doing something that is unconscious. She said that we were not aware of our prejudices. I suppose she would say that we are imbued with them.

By saying that, is not the hon. Lady letting people off the hook? One cannot blame individuals if those individuals did not make a conscious choice about their prejudice.

Ms King: The hon. Gentleman seems to have failed to understand what I was saying. I am not blaming the individual, I am blaming the institution. However, there is often a failure to blame either. The Lawrence inquiry showed that neither the institutions nor the individuals were blamed.

Let us consider cases in which British juries have found, in actions against the police, that the police have fabricated evidence, maliciously prosecuted people, and assaulted people. British juries have found in favour of the plaintiffs, yet the police are left to walk away scot free. I say that that does not just damage us as members of British society; it damages the police as well. As has been said, the police themselves believe that that needs to change.

The recommendations of the Lawrence inquiry have provoked much debate. In the few minutes remaining, I shall concentrate on some of those recommendations—for example, recommendation 38, which deals with people being tried twice. Originally, I was implacably opposed

[Ms King]

to that recommendation, but I ask hon. Members to listen, as I did, to one argument that was put to me. Recommendation 38 states that

"consideration should be given to the Court of Appeal being given power"

to bring a fresh case where there is "viable evidence". What is viable evidence? It is, for instance, clear DNA evidence that may prove beyond reasonable doubt a person's link with a murder.

We should consider another case – that of Fred West, the serial killer. He appeared before the police many years ago, but they did not have enough evidence to prosecute him at the time. Let us suppose that he has been prosecuted, but that that prosecution has failed because of lack of evidence. Twenty years later, the bodies are dug up from under his house and there is clear proof that he was responsible for those murders, because fresh evidence has come to light. Should not the Court of Appeal be given the right to "consider" putting fresh evidence before a court in such a case? After all, that was done – the other way round – in the Guildford Four and Birmingham Six cases. If we can allow the Court of Appeal to review a decision when there is a conviction, why cannot we consider allowing it to consider fresh evidence when there is an acquittal? We have to realise that if we fail to do that we will risk encouraging people to take the law into their own hands, which surely cannot be what any of us want.

Recommendation 39 concerns the use of racist language in private. I am still very uneasy about that recommendation, although, as with all arguments that are put before me, I want to give it a fair hearing. There is an anomaly here. Some of the suspects said, "We think that niggers should have their legs cut off; let them swim with their stumps back to their nigger country." If they had been overheard saying that in the community centre on their estate, they could have been arrested and the police could have searched their homes. The police would have uncovered all manner of other evidence to show that something was amiss with that particular family and those particular people. However, if their neighbours hear them saying such things through the walls, nothing can be done.

To me, it seems strange to allow something to be done in one case—many people are under the impression that we are not allowed to act if we hear such language in the community hall, but we are—but not in another. If we allow action to be taken if such language is used in one place, why are we making that distinction if we are trying to prevent racist attacks? Remember, we are looking at prevention and prosecution—those were the terms of reference of the Lawrence inquiry.

I shall conclude because of time constraints. We need a new Race Relations Act – that goes without saying. I have seven further points on which I should like a response. First, what measures will the Home Secretary take to ensure implementation of the Lawrence report? How can it be embedded in the mainstream? Secondly, what measures will he take to bring the minority of criminal elements in the police to justice? Thirdly, given that 50 per cent. of those arrested for racist crime last year were under 16, does he not agree that we need an effective youth service? How will the Home Office tie that into its plans?

Fourthly, I am told that a colour bar apparently operates in the Army. I believe that that should also be the subject of an investigation. Fifthly, will the Home Secretary ensure that the pilots for stop and search take place in all the main concentrations of ethnic minority people? Sixthly, will he consider giving adequate funding to the police? We cannot expect them to implement the recommendations without that money. Seventhly, will he appoint Mr. and Mrs. Lawrence to the proposed steering committee?

Will it not be ironic that, when people say, "What contribution have black people made to British society?" we need look no further than Doreen and Neville Lawrence? They—two black people—have brought us to this stage—we will all benefit from a fairer, less racist, less biased and more competent police service and democracy, which is in all our interests.

7.5 pm

Mr. David Maclean (Penrith and The Border): To keep the record straight, I wish to inform the House again that I am pleased to be an adviser to the Police Superintendents Association. I stress that I am an adviser; I am not a spokesman for the association and I do not make speeches in the House on its behalf. I always give my own view. I intend to be brief. The House may not entirely agree with my views, because what I shall say may be regarded as slightly controversial.

Two things immediately stand out when one reads the Macpherson report. The first is that the report is an exceptionally good analysis of the failings of the Metropolitan police murder team investigation of this awful and brutal murder. The second is that a large number of recommendations are not backed up by any supporting evidence. In some ways, I found it a rather schizophrenic report, as though it had been written by two people. Perhaps, in some ways, it was.

Many parts of the report were written by the Sir William Macpherson who is a good casework judge. When presented with this awful Gordian knot of contradictory facts and assertions, he cut through it forensically and reached sensible conclusions on the evidence. He analysed the failings of the murder investigation and one can have no quibble with his conclusions. Then I looked at the parts of the report written by the Sir William Macpherson who recommends that a whole range of things in the country should be changed. It seemed to me that those recommendations were based not on any firm evidence that he received, but on untested and unquestioned assertions. I was surprised; if he had the evidence to justify his recommendations, why was it not cited in his report? I came to the conclusion that a good casework judge Sir William Macpherson may be, but a Lord Scarman he is not. Even less is he a royal commission.

Why has Sir William got parts of his report so wrong? I wonder what was the impact of the initial statements made by Michael Mansfield and other lawyers, which were perhaps designed to frighten him into adopting a more radical agenda, even if there was no evidence for it. The House will remember the remarks by some lawyers, criticising Sir William Macpherson even before he had started his work and saying that he was bound to be unsympathetic to their aims and aspirations because of his background. Did that make him bend over backwards to please? I do not know; we do not know.

An incredible, but disgraceful and highly revealing episode took place when Sir Paul Condon was questioned. A member of Sir William's own inquiry panel,

Dr. Richard Stone, urged Sir Paul, "Just say, 'Yes, I accept institutional racism exists.' I think a lot of people here are willing you to say that." That is an extraordinary comment from one of the inquiry team assisting Sir William, who has signed the report. He said that "a lot of people here are willing you to say that." I do not think that that counts as impartial judgment, which we expect from an investigation.

So, on reading the report and on reading that comment from Dr. Richard Stone, it seemed to me that, no matter what the evidence presented, the preconception of institutional racism was the underlying mood and driving force. We have been asked to accept all of Sir William's report and his recommendations as though they were the new ten commandments. I merely say that if any other court of law had run a trial in the way that this inquiry was conducted, I suspect that all its findings would have been overturned quite quickly by a Court of Appeal.

I must tell the House that I am not suggesting for one moment that all of Sir William's recommendations are wrong—merely that a large number have apparently been produced from thin air without any evidence to back them up. The recommendations relating to the conduct of police investigations seem to be perfectly valid, in my experience. The suggestions on training are sensible, as are the suggestions for improvement in family liaison and in respect of family liaison officers, but the Government will need no advice from me when I tell them that the police will require massive extra resources throughout the country to implement them. Improving family liaison for all the serious categories of crime, where victims will now expect the back-up that Sir William has recommended, will be extremely expensive.

Some of the other recommendations might also be sensible, but we cannot judge that from the report because Sir William has not presented the facts and arguments to justify them. The Home Secretary must be greatly relieved that Sir William inserted the word, "considered" before his wilder recommendations on changes to English criminal law. I merely ask the House to imagine the following: that, at the end of some other criminal trial, a hypothetical judge—perhaps called Harman or Pickles—ended his judgment by stating that all our institutions were intrinsically racist, that double jeopardy should be abolished and that it should be a criminal offence to make racist comments in one's own home. I imagine that the Government and the press would quickly suggest that that judge had lost the plot and his retirement was long overdue. Yet those are the suggestions in the report. Thank goodness that the Home Secretary can, in the nicest possible way, except some of them by "considering" them and then kicking them into the long grass where eventually they will be raked into the compost heap of history.

My difficulty, which is shared by nearly everyone to whom I have spoken in my constituency and elsewhere about the Macpherson report, is this. If Judge Macpherson can get some of the recommendations so badly wrong, and if his judgment is crazy enough that he can suggest that criminal offences should be created for possessing an offensive weapon, having offensive thoughts or uttering offensive language in one's own home, why should we accept that his judgment is perfectly wise on all the other matters in his report?

Mr. Andrew Lansley (South Cambridgeshire): Has not my right hon. Friend observed that Sir William Macpherson prefaces those particular recommendations by saying that consideration should be given to them? That is not the phraseology that he uses in respect of some other recommendations. He simply says that the matter should not be left alone but should be considered further. Thus he does not make the recommendation in the precise terms that my right hon. Friend described.

Mr. Maclean: I accept my hon. Friend's point. On double jeopardy, and on extending the criminal law to deal with offensive weapons and language in one's own home, Sir William used the word, "consider". However, he did not use it for his definition of a racist crime, with which I have problems.

Sir William has discredited parts of his report by failing to produce reasoning and recommendations, and by producing in other parts of the report recommendations that do not stand up. His definition of a racist incident is unenforceable. It says that a racist incident is one if the victim or any other person says that it is.

Ms Oona King *rose—*

Mr. Maclean: I know that the police service has accepted it. It has been kicked around so much in the past few months that it would believe any hostile propaganda used against it. It is terrified of opposing any political correctness and will accept anything thrown at it. I give way to the hon. Lady.

Ms King: I have entirely forgotten the point that I wished to make as the right hon. Gentleman did not look up. I am sorry, but I shall come back to him.

Mr. Maclean: If I continue my speech, I might provoke the hon. Lady into remembering.

I should be happy to be corrected if I have got this little example of a racist incident wrong. Let us suppose that four men are having a drink after work; they come out of the pub and find that their car windscreens have all been smashed. One man is black and says that the smashing of his windscreen is a racist incident. Am I right in understanding that the police would be obliged to record it as such in his case? Even worse, the black man does not complain to the police that the smashing of his windscreen is a racist incident, but others who spot the incident on the news that night or in the local paper the following week go to the police and say that it was a racist incident.

Mr. Gerald Howarth (Aldershot): I can confirm everything that my right hon. Friend says because I have a little booklet that is being issued to every policeman, which says in large letters:

"Don't forget—if anyone says that it is a racial incident, it is!"

That will be sufficient.

Mr. Maclean: We need more information because we will get to the absurd position where the Government discredit what they are trying to do, which is to deal with the under-reporting of racist incidents. I have no doubt that there is a tremendous under-reporting of racist incidents, but goodness knows what awful contortions of policing priorities will come about if we have a massive over-reporting of racist incidents, which is what will happen with the definition in the report.

[Mr. Maclean]

Let me make it clear once again that I am not suggesting that all of Sir William's recommendations should not one day be implemented. They may be good for this country and our society. However, we do not know; and we do not know from the report, because it does not contain the evidence to justify all the changes that Sir William wishes to bring about. We should not stand this country on its head just because of an inquiry report that has not considered in depth all the wider repercussions of its recommendations.

Mr. Rowe: Is it not extraordinary that the deputy chief constable of Kent, who was charged with the task of carrying out an investigation, was never asked to give evidence to the Macpherson inquiry, despite making himself available to do so? Does not that cast doubts on some of the findings?

Mr. Maclean: I was not aware of that point—or if I was, it had slipped my memory. It brings me to the point that I wish to make: there is a series of issues that goes much wider than the appalling murder of Stephen Lawrence. The correct approach should have been for the Home Secretary, when he saw Sir William's recommendations and the lack of evidence to back some of them up, to refer the matter to a proper body of experts, which could have considered them in detail. The previous Government set up a royal commission on criminal justice, which was well respected and supported by the then Opposition.

If every institution in this country is racist—if the entire civil service and our education and health services are deeply steeped in institutional racism, and if all the other organisations and individuals, including the BBC and the media, have institutional racism—it requires a much better analysis than that carried out by Sir William and his inquiry team if we are to get to the bottom of that awful problem. If huge and fundamental changes must be made to the way in which everyone in this country thinks, we must build those changes on better foundations than Sir William's flimsy recommendations. Moreover, those foundations must be agreed by the vast majority in this country.

The Government and the Home Secretary have said that they will start to implement all of Macpherson's recommendations—but they will do so without an analysis of some of the real wrongs to be righted. I accept that there are the real wrongs of the murder of an innocent victim and the mistakes of that murder investigation. They must be righted. However, is it right to start to change the curriculum for primary schools in Penrith because of failures that Sir William has found in the Metropolitan police murder squad investigating a particular case?

Mr. and Mrs. Lawrence deserve a better investigation of their son's murder, but my constituents deserve an infinitely better investigation of the Macpherson recommendations before they are asked to change their lives. They do not deserve to be branded as institutionally racist just because of a failure by a Metropolitan police murder investigation squad. They deserve to have infinitely better evidence of their wrongdoing if they are to be re-educated Orwell-style. Nothing less than a royal commission will suffice before we take the road down which the Government are now rushing.

I believe that the vast majority of people in this country are decent, honest and law abiding; they are not racist—not even unwittingly. They deplore what happened to Stephen Lawrence, just as they deplore any innocent person, irrespective of race, colour, creed or religion, being murdered by vicious thugs.

The Government should not, on the evidence of the Macpherson report alone, accuse the people of this country of being racist reactionaries in need of re-education. Let the Government first establish a proper, authoritative and impartial royal commission. Let them get the facts. Let there be a proper detailed analysis, and let us get to the real truth before the "1984" re-education programme begins.

7.20 pm

Mr. John Austin (Erith and Thamesmead): After months of taking and sifting evidence, the Macpherson inquiry came to the inevitable conclusion which the Lawrence family and all those around them had known: that the Metropolitan police investigation into the murder of their son was palpably flawed. A combination of incompetence and racism has allowed brutal racist killers to remain at liberty. As the Macpherson report clearly says, that is an affront both to the Lawrence family and to the community at large.

The inquiry has not only brought the wholly justifiable complaints of Doreen and Neville Lawrence to the attention of the public, but highlighted what Macpherson described as the hitherto underplayed dissatisfaction of minority ethnic communities—not only with the handling of the Lawrence case, but with other cases across the country and with their treatment by police.

Undoubtedly the right hon. Member for Penrith and The Border (Mr. Maclean) would say that black people's actual experience is not evidence; I believe that it is. We often see references to black people's perception of the police, and to the need to change it—as though their perception is something wrong with those black people. By using the word "perception" we suggest that black people's treatment by the police is something imagined by the black community. I believe that it is time that we recognised that their perceptions are drawn from their experience. Their attitudes are based on reality, not perceptions.

The Macpherson report has identified colossal and unbelievable incompetence on the part of the Metropolitan police. It is a catalogue of mismanagement and failure, which clearly must be dealt with. However, those failings should not deflect our attention from the need to tackle the insidious evil of racism, not only in the Metropolitan police and in police forces across the country but in society as a whole.

Today, it comes as a disappointment to me that the Police Federation's briefing to hon. Members accepts the Metropolitan police's incompetence and mismanagement, but says that the report lacked sufficient balance. Later in that briefing, it declines to accept the report's definition of institutional racism.

I draw it to the attention of the right hon. Member for Penrith and The Border that an accusation of institutional racism is an accusation not against individuals but against the way in which the system operates.

In response to the comment of the hon. Member for South Holland and The Deepings (Mr. Hayes), I say that, yes, we have a conscious choice. When the institution in

which we operate is racist, we have a choice consciously to challenge that racism and that discrimination. I share the concern of my hon. Friend the Member for Eltham (Mr. Efford) about the press's portrayal of the people of Eltham. In our part of south London, we have had more than our fair share of racist murders and attacks. I live a few hundred yards from the spot on which Rolan Adams was murdered; I used to live a street away from the Lawrences' family home. Rohit Dugal was brutally slain near the spot where Stephen Lawrence died. He was also my constituent.

Those are not problems particular and peculiar to Eltham, Woolwich or Thamesmead—racism is an issue that affects us all. Racism is an issue across London, Birmingham, Manchester, Sheffield and Leeds. It is also an issue in Harrogate, Cheltenham, Tunbridge Wells, Sutton Coldfield, Folkestone and Hythe, Ryedale—and, yes, in Penrith. Let us not forget that the Metropolitan police may well recruit officers from the right hon. Gentleman's constituency.

In May 1993, a month after Stephen Lawrence's death, in a debate on racial violence, my hon. Friend the Member for Hackney, North and Stoke Newington (Ms Abbott) and I called for action by the Government. Regrettably, those calls fell on deaf ears. In that debate, I drew the attention of the then Home Secretary to the recommendations of the Commission for Racial Equality, in its review of the Race Relation Act 1976, for an independent review of the law on incitement to racial hatred.

The CRE, my hon. Friend the Member for Hackney, North and Stoke Newington and I had urged the Home Secretary to make racial harassment a specific criminal offence, to make racial harassment a ground for eviction, to place public authorities under a statutory duty to monitor complaints of racial harassment, to establish a separate tort of racial harassment, and specifically to consider criminalising racial violence.

Earlier that year, I had visited the then Minister of State—the right hon. Member for Fareham (Sir P. Lloyd)—with representatives of the Society of Black Lawyers to discuss draft legislation on those issues that had been submitted to the Home Secretary. All the demands fell on deaf ears. However, since that time, the current Home Secretary has already moved on many of the issues. I hope that publication of the Macpherson report will push the agenda even further forward.

When it became clear that the whole investigation into the murder of Stephen Lawrence had been flawed, several of my colleagues and I made repeated requests to the Home Secretary of the day—the right hon. and learned Member for Folkestone and Hythe (Mr. Howard)—for an inquiry, but we were appealing to a closed mind.

Prior to publication of the Macpherson report, and—in the case of the right hon. Member for Sutton Coldfield (Sir N. Fowler), today—some Opposition Members attempted to divert attention from the real issue of racism by concentrating on the leak of part of the report to *The Sunday Telegraph* and on the Home Secretary's handling of that matter. After publication of the report, much of the Opposition's attention was focused not on the report's contents and recommendations, but on inclusion in the appendices of the names and addresses of sensitive witnesses and informants.

I made my view on that matter quite clear to the Minister of State when he made his statement, and my hon. Friend the Member for Eltham also has clearly stated his views on it. But I want to say, here and now, that if it had not been for the courage and determination of the current Home Secretary, we should not have had the report. For years, the Lawrence family and their supporters and several hon. Members had made demands that, as I said, fell on deaf ears and closed minds.

On 24 June 1997, shortly after the general election, my hon. Friend the Member for Tottenham (Mr. Grant) and I accompanied the Lawrence family and their advisers to see the Home Secretary. The fact that he had assembled the whole of his ministerial team indicated the seriousness with which he viewed the situation. After the meeting, and after having had a discussion with Neville and Doreen Lawrence, the Home Secretary both was deeply moved and welcomed the opportunity of discussing not only the tragic circumstances of their son's death, but broader issues on racially motivated crime and the relationship between police and minority ethnic communities.

The Home Secretary described the legal difficulties in establishing an inquiry. However, that day, as I left the Home Office, I had the feeling—and I sensed that the Lawrences shared it—that, for the first time, someone in a position of authority and someone with the ability to take action had not only listened to the Lawrences, but had actually heard what they said. I only wish that some Opposition Members, including the right hon. Member for Penrith and The Border, would listen to and hear what black people are saying, and heed what their real experiences are.

Scarman has been mentioned. Some will say that we have been here before. Some will recall the hopes that were engendered by Lord Scarman's inquiry into the Brixton uprising, in 1981, which were followed by such disillusion.

I believe that there were essentially two problems with Scarman. The first was his total failure to recognise or accept the existence of institutional racism. Without that acceptance, any attempts to tackle racism in our society will fail. Secondly, the Scarman report failed to live up to expectations because there was no comprehensive national co-ordinated programme of action with timetabled outcomes. We are not going to make the same mistake again.

Macpherson has overcome that first failing by providing a very clear definition of institutional racism, to which I hope we can all sign up. Prior to publication of the report, I wrote to the Home Secretary, asking him to reconsider the position of the Commissioner in view of his comments that he did not believe that there was institutional racism in the Met.

The Commissioner has now accepted the report's definition of institutional racism. Although I called for his position to be considered before the report was published, because he has accepted the report's recommendations and the definition, I believe that, at this stage, calls for his resignation would be tokenistic and not particularly productive. However, I reserve the right to review my position on the matter in the light of evidence of Sir Paul Condon's willingness to implement the report's recommendations.

I recognise that the Greater London authority and the Metropolitan Police Authority will need to be consulted over the appointment of a new Commissioner, but we

[Mr. John Austin]

cannot wait until the current Commissioner retires before we consider his successor. The appointment should be made as early as possible to give him or her some time working in tandem with the current Commissioner on implementing the recommendations.

The Macpherson inquiry also expressed concern about institutional racism in all the agencies that make up the criminal justice system. Section 95 of the Criminal Justice Act 1991 requires criminal justice agencies to monitor their operations by ethnic group, but the police, the Crown Prosecution Service, the courts, the Prison Service and the probation service have generally failed to provide the information on which action to eradicate institutional racism depends.

My hon. Friend the Member for Bethnal Green and Bow (Ms King) and the right hon. Member for Berwick-upon-Tweed (Mr. Beith) have mentioned the contentious area of stop-and-search powers. Information on the use of those powers is publicly available under section 1 of the Police and Criminal Evidence Act 1984. That information raises many questions, but the experience of black people goes beyond the formal stop-and-search figures recorded under that Act, as the right hon. Member for Berwick-upon-Tweed has said. People can be stopped under traffic legislation or drugs legislation, as well as by so-called voluntary stops. The inquiry report reaches a clear conclusion that the perception and experience of minority communities is that discrimination is a major element in stop-and-search problems. Black people are more likely to be stopped and searched and to be arrested than their white counterparts. Evidence suggests that, when tried and convicted, black people are more likely to receive a custodial sentence than their white counterparts.

I hope that the pilot projects that my right hon. Friend the Home Secretary intends to set up on stop and search can be established speedily and will lead to the full implementation and acceptance of recommendations 61 to 63. I also welcome his acceptance of recommendation 11 to bring the police within the scope of the Race Relations Act 1976 and his decision to go further by bringing all public services within the scope of the Act.

However, like my hon. Friend the Member for Bethnal Green and Bow, I do not believe that those changes are sufficient. I hope that my right hon. Friend the Home Secretary will bring proposals to the House to strengthen race equality legislation, including the monitoring of practice. I raised the issue in the debate on the Queen's Speech in November 1994. Governments of both parties have recognised the need to monitor employment practices in Northern Ireland and the importance of contract compliance in the legislation against religious discrimination. If that need is recognised for religious discrimination in Northern Ireland, it should be recognised for racial discrimination in this country.

My right hon. Friend made comments about inquests and the information that is made available to the families of the deceased. He also referred to the police ombudsman to be created in Northern Ireland. I should like to draw attention to the prisons ombudsman and the issue of deaths in custody. My right hon. Friend the Home Secretary and my hon. Friend the Minister will be aware of the death in Belmarsh prison of my constituent Kenneth Severin. When his family tried to take a complaint to the prisons ombudsman, they were told, "Sorry, I can't accept that complaint. I can only take complaints from prisoners." Of course, the prisoner could not make the complaint because he was dead. The same was true in the cases of Alton Manning and Dennis Stephens. Having met the families of all three, I believe that their experiences were on a par with those of the Lawrence family in their dealings with the police following the death of Stephen Lawrence. Following the meeting that my hon. Friend the Member for Bristol, East (Ms Corston) and I had last year with the then Minister of State, my right hon. Friend the Member for Gateshead, East and Washington, West (Ms Quin), about those deaths in custody. I hope that my right hon. Friend the Home Secretary will meet a delegation from those families to talk about their experience.

As my hon. Friend the Minister knows, the parliamentary ombudsman has found in favour of the Severin family on all their complaints, including the failure to disclose the contents of the internal investigation and report into Kenneth's death. The parliamentary ombudsman recommended in February that even at this late stage the report should be made available to the family. Why has it still not been made available?

There were many other comments that I wanted to make about education and the role of other organisations in combating racism. In view of the shortness of time, I shall conclude by referring to the comments of Doreen Lawrence, which were also quoted by my hon. Friend the Member for Eltham. She said:

> "I would like Stephen Lawrence to be remembered as a young man who had a future . . . and had he been given the chance to survive, maybe he would have been the one to bridge the gap between black and white".

We owe it to the Lawrence family and to the memory of Stephen to act to ensure that that gap is bridged.

7.35 pm

Mr. Peter Bottomley (Worthing, West): The last words in Doreen Lawrence's statement about Stephen were:

> "He saw people as people."

We should approach the debate with humility, because many of us were Members of Parliament, councillors or in other positions of authority when things were going wrong.

I should like to acknowledge at least one mistake. Had I known about the attack on Stacey Benefield before the attack on Stephen Lawrence, I would have been able to go to the police within hours of hearing of the attack, which might have led to the police going for the forensic evidence, because some of those involved in the attack on Stacey Benefield were able to destroy the evidence—if they had it.

Many of us know many things about our constituency and our constituents, but there are times when rather greater knowledge would be desirable. The police failed to act on the information that came forward early. The Lawrences were told that people were erecting a wall of silence. That was not true. Many people came forward with information, but when the police began observation they suffered from what might be called a series of bad luck, but could probably be called incompetence. People were allowed to get away and destroy any evidence that they may have had in a bin bag.

There are other occasions on which I suspect that I could have gone further. I went with the Minister—as he is now—to the Attorney-General and the Crown Prosecution Service after its decision that the first case had to be dropped. I am not a lawyer. The Minister can say more about that if he wants. I am not competent to speak about the levels of evidence needed or the tests that the CPS has to make.

When the private prosecution came along, it was clear that the jury did not want to accept the judge's instruction to acquit. One should not start saying that judges should not have the power to give directions to juries, but if the judge was ambivalent about whether to give the instruction, perhaps a greater public row might have allowed the issue to have been tested more. I suspect that there is an asymmetry. Juries can acquit when legally they might have convicted, but they should not necessarily be given the chance to find people guilty when legally they ought to acquit. There is injustice and a lack of symmetry that is difficult to accept and understand.

I went to see the Commissioner when there was information about a problem of communication with the family. He told me how the issue was seen by the police and I told him how it was firmly seen by the Lawrence family, Ros Howells, Imran Khan and some of the other responsible people who acted with them. Maybe I did not push hard enough. Maybe I did not know enough to push hard enough.

This is not an easy speech to make. I was with the Lawrences and saw how they controlled what developed. The movement from their home in Llanover road to the Methodist church where Stephen had been part of the youth club was one of the most impressive things with which I have been associated. There were no police in evidence, no protesters and no fear of any street disturbance. I was also impressed by the service and some of the other services that have been held in that church, including that for the Stephen Lawrence memorial window.

There is a simple trust in the Lawrence family. It is a trust with which Stephen grew up. As the hon. Member for Eltham (Mr. Efford) said—I agreed with every word of his speech—when Stephen was confronted in Eltham that night, he did not run. That was an important part of the way in which the Lawrences brought up their family.

People should read the appendices to the report, which recount the stories of the Lawrence family and Duwayne Brooks, the forgotten victim of the crime that night. If more young people were brought up by people like the Lawrences and fewer were brought up by people like the parents of those who have been called the suspects, this country would be transformed. Street behaviour, family behaviour and school achievements would be very different.

Anyone who thinks that we have learned the lessons of the past has not read an article in today's edition of G2, the tabloid section of *The Guardian*. It describes the work of the Stephen Lawrence memorial trust, which tries to help young black architects to continue their training and to get work. It says that there are 70 black architects in this country, and it describes how difficult it is for them to become known and, if they are qualified, to get employment. I suspect that the same is true in the legal profession and, as has been pointed out, it is difficult for young black people to get elected to the House.

There is no room for complacency. We should approach this debate from the point of view of the Lawrence family. That came across remarkably well in the Tricycle production of "The Colour of Justice". If anyone has not had a chance to see that production, I commend it. There is not a word in it that was not said at the inquiry.

I should like to pay tribute to the inquiry and the inquiry staff. What Sir William Macpherson, the staff of the inquiry and those who were sitting with them had to go through was as intense as what the rest of us feel when we watch what is happening in Kosovo. We begin to see an awfulness, and we begin to see why things are happening but we do not know how to stop them and we cannot turn the reel backwards.

The issue could be approached from the point of view of the police, which has been highlighted in one speech—I am sure that others will follow. I do not disagree completely with the hon. Member for Erith and Thamesmead (Mr. Austin) about the parliamentary briefing from the Police Federation, and perhaps not everything it says is right, but it was well written—I may be looking at a separate blue sheet—and the police are beginning to learn and to be more open about what is going on.

I want to raise an issue with the Home Office which I do not expect to be addressed today, but I would appreciate the opportunity to meet a Minister to discuss it. I have the agreement of the local Member of Parliament to raise it. In the past few months, there are have been three articles in *Private Eye* about Sergeant Virdi, who took part in the arrest of two people involved in a racial attack. When he asked whether it had been recorded as a racial attack, he was suspended and faced a year of uncertainty about whether the Crown Prosecution Service intended to prefer a charge against him. He is still suspended a year after the original attack and does not know whether there will be disciplinary proceedings against him.

I tabled a rather delphic question about it to the Home Office, and from the answer that I received it seemed as though it had not heard of the matter. I tabled other questions. I asked how many times the police had argued at the employment tribunal for a postponement of the hearing, and when that series of incidents had come to the attention of the Home Office, which is the police authority for London. The answer from the Under-Secretary, the hon. Member for Vauxhall (Kate Hoey), suggested that the relevant information had come from the police relatively recently.

I suggest that Home Office Ministers, as the police authority for London, ask for a detailed explanation of the chronology of events. If they are prepared to see Sergeant Virdi's MP or me, or both of us together, it would be interesting to hear their views.

Mr. McDonnell: Mr. Virdi came to see me on Friday at my advice session—it is the neighbouring constituency to his Member's. I am pleased that the hon. Gentleman has raised this matter in the debate: I was hoping to raise it later. This case is creating a sense of grievance in the Asian community in west London—I think it will soon

[Mr. McDonnell]

spread across the country—that we have never seen before. That community has been one of the strongest supporters of the police service in London.

Mr. Bottomley: It would be appropriate for me to say no more about the matter now. I suggest that Ministers read the articles in *Private Eye* and seek an explanation of the chronology of events. They may then be able to make a statement. We would be willing to table a question so that we can find out what the Home Office, the acting police authority, thinks is going on.

The problems are not only in London. I am currently the Member for Worthing, West, in Sussex. The police wanted to search the home of one of my constituents, who admits that he has not led a perfect life. They were following up a proven case of driving while disqualified. He said that the home they wanted to visit was not the home that he had been living in for the past year or two. He told them where he was living, and during their attendance at his home, in his absence, they used language to his partner that was unjustifiable—that is acknowledged. She made a complaint, but the officers in charge of the investigation of the man's criminal offence were those against whom her complaint had been made.

I am not suggesting that every criminal can get away with it by saying that the police have made racial remarks, but some sensitivity should be used as a result of the Macpherson inquiry. If it turns out that the police have been holding a person's property month after month without any connection to the offence for which the man was arrested, people at a senior level should be asking themselves, "Have we got this right?" It is asking those questions that matters most.

Lastly, I want to refer to expectations, which is slightly beyond the Macpherson inquiry. I first became interested in the idea of professional public service through politics because of my experience as a governor of a school in Vauxhall, which is now closed. It had 1,200 girls, and, in the fifth form, not one of them was allowed to take what were then O-levels, because the English department decided that that would divide people into those who could take O-levels and those who took CSEs. If people were seriously interested in getting O and A-levels and going on to higher education, they could stay on in the lower sixth. It was not until I helped to get two West Indian mothers on to the governing body that that policy changed. Within three years, the first black girl from the school went on to medical school.

We lived in the area, and I talked to Afro-Caribbeans, the Portuguese and everyone else who had come to England and to London in the past two or three generations—we are all migrants, because the population of London 20,000 years ago was nil, so we must all have come here at some stage, but some came more recently. They asked why it was that the schools in that part of London were much worse than the schools in Jamaica or wherever they had come from. It was not because our teachers were not interested, but because their expectations were low. It required pushy parents like me and others, whatever the colour of their skin or their creed or wherever their grandparents had come from, and that took a lot of effort.

I am glad that the present Government are backing up the calls that people like me have been making. All families deserve the right to bring up their children to trust other people. All parents should be able to bring up their children so they can trust the schools to which they go. Their children should be able to trust a police officer in the street, as half the family of the hon. Member for Bethnal Green and Bow (Ms King) advised her.

That is when the colour of people's skin becomes as important as the colour of their eyes or the colour of their hair. We may notice it, but it does not tell us any more about them.

7.48 pm

Mr. Bernie Grant (Tottenham): I welcome the debate. Surprisingly, I agreed with many hon. Members who have spoken. The speech of the right hon. Member for Sutton Coldfield (Sir N. Fowler) was full of bonhomie, and his tones were so dulcet that I was lulled into a false sense of security, until I remembered that he was a member of a Government who refused to have an inquiry into the Lawrence case. The right hon. Member for Penrith and The Border (Mr. Maclean) criticised the Macpherson report, but he was a Home Office Minister in the Government who refused an inquiry into the Lawrence case. It is useful for us to remember that.

I am deeply indebted to my right hon. Friend the Home Secretary for his fortitude in getting the inquiry and the debate under way, and for all the steps that he has taken so far. I am also grateful to the inquiry team for its steadfastness in sticking to the issues.

I have some criticisms of the Macpherson report. For instance, it does not place any onus or responsibility on the community, unlike the Scarman report, which set up police committees and talked about the need to get the communities involved. The Macpherson report talks about institutions, which is all well and good, but people work and live in communities. We need to get the black and ethnic minority community behind us.

I find it quite astonishing that the inquiry could not find any individual racism in the Metropolitan police. Anyone who saw the drama-documentaries on television will have seen the individual racism, arrogance and lack of accountability displayed by the officers who were questioned.

My biggest problem is with the new definition of institutional racism. I am especially concerned with the use of the word "unwittingly", because it lets people off the hook. If we say that an institution discriminates, but that the people involved do not know that they are discriminating, we are letting them off the hook. When St. George's medical school was found by the Commission for Racial Equality to be institutionally discriminating against black and ethnic minority applicants, it was found that someone had programmed the computer to reject people with foreign-sounding names. That was not unwitting: it was done deliberately.

I do not want Sir William Macpherson to try to tell me that institutionalised racism is unwitting. It is not. When the Ford motor company changed the faces of people in its advertisement—they changed a Sikh and a black man into white men—before it sent it to eastern Europe, that was not unwitting. Someone took the decision.

When, two years ago, Sir Paul Condon talked about 80 per cent. of young black people being guilty of mugging, so whenever police officers saw a black youth in the street, they automatically assumed that he was

a mugger, that was institutionalised racism. It was not unwitting. I thoroughly disagree with that definition in the report.

The investigation of Stephen Lawrence's death has some similarities with a case in my constituency. A few weeks ago, a young man, Roger Sylvester, died in police custody. The Essex police are investigating the case, and we await their findings, so we are not exactly clear about the circumstances, but we know that he was about 30 years old and was taken naked from outside his house in Tottenham. Again, we have a black victim who has been set up by the police.

The police went on a rampage of misinformation. They said that Roger Sylvester was big, black and violent, and that is totally untrue. I have had letters from white pensioners saying that he was a kind man who went shopping for them and took them across the street, but the police, to cover themselves, said that he was a big, black, violent man who had something to do with drugs, so immediately this person, who was a victim, becomes a problem in the minds of the general public. When the police started to investigate the murder of Stephen Lawrence, they tried to make out that he was involved with a gang, which again shows the ability of the police to give misinformation and try to cloud the issue.

There are other similarities in the way in which the families have been dealt with. There was liaison between the police and the family of Roger Sylvester, and they had several meetings, but the police decided to set up their own consultative group, without any agreement with the family. They pulled in a few worthy community leaders and used that forum as the method of consulting the family.

Family liaison is extremely important, and I am very pleased that my right hon. Friend is paying particular attention to it. I do not care how much it costs to set up the systems. It is definitely worth it, because it is about bringing trust back into the community and establishing a relationship with the police.

Nothing was done when Sir Paul Condon talked about black youths and mugging. He is the head of the Metropolitan police, who were severely criticised in the Macpherson report, yet no one in official circles is calling for his resignation. I have called for him to go because the black community feels that he should.

Let me draw an analogy. When it was found that there was corruption, everyone, including my right hon. Friend the Prime Minister, said that Jacques Santer, the head of the European Commission, had to accept responsibility, even though he protested his innocence and said that he was whiter than white. Sir Paul Condon is the head of the Metropolitan police, who have been condemned by the report, yet people are saying that he has to stay. I find that extraordinary. It is about time that people who are responsible for the officers under their command accepted responsibility for those officers' actions.

Eight police officers from Tottenham police station were involved in the Roger Sylvester case, but the chief superintendent is swanning around and taking no responsibility. He could not care less, presumably, because he is not being held to account. The case of Sir Paul Condon is similar. There have been many deaths in custody and other racist murders that have not been properly investigated.

Rolan Adams, Wayne Douglas and others in London have died at the hands of the police or in police custody, yet no senior police officer has been held responsible. It is the only profession or job that I know of in which someone can be in charge of something that is not correct and take no responsibility whatever. That has to change.

Ms Abbott: Does my hon. Friend agree that one of the most disappointing aspects of the whole affair for the black community is that Condon, having been found so thoroughly wanting—and despite claiming that he was taking personal responsibility—has been left in position?

Mr. Grant: I agree with my hon. Friend's comments. The matter should be reconsidered because, since he was given the go-ahead to continue as commissioner, he has appeared before the Select Committee on Home Affairs and—I understand—said that he does not accept the recommendation that the Race Relations Act 1976 should be extended to the police. We now see even more arrogance from Sir Paul Condon.

Mr. Gerald Howarth (Aldershot): Will the hon. Gentleman give way?

Mr. Grant: I do not have the time to give way, but I am willing to engage in a debate with the hon. Gentleman outside the Chamber. *[Laughter.]* Pistols at dawn!

Recruitment and retention are crucial, as my hon. Friend the Member for Hackney, North and Stoke Newington (Ms Abbott) mentioned in an earlier intervention. An experiment that we conducted in Tottenham should be taken up by the Home Office. In conjunction with the Industrial Society and the Metropolitan police, we recruited some 20 young people from minority ethnic groups—Cypriots, Asians and the children of people from the Caribbean and Africa—as a representation of the community. They were recruited en bloc and given physical and academic training to bring them up to the required standard. They entered Hendon police training college and 18 became fully qualified police officers. The scheme was a tremendous success.

I wanted all 18 to be posted to Tottenham police station so that they could support each other in the canteen. The only way to defeat the canteen culture is with a group of people who are very visibly seen to be challenging racism. That would have made a huge difference in Tottenham, because the community would have seen a police force that was representative of the community. I urge my right hon. and hon. Friends in the Home Office to consider the issue of cohort recruitment and cohort placement. There is no point in recruiting 20 people and then sending each one to a different police station. They need to be together so that they can support each other.

My final point is about stop and search, and the recording of ethnicity, which I mentioned in an earlier intervention. When I did a survey some years ago of the stop-and-search figures, I found that each police force had its own method for recording ethnicity. Some used the category of Arab and others used the category of oriental. All sorts of definitions of ethnicity were used—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. I am afraid that the hon. Gentleman has used up his time.

8.4 pm

Sir Sydney Chapman (Chipping Barnet): An appalling tragedy has taken place, and anybody who fails to grasp the dimensions of what that family tragedy has entailed has only to read the first page of Sir William Macpherson's report into Stephen Lawrence's murder. It catalogues some extraordinary activities by the police and much inaction by the police. The prolonged police investigations were in two phases, but the result is that the murderers of Stephen have not been brought to justice. Apart from Duwayne Brooks, no witness has come forward with firm evidence and there is no other sound evidence. Even the Police Complaints Authority report states that the police investigation was bungled. When, 20 months ago, the Home Secretary set up the inquiry that is the subject of this debate, it found that the first police investigation was "palpably flawed".

The only comfort we can find is that out of that appalling disaster, the publicity has increased the public awareness of the need to fight racism. I know that every hon. Member will join me in saying that one of our priorities is to wipe racism out of our country. If anyone questions that priority, someone who has been a Member of Parliament for an inner-city constituency, as I was in Birmingham, Handsworth, can explain the need to tackle racism and—to coin a phrase—the causes of racism.

My principal comment about the Macpherson report concerns its definition of institutional racism. It is worth revisiting the Scarman report on the subject, as the Macpherson report did. Scarman rejected the allegation that Britain as a society, knowingly and as a matter of policy, discriminated against black people. He wrote:

"The direction and policies of the Metropolitan police are not racist. I totally and unequivocally reject the attack made upon the integrity and impartiality of the senior direction of the force. The criticisms lie elsewhere in errors of judgment, in a lack of imagination and flexibility, but not in deliberate bias or prejudice".

Those words were written 18 years ago, and my judgment is that matters have improved considerably since then in the Metropolitan police, although I cannot be certain of that.

I accept that when Sir William gave his definition of institutional racism, he went out of his way to say that that did not mean that all Metropolitan police officers were racist. He wrote:

"We hope and believe that the average police officer and average member of the public will accept that we do not suggest that all police officers are racist and will both understand and accept the distinction we draw between overt individual racism and the pernicious and persistent institutional racism which we have described.

Nor do we say that in its policies the MPS is racist. Nor do we share the fear of those who say that in our findings of institutional racism, in the manner in which we have used that concept, there may be a risk that the moral authority of the MPS may be undermined."

My point is that even though those are Sir William's words, repeated in the recommendations, the public perception is that if an institution is described as institutionally racist, it has racism spread throughout it. I find resentment of that among some of my constituents to whom I have been able to talk, as well as the police in my constituency, because they do not accept that racism is endemic. The report gives the impression that it is. I fear that that public awareness will give comfort to those few people who, for ulterior motives, wish to set the public against our police force.

I want now to look to the future. If we are to succeed in our fight against racism, we must begin in our schools and our homes. I am horrified by a statistic from recent research in Cardiff. Of all cases of racism reported to the Racial Equality Council, 50 per cent. involved people under 16, and a quarter of those involved children aged six to 10. I am not averse to passing stronger legislation, but whatever laws we pass, we must have leadership, and an example must be set in our schools and our homes.

Recommendation 17 of the inquiry's report states:

"That there should be close co-operation between Police Services and local Government and other agencies, including in particular Housing and Education Departments, to ensure that all information as to racist incidents and crimes is shared and is readily available to all agencies."

That would be an important tool for the authorities.

I am highly doubtful about the idea of prosecuting in respect of remarks made in private. If remarks are heard outwith the home, they are presumably not defined as racist remarks made in private.

When it comes to policing the police, I support calls for a genuinely independent Police Complaints Authority. However, one reason why the police have policed the police for so long is that it is felt that only police officers know how to detect unfair or illegal police behaviour. Whatever independent commission is set up should include at least some people who have experience in a police force.

Currently, about 1,000 complaints are made each year about police irregularities. They vary from, at one end of the spectrum, rudeness, which is not to be tolerated, to, at the other end, deaths in custody. There is a lack of public confidence when a second force investigates a complaint made against another force. I agree, therefore, with recommendation 58.

I am slightly worried about the definition of racist incidents to mean that any allegation of racism must be followed through. All serious allegations must certainly be reported, recorded and investigated. However, there ought to be an escape clause for cases in which the allegation is patently proved to be frivolous.

I very much support the need to develop victim support schemes. I strongly support the idea that the Metropolitan police and other forces should work with victim support schemes set up by lay people on proactive initiatives in minority ethnic communities. I pay tribute to Barnet victim support scheme, which is doing magnificent work; some of its cases involve racism, and I, for one, include anti-semitism as an offence against a race.

Macpherson recommends that consideration of the double jeopardy issue should be referred to the Law Commission. I would go a little further than has my right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler) on that point. I do not oppose our being able to hold a second trial or to bring charges again after they have been dropped. The Criminal Procedure and Investigations 1996 Act allows a second trial in cases in which defendants have been acquitted because witnesses or jurors have been intimidated. If ever there were a principle, that Act breached it. The Court of Appeal should be allowed, in exceptional and serious cases, to authorise the police to prosecute again.

I am concerned about the readiness of the Crown Prosecution Service not to prosecute unless it feels it has a watertight case. If 50 per cent. or more of the evidence

is there, the CPS will go ahead with prosecution, but, across the spectrum and not necessarily in racist cases only, it drops prosecutions too readily.

I must disagree with my near neighbour, the hon. Member for Tottenham (Mr. Grant). I want to put in a good word for the Commissioner of Police of the Metropolis. I am glad that he has not resigned. I hope that he will not do so, or retire early. I was perturbed to hear from the Home Secretary that he is due to retire in 10 months in any case.

I want the commissioner to stay longer in his post. He has done a good job in the policing of London, with many initiatives since he was appointed. Burglaries have gone down tremendously, and the Bumblebee and Eagle Eye initiatives took place under him. Recorded crime has gone down 16 per cent. since 1992—more or less since he became commissioner. The number of complaints against the police has also fallen.

One of the main points that worries me, however, is that the last police report recorded that in the Metropolitan police area, the number of reported racist incidents in the last half of last year was 70 per cent. higher than the figure for the equivalent six months in the year before. That is a cause for concern. Whether the figure has risen because people are more willing to make complaints about racial harassment, I do not know. I hope that some research may be done on that point.

Sir Paul Condon was appointed in February 1993, two months before Stephen Lawrence was murdered. He has led from the front, and he has a good track record against racism. Shortly after he was appointed, he said:

"Racially motivated prejudice is an area where we must be totally intolerant: of racially motivated attacks, of those who indulge in racial abuse and of those who use hatred and violence as the tools of their political expression."

He went on:

"We must be equally intolerant of our own colleagues who fail to reach the required standards."

He has acted as he spoke. If he went, it would be a devastating blow to the morale of the Metropolitan police.

Finally, the Metropolitan police has a problem not only of recruiting officers, but of retaining them. Too many go to other forces or retire early. The Government are addressing the latter point, but the former must be addressed too.

Some police officers have clearly failed in their duty, but the vast majority of the Metropolitan police do a decent job in difficult, dangerous and sometimes dirty circumstances. We should pay tribute to that vast majority of the people who police our streets and protect us from crime.

Mr. Deputy Speaker: Order. May I appeal for forbearance among hon. Members? More wish to speak than will be able to if everyone takes up their full time allotment.

8.19 pm

Joan Ruddock (Lewisham, Deptford): I first had the privilege of meeting and working with Doreen and Neville Lawrence when I was a member of Labour's home affairs team. My hon. Friend the Member for Erith and Thamesmead (Mr. Austin) approached me at the start of his campaign in support of their request for a new inquiry into Stephen's murder. Like so many others, I have followed their progress, their heartache, the setbacks and the triumphs, which culminate in this historic debate. It is no exaggeration to say that Stephen's death, his parents' pursuit of justice and the response of my right hon. Friend the Home Secretary offer us our best ever hope of recognising and defeating institutional racism.

Both personally, and as a Member of Parliament with a constituency population that is one third black, I want to identify myself with what my right hon. Friend the Home Secretary said in opening the debate. The action that he has set out is crucial for justice and race relations. I want to demonstrate how vital those measures are by referring to events that took place in my constituency in 1981, and which remain unresolved. I know that Doreen and Neville Lawrence will understand my reasons for doing so.

Three years ago, I was approached by one of Deptford's remarkable black community leaders, Sybil Phoenix. She asked for my support for raising a permanent memorial to the 14 young black people who died as a result of the New Cross fire of 1981. What was remarkable was not her request but the fact that no memorial had been mounted in the preceding 15 years. I began to take an interest in those tragic events, read the newspaper coverage and heard the testimonies of many involved. If it were not for the deaths of Stephen Lawrence and Michael Menson, I would have said that what happened then could not happen today.

Nineteen years ago, a woman who shares my surname, Mrs. Gee Ruddock, was asked by her daughter Yvonne if she could have a party for her 16th birthday the following January. At first, Mrs. Ruddock did not concede, but she eventually decided that it was right to have a party for her daughter. On that fateful Saturday night, the house filled with young elated people.

In the early hours of Sunday 18 January 1981, Mrs. Ruddock ran from her burning house to see her daughter jump to her death from an upstairs window and her son carried out fatally burned. Eleven other young people died. The speed and force of the inferno caused a police officer at the scene to conclude that a petrol bomb had been thrown into the house.

In the short time available, I cannot recount the reported details of the inquiry or the theories of what did or did not happen. Suffice it to say that the forensic evidence presented to the inquest suggested that the fire started in the house and that an inflammable liquid had been spilled on the carpet. Long before the inquest was concluded many events occurred that underlined the institutional racism that we recognise today, not only in the police but throughout our institutions.

It was a tragedy of huge proportions: 13 young people dead at a birthday party. However, there was no message from the Prime Minister to the family and no mention of the incident in Parliament. Ugly rumours with racist overtones spread rapidly and were rehearsed in newspaper coverage. It was the time of Scarman and the Brixton riots. In the black community, there was immense grief, shock and anger and, undoubtedly, a feeling that the majority white population did not identify with its loss. Only six weeks after the fire the National Front announced that it would march past Mrs. Ruddock's house in a demonstration with the theme, "Don't blame the whites for the New Cross fire". The march was banned, but its message was heard.

[Joan Ruddock]

The black community's anger at apparent white indifference to the New Cross deaths was greatly exacerbated by the reactions to a subsequent tragedy in the Republic of Ireland, when 48 people young people were killed in a discotheque fire. Immediate condolences were sent to the bereaved by the Prime Minister and the Queen. On Monday 2 March 1981, the New Cross Massacre Action Committee led a march in central London to draw attention to the deaths and the failure of the police to find the cause. I am told that television coverage attempted to explain the reasons for the march, but the newspapers were hostile. "Rampage of a Mob", said the *Daily Express*.

"The Day the Blacks Ran Riot in London",

said *The Sun*.

"17 Cops Hurt as Thugs Turn Blaze Protest into a Terror Riot",

said *The Daily Star*.

An inquest was being held against that background. It was a total disaster. No one was satisfied with its proceedings or the outcome of an open verdict.

After the event, Parliament took note. In an Adjournment debate, David Mellor remarked:

"It was extremely unfortunate that the coroner seemed unable to exercise proper control over the proceedings. It was little short of lamentable that throughout the proceedings he did not take a note."

My predecessor, John Silkin, said:

"The inquiry should have been held in a court . . . the coroner in this case was out of his league."—[*Official Report*, 21 May 1981; Vol. 5, c. 457-467.]

Christopher Price, another Lewisham MP, said:

"The inquest did enormous damage to the processes of justice and to race relations."

That sense of injustice remains raw in our black communities. Much has changed. Great efforts have been made by individuals, community leaders, Lewisham council, Lewisham Commission for Racial Equality and police officers locally, but it is not enough. That is why when Lewisham council erected the memorial to the victims of the New Cross fire in 1997, George Francis, on behalf of the bereaved families, asked me for assistance in getting the 1981 inquest reopened. It was a daunting request, and we have not yet reached its conclusion.

Thanks to Commander Griffiths, who agreed to meet me and the families' group at the Francis's home, a new police investigation was opened in May two years ago. It has applied new forensic techniques to the evidence and attempted to re-interview everyone who survived the fire. I believe that the new inquiry has been pursued vigorously and vigilantly by the officers in charge. I hope that they will soon report that everything that could be done 18 years later has been done, and that they will share the information with the families concerned. That will not make up for the years of torment that Mr. and Mrs. Francis have endured: never knowing why their 17-year-old son Gerry died; never quite knowing what to believe; convinced of a cover-up, but whose cover up; no doubt tormented as parents by the thought, "What if?" Mr. Francis has consistently spoken out on behalf of the families' group. He accepts that the evidence so far does not point to an externally racially motivated crime but more likely to a tragic accident.

The new investigation will not make up for the torment of Wayne Hayes, now 35, who managed to escape the fire. In a recent newspaper article he said:

"This fire changed the whole course of my life . . . Parents are suffering like crazy and they want to know how their children died . . . We want the truth."

The search for truth, as the Stephen Lawrence inquiry has revealed, is a tortuous process. It does not progress simply from A to B, and it is fatally handicapped where racial prejudice exists. I cannot know what happened in New Cross in 1981, nor how the police inquiry and the inquest were conducted. Whether or not this was a racially motivated crime—and Mrs. Ruddock has found no reason to change her view that it was—institutional racism stood, and stands, in the way of delivering justice to black people, whether victims or perpetrators.

There is much in the recommendations of the Stephen Lawrence inquiry report which, if implemented, will ensure that tragedies such as the New Cross fire are treated very differently in future. There are very welcome proposals regarding the conduct of the police, inquiry methods, transparency, the building of confidence while conducting investigations and changes in the rules governing inquests. My right hon. Friend knows that I have inquired about whether the New Cross fire can be included in the inspector's review of outstanding deaths and murders. I trust the Minister may be able to tell me something about that today.

Finally, I pay tribute to the police for reopening this investigation and for their willingness to work harder and achieve better liaison with the bereaved families. However, I give notice to my right hon. Friend that, unless the matter is resolved satisfactorily in some other way, I shall press in due course for the inquest to be reopened. Like Stephen Lawrence's parents, the New Cross fire parents seek the truth. Nothing less than the truth can satisfy them and lay to rest the memories of Humphrey Geoffrey Brown, Peter Campbell, Steve Collins, Patrick Cummings, Gerry Paul Francis, Andrew Gooding, Lloyd Hall, Rosaline Henry, Patricia Johnson, Glenton Powell, Yvonne Ruddock, Paul Ruddock and Owen Thompson—all of whom died in the fire—and Anthony Berbeck, who survived but was found dead at the bottom of a tower block 18 months later.

8.31 pm

Mrs. Virginia Bottomley (South-West Surrey): I appreciate this opportunity to follow the hon. Member for Lewisham, Deptford (Joan Ruddock), who gave a moving account of the New Cross fire in 1981. I remember those events clearly because, at the time, I was serving as chairman of the juvenile court in Brixton. I heard the Brixton riot cases and experienced at first hand the enormously charged atmosphere generated by furious parents, outraged children, distressed police, agitated lawyers, social workers who did not know where to turn and vicars who were alienated from their local communities. The Metropolitan police and the young black community were talking entirely different and hostile languages.

I believe that the Scarman report did a great deal to ensure that the police were more enlightened and sensitive and showed greater tact and diplomacy in handling all citizens in the community. In some ways, what flowed from the Scarman report and the riots of that time were

mass movements. The upheaval spread to other cities, such as Liverpool, Manchester and Birmingham and there was great investment in social policy strategies. Some of the inner-city regeneration work initiated by my right hon. Friend the Member for Henley (Mr. Heseltine) was motivated by those tragic events.

The Stephen Lawrence inquiry was about the murder of one boy. The fact that he was a black boy is almost irrelevant to many people because he could be anyone's son. He was a young boy doing his A-levels and hoping to be an architect. The depth of emotion surrounding those events has shown that the community recognises that it is unacceptable for such a case—involving a girl or a boy, black or white—not to be investigated rigorously and properly.

I disagreed with the hon. Member for Bethnal Green and Bow (Ms King) when she said that she was the only young black female Member of Parliament. I found her remarks offensive to the hon. Member for Hackney, North and Stoke Newington (Ms Abbott). I felt for the hon. Lady—who is almost my hon. Friend—and nearly sought to intervene. However the comments of the hon. Member for Bethnal Green and Bow about her treatment as a young girl by the police rang true for all London Members of Parliament and those familiar with life in our inner cities.

I served as a magistrate when the father of my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg), as Lord Chancellor, was busy encouraging more black and ethnic minority magistrates. All black or ethnic minority magistrates or their children had been stopped repeatedly by the police. We were all the same when we were in the retiring room and when we ate lunch. However, when we drove home in our cars, the black or ethnic minority magistrates were much more likely to be stopped.

I have no wish to use the Macpherson report to stir up divisiveness, suspicion or hostility. There is a danger of that because some people have reacted with exaggerated language and taken an extreme position. Regrettably, that provokes a backlash. I have received a large document from a constituent—a white woman—complaining about incidents in which she feels that the white side has not been put fairly and properly. The moderation and the constructive approach with which Members on both Front Benches have been handling the report is most important.

I do not intend to go through each of the recommendations. In my view, some of them are over-ambitious, unenforceable or extremely costly: but no doubt the Home Secretary will be able to fund some of the proposed projects without undue difficulty. I shall speak about the work being done to extend the Race Relations Act 1976 to all parts of the public sector.

It is right that the public sector should be a model for the recruitment, retention and progress of people from black and ethnic minorities. Perhaps as a result of my experience as chairman of the court in Brixton, when I was the Secretary of State for Health I convened a group to talk about the recruitment and retention experiences in the national health service of people from black and ethnic minorities. When the hon. Member for Tottenham (Mr. Grant) made allegations in his speech about St. George's medical school, there was reason behind his comments. I used to meet members of the Overseas Doctors Association frequently—I wish it would stop calling itself the Overseas Doctors Association because many of its members went to the same school, university and medical school as my daughter and they are no more overseas doctors than she is. At those meetings, I heard tragic and deeply emotional accounts of the experiences of nurses, doctors, managers and others in a service that should have been as good as, or better than, any other in the way that black and ethnic minorities were treated. That was especially important because in our health targets we needed to reach out and improve the health of the whole community: the black, Asian and white communities.

In a subtle way, we have moved on from Scarman. Being colour blind is not really the challenge that we face. People of my generation went through a period of thinking that to be enlightened we must not mention whether people were men or women, black or white and we must not mention their age. That was naive and unhelpful. What is important is how we recognise and celebrate diversity.

In 1993, we published an action plan with eight targets which seem as valid today as they were then. I only wish that they had been acted on with the energy that I intended at the time. Those targets covered such matters as the number of G-grade nurses or the length of time that doctors took to complete their specialist training.

Similarly, there are comments in the Macpherson report about education. I worry about the way in which the national curriculum recommendations will be implemented. Before I became a Member of Parliament, I worked in Camberwell, Peckham and Brixton for many years and met many families who had travelled halfway around the world to live in Britain. They were frustrated that there was such a strong focus on ethnic minority education that their children were not learning to read, write, spell and do arithmetic. The last thing that was popular with people in black and ethnic minority communities was the patronising approach that implied that parents in those communities had lower aims and aspirations than those of other parents. My experience was that people who had travelled long distances to be in Britain had aims and aspirations that were often closer to mine than to those of some of the excessively politically correct leaders of the Inner London education authority at that time. That was the concern of the 1985 Swann report, "Education for all". The Swann committee, of which my hon. Friend the Member for Faversham and Mid-Kent (Mr. Rowe) was a member, concluded that, too often, patronising, paternalistic attitudes arising from misguided philanthropy resulted in a failure to bring out the best in young people. I endorse and applaud the recommendations on education for citizenship contained in the Macpherson report.

The British Council, of which I am vice-chairman along with the hon. Member for Leicester, East (Mr. Vaz), is involved in training police around the world, in Zimbabwe, Pakistan, South Africa and Uganda. I met some of the trainers who train police forces to deal with human rights concerns, to work with the community and in methods of combating racism and the tensions that divide communities in almost every country in the world. I do not want the experience of the Macpherson report to be such that we lose confidence that, overall, we have developed an approach of which we should be proud, but there is never room for complacency. The tension that divides communities can be seen in the report and, in its extreme manifestations, results in the horrendous events

[Mrs. Virginia Bottomley]

in Kosovo. It is part of the predicament that faces not only modern communities but communities throughout the centuries. The British Council is also involved in magnificent work that celebrates the diversity of Britain today—the best of British, which includes contemporary dance groups, such as Kokuma; some of the best contemporary Afro-Caribbean musicians, such as J. Life, who played at the Labour party conference, but not at the Conservative party conference; and Benjamin Zephaniah.

In the hope of a constructive message emerging from the Macpherson inquiry, we should all reflect that it was in 1958, at the time of the Notting Hill riots, that Lord Justice Salmon said:

"Everyone irrespective of the colour of their skin is entitled to walk through the streets free from fear."

I hope that that will be true.

8.48 pm

Mr. Piara S. Khabra (Ealing, Southall): I represent a constituency that has a strong ethnic minority presence: nearly 30 per cent. of my electorate come from the ethnic minority community. It is a strong community, which is able to protect itself from racial attacks. In 1979, the community decided to oppose the presence of the National Front, which wanted to hold a meeting in my constituency in Southall. In that campaign 20 years ago, Blair Peach died, but no public inquiry has ever been held into his death. I want to take the opportunity offered by this debate to urge my right hon. Friend the Home Secretary to set up a public inquiry into the death of Blair Peach and the question of who killed him.

I should like to reiterate the sentiments already expressed by other hon. Members today, that the work of Stephen's parents, Neville and Doreen, to obtain some justice after their son's death has been an example to everyone. I have been impressed and moved by their public appeals over the past six years. The Stephen Lawrence inquiry, which was brought to an end by the publication of the Macpherson report, is without doubt one of the most important inquiries ever to have taken place in this country.

I should like to present a glossary of the racial hate mail that I personally receive from within the country and abroad. A letter that I was sent last year stated:

"when we had a Empire trying to make scum like you better, you did not want us in your country"—

India—

"but after the British had left, you all realised what a stinking shower you all are, and you all want to come to our lovely country and make it like a pig hole like your own country.

Go back to your own country and try to make it better. I believe and hope we British will get a new Enoch Powell who will deport all the stinking curry eating wogs out of Britain. Sooner the better. Union Jack."

Last year, I received a Christmas card, which had been posted in Paris. It said on the front:

"A Heartfelt wish to you and all your Family for Christmas and the New Year",

but inside, it said a different thing altogether. The card was sent by one of the supporters of Jean-Marie Le Pen of the National Front, and said:

"Get out of my Country you fucking Wogs. Only our Politicians want you over here. We don't!"

Another such leaflet was sent to me last year, saying:

"So F. O. back to Africa & India! We the English public didn't want you over here. Ever-only the bloody Politicians did."

That is an example of the hate literature that is sent to us. Even Members of Parliament are not safe from it.

Another letter that was sent to me said:

"Mr. Khabra, how you can be proud of your Indian origins and ask Tony Blair a sycophant question on India's 50th independence anniversary my mind boggles because in practice Indians are corrupt and lazy and cannot organise a piss up in a brewery."

Mr. Deputy Speaker: Order. I am sorry to interrupt the hon. Member. Given the traditions of the House, he might just spare us the odd word or two without detriment to the message that he is trying to put across.

Mr. Khabra: Another letter that was sent to me said:

"Surely at a time when we're aiming to save green space and reduce traffic, we should not be increasing the population, letting thousands of immigrants through."

That is proof that people will even use environmental issues, blaming ethnic minority communities for polluting the environment. Those letters represent the cocktail of abusive racist language to which I am often subjected by people who believe in racial discrimination.

The Macpherson report concluded that "fundamental errors" were made and that the police investigation

"was marred by a combination of professional incompetence, institutional racism and a failure of leadership by senior officers."

Opposition Members have implied strong criticism; they have asked, "What does institutional racism mean?" I am sure that they know that there is such institutional racism in this case. It was founded during the period when this country was an imperial power. Such practice continues; institutions practise institutional racism. We urgently need the trust between the ethnic minorities and the police to be strengthened.

It is unfair to condemn the entire police force because the whole community recognises the good work that the police carry out on our behalf. However, there is no doubt that an improvement in community relations between the police and general public is needed. I stress that the issue does not concern only the police; there are racist attitudes throughout public life.

The police service has recognised that it needs to recruit more police officers from ethnic minority communities. I know from my own experience that, for various reasons, the police have difficulty in attracting young people from black and Asian communities. One reason is that they believe that the police force is still very much a racist institution, and that deters them from serving in the police.

Under new proposals, each force will set individual targets for recruitment that will reflect the cultural diversity of the community that it serves. Barriers to achieving those targets will be tackled by removing discriminatory practices within the service and pursuing a policy of improved community relations. We should note the new police discipline procedures, including a fast-track procedure, with full rights of appeal, to deal swiftly with officers who are caught committing serious criminal offences. Those are steps in the right direction.

I welcome the Government's moves to introduce targets, not quotas, for the recruitment, retention and promotion of ethnic minority officers in areas other than the police, such as the Home Office and the fire, immigration, prison and probation services.

I also welcome the Macpherson report's recommendation that there should be close co-operation between the police service, local government and other agencies, particularly housing and education departments, to ensure that all information about racist incidents and crimes is shared and is readily available to all agencies. I welcome also the recommendation that

"Local Education Authorities and School Governors have the duty to create and implement strategies in their schools to prevent and address racism."

Both of those approaches are aimed at tackling racism at the most important level, the grass roots.

I welcome the action plan, announced by the Home Secretary on 23 March, to take forward the 70 recommendations of the Stephen Lawrence inquiry. The fact that the Home Secretary has taken personal responsibility for that signals that there is a political will to bring about changes that have been identified as necessary. The inquiry accepted that institutional racism is present in all our major institutions. The Home Secretary has endorsed that finding and restated his commitment to building an anti-racist society, and the proposals for that are still being developed.

I highlight recommendations 12 to 19, which refer to racist incidents. The Home Secretary has agreed to ensure that the definition of a racist incident as

"any incident which is perceived to be racist by the victim or any other person"

is universally adopted by the police, local government and other relevant agencies.

Recommendation 11 of the Lawrence inquiry report calls for the provisions of the Race Relations Act 1976 to be extended to the police force. The Home Secretary's unconditional acceptance of that recommendation demonstrates that racial equality is to be taken seriously. The Race Relations Act does not have enough teeth to bite and there is a need to amend and strengthen the law so that racial discrimination can be rooted out from society.

I welcome recommendation 39, that there should be an amendment of the law relating to racist language and behaviour. I welcome also the review of legislation that my right hon. Friend the Home Secretary proposes to carry out before the end of the year.

During my time as a Member since 1992 and before, when I was a community leader in my constituency, I have always had a good working relationship with the local police. They have always been prepared to listen to my concerns whenever they have arisen. However, there is still a long way to go, not only in the police force but throughout society at large, before we eradicate racial prejudice.

We must accept that many changes have taken place over the past 10 years in terms of racial prejudice. However, I am convinced that the attitude of racial prejudice still persists among a minority of people. Surprisingly, it is my experience that it exists in the party political system. Individuals, without realising it, still behave in a racially discriminatory way. Racial prejudice takes different forms and it is reflected in their attitudes to Members who come from the ethnic minority communities, who are their own colleagues.

The Lawrence family has shown bravery in the face of adversity. It is now up to everyone, including us, to show the same determination and put an end to prejudice.

8.56 pm

Mr. Gerald Howarth (Aldershot): I am sure that the entire House deplores the sort of comments that the hon. Member for Ealing, Southall (Mr. Khabra) has received, no doubt anonymously. If it is any consolation to him, I have been the subject of hate mail. It is not very pleasant for oneself or for one's family. However, I am sure that the House is pleased to hear that the hon. Gentleman has a good working relationship with his local police. That is extremely good news, even if it perhaps that somewhat contradicts some of his more generalised points.

I begin by striking a note of agreement, as I am not sure that the House will agree with everything that I have to say. I share the universal sense of outrage at the killing of Stephen Lawrence. I appreciate—even if I do not understand, having not experienced it myself—the grief that his parents have suffered. I also readily appreciate their deep frustration that no one has been successfully brought to book for the murder of their son. Anyone who has read the appalling appendix to the report setting out the conversations that went on inside a flat cannot help but believe that that sort of behaviour and language is completely unacceptable in our country.

First, nothing that I might say is intended to diminish my appreciation or respect for the Lawrences. I hope that my parliamentary pension will not be imperilled. Secondly, I acknowledge the complexity of the task that was faced by the inquiry. I can agree with some of the recommendations, such as the proposal that police procedures at the scene of incidents be reviewed or, as other hon. Members have suggested, that improved services for victims and their families should be provided by the police.

I listened to my hon. Friend the Member for Worthing, West (Mr. Bottomley), who unfortunately is no longer in his place. I am sure that we were all moved by his experience. He knows much more about this issue than the rest of us and has had a close relationship with the inquiry. The rest of us have to fathom what we can from the report.

Having started on a note of agreement, I conclude that the report is fundamentally flawed. In the interest of arriving at fair and sensible conclusions, the House must address these issues fearlessly. In my view, the report is driven by a desire to be seen to be politically correct. It is inconsistent and contradictory. In some places it contains fatuous and even dangerous nonsense. At its heart is the contention that not only the police service but all British institutions are endemically infested with racism, which throughout is described as a disease. I regret that in the language of Macpherson, there is only one kind of racism, only one kind of insensitivity—that is, white against black. The report therefore stands accused of being partial.

Furthermore, every allowance is shown towards the Lawrences—quite understandable in the circumstances—but little latitude is afforded to the police, who are subject throughout to the precision weapon of 20:20 hindsight. That is rich, coming from a committee of inquiry that was so incompetent that it overlooked the publication of the names and addresses of vulnerable witnesses. How can members of the committee of inquiry criticise police officers working under pressure, when they themselves were guilty of such an elementary mistake, for which they have not yet apologised?

[Mr. Gerald Howarth]

However tragic the death of Stephen Lawrence—and it was tragic—the greater tragedy is that his death is but one of many senseless killings. What about Keith Blakelock, the police constable hacked to pieces in October 1985 by a gang of black murderers at Broadwater Farm in Tottenham? What about young Richard Everitt, an English schoolboy brutally killed by a gang of Asian youths just days before Stephen Lawrence's murder? Neither of the killers of those two has been found. It is not just Stephen Lawrence and his parents who have suffered; many other people have suffered as well, and we should be concerned for them all.

It is the out-and-out contradictions that render the report so flawed. For example, at paragraph 5.13 the report states that as regards Stephen Lawrence's friend Duwayne Brooks,

"no police officer, at any time, treated him properly as a victim."

Yet in the next paragraph, the report states:

"DC Cooper and other police officers treated Mr Brooks at the Police Station appropriately and professionally."

However, at paragraph 5.31 we are told:

"He simply was not treated professionally and appropriately and according to his needs."

What on earth are we to make of such inconsistencies?

I remind the House, uncomfortable though it may be, that Mr. Brooks' response to the police woman who arrived at the murder scene was to ask—in deference to you, Mr. Deputy Speaker, I shall not use the exact language—

"Who called you f—ing c—s anyway, pigs. I only called the f—ing ambulance."

I quote from the report. It must require discipline to work calmly against such abuse. We should also remember that, as paragraph 5.25 states, the lawyer, Mr. Khan,

"never complained to the police on Mr Brooks' behalf about lack of liaison or lack of care or support being given to Mr Brooks."

More generally, the inquiry refused to consider that incompetence alone could account for the failure to catch Stephen's killers—I refer to paragraph 6.44. It exonerates individual police officers of racism, such as Detective Superintendent Crampton, who

"was undoubtedly not influenced in our opinion by the fact that the victim was black".

I quote from paragraph 13.74. The same was said of Detective Superintendent Weeden, who took over from Mr. Crampton. Paragraph 14.34 states that

"there is no ground for alleging that these failures"

it is acknowledged that there were failures—

"occurred because the victim of this murder was black or because Mr Weeden was in some way involved in collusion or corruption . . We see no basis upon which it can properly be alleged that Mr Weeden acted improperly in his investigative duties because of racist attitudes."

Having failed to make charges of racism stick, the inquiry accuses the police of

"the evil of unwitting racism",

which can arise, for example, because of

"well intentioned but patronising words or actions".

We are offered what I regard as an appalling example at paragraph 15.4, where Detective Inspector Bullock is hauled over the coals and accused of "casually and insensitively" referring to Stephen Lawrence and Duwayne Brooks as

"'the two young coloured lads'. He was oblivious to his own insensitivity in this regard."

I regard that as utterly fatuous nonsense. I do not understand how such allegations can be made against a police officer for using that sort of mild language. There was nothing intentionally racist in it, nothing thought to be offensive. Indeed, I imagine that the language was thought to be caring and concerned, yet it has been twisted round and held against the detective. I find it extraordinary that his words should be invested with racism.

There is worse to come. Poor acting Inspector Little was unwittingly infected with racism because he committed the crime of treating the murder of Stephen Lawrence as he would any other murder, of which, I remind the House, there were three outstanding in the area at that time. He had failed to catch up with the times. In the old days, officers had to be colour blind and had to treat everyone the same, otherwise they were prejudiced. The report states:

"A colour blind approach fails to take account of the nature and needs of the person or the people involved."

We cannot go around society working on the fine-tuning of people's sensitivity. We cannot expect police officers, in the execution of their duty, to understand all those changes of nuance in that fashion. It is thoroughly unrealistic that they should be expected to do so.

The examples that I have quoted are not only fatuous, they are dangerous, for they introduce the concept that the police will be chastised if they treat everyone equally before the law. British citizens expect their police service to treat everybody equally before the law, but even my right hon. Friend the Member for South-West Surrey (Mrs. Bottomley) suggests that we are all out of touch and must abandon that approach, and must take myriad considerations into account. *[Interruption.]* The Minister of State shakes his head, but I have quoted from the report; to be colour blind—to treat everybody equally—is not acceptable, apparently. Police officers will, at best, be confused.

Mr. Beith: Will the hon. Gentleman give way?

Mr. Howarth: I will not, if the right hon. Gentleman will forgive me. Time is short and not many people have had an opportunity to put the kind of argument that I want to put to the House tonight. *[Interruption.]* Some may say that that is a good thing, but there we are.

The failure of the police to catch and convict the murderers of Stephen Lawrence may owe something to the decision not to arrest the suspects immediately, but to found on that error of judgment a charge that the police were insensitive and racist—and to build on that a vast raft of new, draconian laws and procedures—is unwarranted and wrong. The Commissioner, Sir Paul Condon, whom I believe to be an extremely dignified and capable officer, has been pilloried and abused in a manner which would have resulted in charges if meted out by non-blacks. He has expressed reservations about bringing the police within the remit of race relations law, and I believe that he is right to do so.

The chairman of the Hampshire Police Federation said:

"Law abiding ethnic communities have never caused problems for the police service, and indeed in Hampshire we have always enjoyed good relations with community leaders . . .

The main concern is in dealing with criminals who just happen to be black or Asian.

It is this element which I fear will attempt to capitalise on a well intentioned report and try to use it to their advantage.

The phrase 'you have only stopped me because I am black' in light of this report will understandably cause officers concern.

It will be exploited by that criminal element who attempt to hide their criminality behind their colour and attempt to thwart proactive policing by falsely alleging persecution on the basis of race rather than the truth.

I have already heard officers in this Force express reluctance to become involved with black or Asian youths for fear of allegations being made."

That is a very serious charge and the Minister of State has to take it into account.

It is fair to say that some unpalatable truths have to be faced, one of which is the fact that no Government have ever received a mandate to turn the United Kingdom into a multiracial society. Despite the warnings given in the 1960s and 1970s about the inevitable social consequences of large-scale immigration to Britain, successive Governments have ploughed on regardless.

There are those who will use the report to try to advance a cause that I do not believe to be in the interests of good race relations in this country. I regret that some who have come here freely and others who have sought refuge in this country appear no longer content to learn and accept our native customs and traditions, but wish to assert their own. Some of the minority even want to dictate to the majority.

I believe that the report makes chilling reading in places. Not only does it contain the quite frightening suggestion that the thought police should be allowed to invade the home of a free-born Englishman; there is the threat of indoctrination in our schools to make children "value cultural diversity". My right hon. Friend the Member for Penrith and The Border (Mr. Maclean) described that as Orwellian. Although some people welcome cultural diversity, others see it as a threat and there is no point in this House being other than aware of that fact. It strikes some people that the homogeneity of the United Kingdom is somehow under threat.

This country is Britain, and the best service that we can do for all our children is to give them a thorough knowledge of the history and cultural heritage of these islands. As for the police, they deserve far better than this report and the public humiliation to which the Commissioner has been subjected. Britain is a tolerant country. We need to keep working at good race relations, but it is time that those with ethnic minority backgrounds, who represent just 6 per cent. of the population, tried to be more understanding of us and our centuries-old culture.

9.10 pm

Mr. Iain Coleman (Hammersmith and Fulham): Thank you, Mr. Deputy Speaker, for calling me to speak in this interesting debate. Given the lack of time, my speech will be brief.

It is crucial that, above all else, we learn the key lessons from Stephen's tragic death. We all have a duty, particularly those of us in public life, to examine our conduct and consciences to ensure that we have done so. Are we certain that our actions are consistent with the desire of all right-minded people to build a decent society, free from the discrimination, hatred and prejudice that breeds the attitudes that we all witnessed from the five young white men caught on video tape proclaiming their vile and disgusting opinions?

When I was first elected as a local authority councillor some 13 years' ago, the relationship between my local authority and the Metropolitan police was appalling. The level of mutual distrust bordered on hostility and it was the widely held view of most Labour councillors, including myself, that the Metropolitan police was an organisation riddled with racism, which was to be challenged at all times and treated with contempt and disdain. Any suggestion that a constructive dialogue should take place between our two bodies was regarded almost as tantamount to appeasement with the enemy.

On reflection, I believe that the fault for that near-complete breakdown in trust and communication should be apportioned to everyone involved, including those of us in the Labour party who adopted an inflexible and inappropriate approach. Those who suffered at the time were not the police or the policy makers at the council, but the local communities that we were elected to serve. It has taken more than a decade for us to turn that situation around. We have gone some way to achieving that objective.

Having worked closely with local senior police officers over recent years I am convinced that they are now genuinely committed to an anti-racist police strategy. In January this year, Chief Superintendent Joe Kaye, who was until recently stationed at Hammersmith police station, accepted an invitation to speak at a local ward meeting. In the 1980s the idea that the Labour party would offer an invitation to a senior police officer to discuss his vision of a community police strategy would have been absurd. We opened up the meeting to residents of a deprived housing estate and the large audience sometimes gave Chief Superintendent Kaye a hard time. However, the fact that he was prepared to listen and respond to the views and criticisms of a local working-class community is further proof of how the relationship has changed in the past decade.

Welcome though the change at the top of the local police structure is, there remains much distrust and suspicion among my constituents about the Metropolitan police. Far too often, my black constituents are the individuals who are stopped for no good reason when driving their cars at night. It is still regular practice in my constituency for young black men to be pulled up and searched when all that they are doing is peacefully walking home. It is hardly surprising, therefore, that the black community continues to be resentful and sceptical about the police's commitment to root out the discrimination that has scarred their service for far too many years.

I particularly welcome, therefore, the suggestion in the action plan, which the Home Secretary has drawn up following the Macpherson report, that all stops, including non-statutory ones, be recorded and details given to the individual who is stopped.

It is important, as I said, that we should all examine our own behaviour to ensure that nothing we do could in any way encourage or tolerate the spread of

[Mr. Iain Coleman]

racist attitudes. I am sure that all hon. Members will therefore welcome, as I do, the all-party statement on the principles of good practice for the debate on the Immigration and Asylum Bill. The document was signed by all the leaders of parties represented in the House, and calls on all Members of Parliament, all Members of the European Parliament and all councillors to ensure that, in any dealings with the public, no words or actions are used that may stir up racial or religious hatred or lead to prejudice on grounds of race, nationality or religion.

It was therefore a very sad disappointment that, in the very week in which the Immigration and Asylum Bill—the legislation with which that all-party document was drawn up to deal—was published, a leaflet entitled "Fulham Homes For Fulham People" was distributed in some parts of my constituency. The authors of that propaganda are two young white Conservative councillors who were elected to the authority less than a year ago. Currently, one of them is challenging for leadership of the Conservative group in Hammersmith and Fulham.

Among the statements made in the leaflet are that more housing points should be given

"to those who have a strong link with the local area"—

whatever that might mean. It goes on to say that the Labour council

"couldn't care less whether you've lived 5 minutes or 20 years in Fulham."

The leaflet also states that the Labour council grants

"75 bonus points for certain categories of homeless people, including asylum seekers",

and ends with the charming expression "Stop the rot".

Those statements are dangerous and completely without foundation. They are also a disgrace. Hon. Members will judge for themselves whether they are consistent with the all-party agreement signed by all the party leaders, including the Leader of the Opposition.

One of the young men involved in publishing the leaflet is the chairman of the new youth wing of the Conservative party—an organisation that I believe is called Conservative Future. I am sure that we shall all be eagerly awaiting the recommendations of the internal investigation into the publication of that leaflet, which was announced yesterday by Conservative central office, after a complaint made by the national Commission for Racial Equality.

Stephen's tragic death has highlighted the prejudice and discrimination faced daily by the United Kingdom's black and ethnic minority communities. It must therefore be incumbent on all of us in public life ruthlessly to stamp out any behaviour that could in any way feed that prejudice. The time for words is over. Only by our actions will we demonstrate our commitment at last to build the fair anti-racist society that the people of the United Kingdom deserve.

9.17 pm

Mr. Humfrey Malins (Woking): I shall be brief.

When I hear it said by politicians that our Metropolitan police are institutionally corrupt, institutionally racist and institutionally incompetent, I think that the world has sometimes gone completely mad. I also believe that the reverse is the truth. There are some bad apples in our Metropolitan police, but there are some bad apples in every part of society. The truth—which is not said enough—is that our Metropolitan police are an outstandingly good force of devoted men and women, ably led by a man who has introduced much innovation and done a great deal of good.

We are lucky in our metropolis to be policed by that force. It is also high time that politicians began talking up police, rather than talking them down. They have no voice in the Chamber to speak for themselves, so let us do it.

I admit straight away that we must approach this important debate in a measured manner. It would be wrong to deny that there are some problems. It is important to stress that there must be more trust between police and ethnic minority communities. Yes, all of that is necessary. Much can and should be done.

We need more people from ethnic minority communities in our police force. I do not like the idea of quotas, but I do like the idea of having more young men and women from those communities in the police force. I should be very glad to see more leaders of the ethnic minority communities encouraging some of their youngsters to join the police force, rather than, I am sad to say, so often talking down a career in the police. I therefore accept the need to recruit and retain more people in the police force from ethnic minority communities.

I am on all fours with one aspect of the Macpherson report. My career in the law over many years has convinced me that we need to look carefully at the use of the stop-and-search powers. There is no doubt that there is a feeling among a lot of black young men in the metropolis that those powers are operated unfairly and to their detriment. Any fair-minded person will accept that there is a case to be considered. I am pleased that the Metropolitan police—with Government backing, I think—are considering pilot studies to see where improvements can be made. It is important that young people should feel fairly treated on the streets.

However, there is a lot in the Macpherson report that is silly and sinister and could suitably be consigned to the dustbin. The abolition of the double jeopardy rule would be a great mistake. I hope that all those in authority share that view. The prosecution of offences involving racist language in a private home would also be a great mistake. Certain offences already exist under public order legislation and the defences in relation to private homes should remain.

This is awkward, because I am trying to convert a 15-minute speech into about four and a half minutes. We have to be very careful about how we approach the issue in education and our schools. I am worried to see recommendations that the national curriculum should be amended to include lessons on how not to be racist in order better to effect the needs of a diverse society. I am also terribly troubled by the absurd recommendation that schools should record all racist incidents, that all recorded incidents should be reported to the governors, the guardians and the local education authority and that the numbers should be published. We are creating too much trouble for ourselves, particularly when a racist incident is defined as

"any incident which is perceived to be racist by the victim or any other person."

The recommendation goes on to say that

"the term 'racist incident' must be understood to include crimes and non-crimes"—

very significant words—

"in policing terms. Both must be reported, recorded and investigated with equal commitment."

One wonders who will do the reporting, the recording and the investigating and with what commitment. Is that not political correctness gone mad?

We are in severe danger of doing too much. As a result we shall create more resentment and tension where not so much exists at the moment. We should not take action that results in more problems and more tension. Let us move slowly rather than quickly and let us carry the consent of the whole population with us. The Macpherson report is another example of 5 per cent. of the population making 95 per cent. of the noise.

9.23 pm

Mr. Jon Trickett (Hemsworth): In view of the time, I shall try to curtail my comments. I do not share the views of the hon. Member for Woking (Mr. Malins). A boy lies dead. The police bungled the inquiry. The Kent police then handled the investigation incompetently and five racist murderers are still on the loose.

We should compliment my right hon. Friend the Home Secretary on having had the courage to launch the inquiry. We should congratulate the authors of the report on their intelligence, wisdom, patience and humanity. We should also commend my right hon. Friend on having had the wit and speed to respond so comprehensively to the Macpherson report.

In my public life, I have represented two very different areas. For 14 years I represented an area in south Leeds, with a rich multi-ethnic mix. From 1984, I lived among the community. The relationship between the police and the ethnic minority communities had broken down, and there was a huge chasm of confidence between those communities and the police. I discovered a level and intensity of racial harassment and violence that was frightening to me as a near neighbour and terrifying to the people who were subjected to that violence. Offensive graffiti displayed the Nazi insignia. We were not dealing merely with incipient racism—although that existed—but with organised racism by fascist organisations. There were attacks on property and attacks on the person, both physical and verbal. People lived in fear and were intimidated in their own houses. They were frightened to go out. Frequently, the women, the elderly and the children were unable to leave their homes.

The police had failed to protect that community. I was frequently called out—sometimes almost every night—to witness incidents. Almost invariably I was there before the police arrived: sometimes they took hours to arrive or never came at all in spite of threats to people's physical safety.

An inquiry was launched by the Leeds community relations council, which was chaired by Canon Jim Richardson, then Vicar of Leeds. It found harassment on a large and horrific scale. The police statistics failed to recognise the scale of the phenomenon, which has been reflected in many of our other inner cities.

I want to highlight recommendations 12 to 17 in the Macpherson inquiry report, which will require a more accurate system of reporting racial incidents in the future. That will help to create some public confidence, and will reveal for the first time the true extent and character of the problem of racism and fascist organisations in our inner-city areas. It will require the police and other agencies to become race aware in a way that they have not been in the past. It will begin to restore confidence that the suffering of communities is being adequately recognised.

In 1996, I left Leeds and went to the community of Hemsworth, which, according to the 1991 census, is 99 per cent. ethnic white. That gives me a special perspective. I now represent villages which are ethnically white, almost without exception, but where a chasm of confidence opened up between the police and the community as a result of the 1984 miners strike. Now there is great poverty in those communities, as well as large-scale drug dealing and a rising tide of criminality.

Many people in those villages tell me that they have lost confidence in the policing of their communities. I share and understand such fears and lack of confidence when I meet elderly people who fear to go out of their homes. I try to call community meetings and a different police officer comes on each occasion, so there is no continuity. The police say that some communities must raise money to pay for adequate policing. The entire community lacks confidence in the police.

The common theme of the communities that I have represented is lack of confidence. Macpherson is pointing us in the correct direction.

Above all, I want to highlight the recommendation concerning the Police Complaints Authority, which makes it clear that it should become independent. The Home Office is sympathetic to the principle of an independent system of investigation. I want to press the Minister to clarify the sentences in the document that refer to the cost and practical implications of making the Police Complaints Authority independent. In my view, true independence is an absolute imperative. It would be well worth it if some cost were involved, as a means of restoring confidence in policing among communities such as those I have briefly described.

9.30 pm

Mr. John Greenway (Ryedale): This important debate was bound to generate strong emotions, but generally speaking, it has again demonstrated that there is unity in our revulsion at the appalling and atrocious murder of Stephen Lawrence; in our condemnation of the abysmal and deplorable handling of the police investigation into that crime, as set out in the Macpherson report; and in our sense of outrage at the comprehensive failure of our criminal justice system to bring Stephen's killers to justice.

We want to make our streets safer for all our citizens; to eliminate racism in our society; to make our police service more responsive to the needs and interests of all elements in our communities, and especially minorities identifiable by their ethnic origin; and to address the shortcomings so forcefully outlined in Sir William Macpherson's exhaustive report. Above all, we want the restoration of confidence in our police service, especially in London, among all sections of our multicultural and multiracial community.

We are right to pursue with vigour and determination the process of change and reform that those crucial objectives demand, but we have surely an equal

[Mr. John Greenway]

responsibility to examine carefully the conclusions and recommendations in the Macpherson report, to test their validity and appropriateness, and to ensure that the changes that we instigate will have the effect that we all want.

We must not allow our abhorrence of Stephen's murder to cloud our judgment of precisely what is wrong, what needs to be done and what will be most effective and necessary action to achieve our objectives. As the hon. Member for Bethnal Green and Bow (Ms King) said, hysteria does not help us to come to an understanding of the problems.

Mr. Rowe: Will my hon. Friend do a kindness to the Kent police? At least one speaker today has suggested that the Kent police inquiry was incompetent. In fact, the report said that it was painstaking, thorough and fair. It is only right to put that on the record, especially as the leader of the Kent police inquiry was never asked to give evidence to the Macpherson inquiry.

Mr. Greenway: My hon. Friend makes his own point extremely well. There was a thorough Kent inquiry, although some of its conclusions were not shared by Sir William Macpherson.

We should avoid the mistake of thinking that nothing has been done before to tackle the problems. Macpherson may well be a defining moment in police and community relations in our country, but the report and its recommendations are not revolutionary in all respects. Indeed, the report is at its best when building on and developing reforms and processes already under way.

I was a member of the Home Affairs Committee when, in 1994—after Stephen's murder, to which we referred in the very first paragraph of our report—we wrestled with many of the issues tackled in the Macpherson report. Too often, Select Committee reports are prepared, published and then forgotten. They seem to have a very short shelf life.

Many of the issues that Macpherson considered—definition of a racist incident; the scale of racial harassment in our country; the need to reform the law on incitement to racial hatred, to which the hon. Member for Erith and Thamesmead (Mr. Austin) referred; the recruitment, retention and advancement of ethnic minority officers; and police training in racial awareness—were central to the Select Committee report. Work has been on-going since those recommendations were made. That was very much the agenda that we have been debating today.

The Opposition will take a constructive approach to Macpherson, with the aim of ensuring that we reach the right conclusions about what went wrong and why; that our analysis is accurate and clear; and that the changes the Government seek to make, with Parliament's approval, will properly address the problems and issues while also securing the right balance of interests, effects and causes.

I shall summarise some of the more important points about which we have genuine concerns. In the main, they relate to the police service. As my right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler) said, it is crucial that the police's determination to meet the challenge of the Macpherson report is not undermined by low morale arising from falling manpower or over-fussy bureaucracy. While the definition of institutional racism, which gave rise to such controversy and has been mentioned during the debate, is important, it is also important that we again place on record the fact that Sir William himself confirmed that accepting the definition of institutional racism does not entail accepting that all police officers in London are racist, nor that the policies of the Metropolitan police are racist. Once that judgment has been accepted, it is time to move the debate forward and to concentrate on implementing those measures that tackle head on the racist behaviour of the swaggering bigots mentioned by the hon. Member for Eltham (Mr. Efford).

Given the need to challenge the behaviour of individual police officers, we feel that disciplinary procedural changes are generally to be welcomed. Indeed, Metropolitan police initiatives in that area are already well advanced. However, we share the concerns of the police about the implication of the recommendation that calls for disciplinary action for up to five years after retirement. Discipline in the police service is surely about determining fitness to hold the office of constable or higher rank in the police service. It never was about seeking redress or apportioning blame. If that is what is now required, a different approach may be necessary. We do not believe that an extension of pension forfeiture, about which my right hon. Friend the Member for Sutton Coldfield spoke in some detail, would be a just option.

Disciplinary action, more often than not, arises as a result of internal investigations, but complaints from the public and other bodies are also significant. There would probably be an increase in such complaints if the police service were brought within the terms of the Race Relations Act 1976. We accept the principle, for the reasons my right hon. Friend outlined, but before the primary legislation needed to achieve that is introduced, we need to consider carefully the implications. For example, would complaints under the Act be permissible if they were based not on racial motivation, but on outcome? If so, there would be serious implications for the potential cost of meeting compensation claims. It is unlikely that there would be a ceiling on such claims. Our support for the Race Relations Act extension is also dependent on ensuring that the ability of the police to fight crime effectively and to uphold the rule of law is not undermined.

We welcome the fact that Sir William supports the retention of stop-and-search procedures, but we agree that research needs to be done to establish the extent to which discrimination affects the use of those powers, a point referred to by my hon. Friend the Member for Woking (Mr. Malins) and by the hon. Member for Erith and Thamesmead.

The new disciplinary code restates the tradition of policing with fairness and impartiality, and the police service must be free to meet that requirement without fear or favour. Whether or not, and to what extent, the provisions of the Race Relations Act 1976 are eventually applied to the police, the most practical solution for improving racial awareness lies in improved training.

There have been many new developments in that area, and the police are ready to take them further in the light of the report. Too often in the past, important training initiatives—in racial awareness, but in many other areas

too—have been undermined by demands for greater cost-effectiveness. We look forward to seeing the current report into that matter of the Select Committee on Home Affairs.

We accept the fresh definition of racist incidents. However, as my hon. Friend the Member for Chipping Barnet (Sir S. Chapman) said, it is likely to lead to a significant increase in recorded figures for racist incidents. We need to be careful in dealing with that.

I have strong views about the need for a significant increase in recruitment and retention of police officers from ethnic backgrounds. Anyone who has experienced policing in some of the major cities of the United States of America cannot escape the contrast between a multiracial, multicultural police force policing a multiracial, multicultural community and what still happens in the United Kingdom. There has been progress, but we need to do more. The biggest increase in ethnic recruitment occurred when recruitment of additional officers was at its height, not in the 1990s, as the Home Secretary said, but in the 1980s.

There is a huge contradiction in Government policy in this area. It is absurd for the Home Secretary to set targets for ethnic recruitment, but to disclaim any possible influence or responsibility on recruitment levels or on the ability of police forces to maintain adequate numbers of officers.

I should refer briefly to the handling of the report, which has also been referred to by the hon. Member for Eltham and the right hon. Member for Berwick-upon-Tweed (Mr. Beith). The hon. Member for Eltham spoke forcefully about the strong sense of outrage and incredulity felt by his constituents, many of them young people, when their names and addresses were published. What adds insult to injury is the clear knowledge that, just when Ministers and officials should have been taking greater care to prevent that grave error, they were busying themselves in blocking publication of what appeared to everyone to be a deliberate leak of the report. Will the Minister of State tell us when he expects the leak inquiry to be published?

Mr. Efford: Will the hon. Gentleman give way?

Mr. Greenway: I will not because I must finish.

The police cannot be expected to deliver this important programme of reform unless proper resources are provided. The acid test of the Government's commitment to reform will be their capacity to provide those resources. The Government's pronouncements, which we have heard again today, must be matched by a willingness to ensure that the police have the resources to do the job that we all expect.

The signs are not encouraging. The Macpherson report has generated huge expectation of change and reform. The blueprint is clear, and it is widely supported. The police service is eager to deliver change and to restore its battered pride. However, I say with all sincerity, that Ministers must recognise that unless they reconsider their stance on resources, the greatest obstacle to success will rest with them.

9.45 pm

The Minister of State, Home Office (Mr. Paul Boateng): Our race, our culture, our history, in all the richness and diversity now happily represented in this House and reflected in this debate, are very important to each and every one of us in our different ways. However, they do not, and must not, on their own define us, because we are all, each and every one of us, much more than that. Whether in Peckham or in Penrith, we share a common humanity that we must recognise and upon which we must build. In this country, we share something else: a common home and a history of empire and Commonwealth. The hon. Member for Aldershot (Mr. Howarth) should recognise that, because his past constituents had a role in ensuring that. We must now build on that shared history and humanity.

The great evil, and it was an evil, of what happened to Stephen Lawrence is that all his murderers saw was another black boy. All they saw was another nigger, and they were going to get him. All too many, but not all, the police officers only saw another black boy suspected of being a street fighter, and they treated him as such. They only saw yet another black family with a sense of unjustified grievance, and they treated them as such. That should be a matter of shame to each and every one of us.

What I sensed on both sides of the House today was exemplified by the speeches of the right hon. Member for Sutton Coldfield (Sir N. Fowler), the hon. Member for Ryedale (Mr. Greenway) and, particularly, the right hon. Member for South-West Surrey (Mrs. Bottomley) and my hon. Friends. They recognised that, whatever happens, whatever we have said, we all, in our different ways and from our different perspectives, believe that what happened to the Lawrence family must never happen again. No family, no matter what their colour, should have to go through again what the Lawrences have suffered over the past six years. That unites us all, and thank God that it does.

Reference was made in the debate—sometimes, from various perspectives, critical—to the definitions of institutional racism and racist incident suggested by Sir William Macpherson and his team. The Government accept both the report's definitions because we see them as working definitions that have a practical purpose. I am sure that we could all find something in them, or underpinning or underlying them,with which we might take issue to a greater or lesser extent, but I think that the overwhelming majority of hon. Members recognise their value because they enable us to move forward. Institutional racism is defined in such a way as to enable us to identify better and to come together to address a problem that we know exists.

I must stress to right hon. and hon. Members that no black person in this country needed Sir William Macpherson to tell us about the nature of racism. No black person in this country needed to be told about institutional racism in the Metropolitan police or any other police force or in the wider institutions of our society. We recognise that it is there, as do many white people, and we are only too cognisant of the fact, as are many white people, that something must be done about it. We must address that problem if we are to move forward. All of us surely require not breast-beating, semantics, self-flagellation, the donning of sackcloth and ashes, or diversionary quibbling, but change in order to address better the reality and perception of unfairness and injustice. We seek equal not preferential treatment, not for one race but for all. No one is asking for—or wants—any favours. We seek fairness and equal treatment under the law because it is the law that is important. That must be at the forefront of our consciousness when we consider these matters.

[Mr. Paul Boateng]

I well understand—what lawyer would not?—the concern about the definition of a racial incident. The hon. Member for Woking (Mr. Malins) referred to stop and search from his perspective as a lawyer. All lawyers have a thing about definitions, and the definition of a racial incident might give the lawyers among us pause for thought. It is essentially an entirely subjective definition, and that always starts alarm bells ringing in any lawyer's ears.

However, the definition has a practical purpose: as my right hon. Friend the Home Secretary said, it is a tool that enables us to record better an event that the victim clearly feels displays racial motivation. The Crown Prosecution Service must determine whether the evidence justifies a matter coming before the court. Sir William Macpherson's definition does not require the matter of racist motivation to be accepted by the CPS or to be brought before the court. It is for the court to determine in the ordinary way whether such a motivation is made. No one of our fellow citizens should be left feeling that his or her concern about a racial motive was not at least recorded. It is not unreasonable to ask that of those whose duty it is to record such matters.

We now need not rhetoric or sentiment but practical measures to ensure that this tragedy does not happen again. The action plan seeks to introduce practical measures: it is a task for everyone with benefits for everyone. The action plan must not be viewed as being only for black people. Every victim of a crime and every member of the public, whatever his or her colour, will benefit from the improvements that it sets out. They will benefit in terms of the competencies that are necessary in a murder investigation, because the events that occurred in the immediate aftermath of the Stephen Lawrence murder should never have happened. Those benefits will accrue to everyone in terms of the way in which bereaved families or the families of victims will be treated by the police.

There are resource implications, but, as my right hon. Friend has said, in this instance fairness and justice have no price; we recognise that. Benefits will accrue to everyone from the fact that basic first-aid skills will be improved. Confidence in the police is vital for all black and all white people—whether in Handsworth or Hemsworth—and it must be strengthened and kept in good repair, because the police have special responsibilities. We put particular burdens on the police. That is why, as my hon. Friend the Member for Tottenham (Mr. Grant) said, we must not forget the community dimension. He has shown the way ahead for recruitment and retention through the cohort project in Tottenham, which sought to bring people into the police from a diverse range of backgrounds.

There is a community responsibility and there will have to be a community involvement. All of us must be committed to working together to build strong, civic communities in which every member feels that he or she has an equal part to play. My hon. Friend the Member for Bethnal Green and Bow (Ms King) rightly reminded us of the significance of young people in all that work. We must bring them on board because they must be part of the solution, rather than remaining part of the problem.

The hon. Member for Ryedale (Mr. Greenway) is correct to point out the work done by the Select Committees. The police have been moving to embrace the diversity agenda, but other public services and institutions must do the same. That is why it is important to extend the Race Relations Act 1976 across the public services. We must all recognise our responsibility in these matters.

It is true that there have been many causes for concern in the past. My hon. Friend the Member for Lewisham, Deptford (Joan Ruddock) mentioned the victims of the New Cross fire. My hon. Friend the Member for Ealing, Southall (Mr. Khabra) referred to the case of Blair Peach. Those campaigns have helped to bring us to the point that we have reached today, but they are part of the past and we must now move forward. We need to move forward on the basis of a greater degree of accountability, and in that context the proposals made in relation to the new Metropolitan Police Authority are most important.

We must also acknowledge the important role that we shall play in this House. The right hon. Member for Fylde (Mr. Jack) correctly reminded us of the importance of evaluating what we do, of pushing projects forward and reporting back to the House. My right hon. Friend the Home Secretary has made it clear that we shall do just that. We must build on the consensus that exists in this House; a consensus acknowledged in the contributions made by the right hon. Member for Berwick-upon-Tweed (Mr. Beith), by the hon. Member for Worthing, West (Mr. Bottomley) and by my hon. Friends the Members for Erith and Thamesmead (Mr. Austin) and for Eltham (Mr. Efford). My hon. Friend the Member for Eltham has had to deal with these matters day in and day out and rightly makes the point that no community deserves to be castigated or written off as racist.

Good people, black and white, are working together to build practical strategies for change. Those strategies need to be taken forward. Yes, existing injustices are a cause for concern. Some of my hon. Friends have asked us for replies on specific matters and the ministerial team will be only too happy to meet them to discuss those matters.

Today, this House is challenged to make a new beginning in which we are united in this country—our country, our home—to build a society that is inclusive and in which people are judged not by the colour of their skin but by the content of their character. That is a fitting memorial to Stephen Lawrence. That will make a reality of all that his parents have striven for: not rhetoric, not sentiment, but a positive strategy for change; a strategy for change that will deliver us the sort of society in which we can take genuine pride and that represents the best that this House can stand for. We have seen that reflected here today. Yes, there will be differences, but at least now we can talk about them openly and move forward. That is progress.

It being Ten o'clock, the motion for the Adjournment of the House lapsed, without Question put.

EDUCATION AND EMPLOYMENT COMMITTEE

Ordered,

That Mr. Don Foster be discharged from the Education and Employment Committee and Mr. Phil Willis be added to the Committee.—*[Mr. Mike Hall.]*

Mr. Tam Dalyell (Linlithgow): On a point of order, Madam Speaker. Earlier today, there was a hint that there would be important discussions and contacts tonight between the Foreign Secretary and the Russians—Mr. Primakov—on the matter of Kosovo. Have you had any request that a statement be made to the House on that matter?

Madam Speaker: No, I have not received such a request. Had I been informed that a statement was to be made, it would have appeared on the annunciator as soon as I became aware of it.

Trading Credit Approvals

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Mike Hall.]*

10.1 pm

Mr. Phil Willis (Harrogate and Knaresborough): I am grateful to you, Madam Speaker, for allowing me to raise the issue of trading credit approvals in this Adjournment debate. I realise that the subject might appear somewhat obscure, but the Minister's response tonight may well have a profound effect on any local authority involved in commercial trading operations and, more important, a significant impact on the economic well-being of 200 businesses in my constituency and the 4,500 men and women who depend on Harrogate's successful conference and exhibition business for their livelihoods. In addition, it may determine whether the current £110 million spent by business tourists within the Harrogate district continues, and whether the high level of private-sector investment that has resulted from the successful international conference business is sustained.

In his response, I hope that the Minister will address three specific points. First, will he clarify the Local Government and Housing Act 1989 in respect of the granting of supplementary credit approvals, including trading credit approvals? Secondly, will he clarify and make explicit the Government's policy in respect of local authority trading organisations? Thirdly, will he re-examine the application for a trading credit approval on behalf of Harrogate borough council?

Although I intend to concentrate on the case of Harrogate borough council's trading operation—the Harrogate international centre—I am aware that the debate has considerable significance for other local authorities with publicly owned conference and exhibition facilities. In towns such as Scarborough, Southport, Blackpool, Brighton, Eastbourne, Bournemouth and Torquay, the development of business tourism came as a direct result of the decline of the traditional holiday tourism market. In Harrogate, it was a response to the collapse of the traditional spa treatment market—a market from which the town of Harrogate derived much of its prosperity and developed its now splendid environment.

The arrival of much larger players—Birmingham's NEC, Manchester's G-MEX, Edinburgh's international centre, Glasgow's Scottish conference and exhibition centre and the Belfast waterfront—has presented new challenges to the smaller venues. Harrogate has risen to that challenge and today ranks as the third-largest conference and exhibition business in Britain outside London. Ten years ago, the business barely achieved break-even before financing costs, but it now achieves a trading surplus of more than £1 million per year, which is used partly to support council services and partly to finance reinvestment in the business.

However, the council has now reached the point where the future prosperity and survival of its conference business requires significant capital investment—about £9 million, of which £2 million can be found from accumulated profits within the borough council. The council needs to raise external funds of £6.6 million to allow reinvestment in catering and exhibition facilities. Failure to do that will inevitably have an impact on local jobs and businesses and will reduce the financial return

[Mr. Phil Willis]

to the council that is needed to underpin local services. For those reasons, Harrogate applied for a trading credit approval to borrow £6.6 million.

Trading credit approvals are not specifically defined in legislation: they are a form of supplementary credit approval issued under section 54 of the Local Government and Housing Act 1989. First issued in connection with the South Yorkshire supertram project, they are principally associated with regional airport development. KPMG, one of the world's largest accountancy firms, said in its advice to Harrogate borough council in 1997:

"we are aware of this type of credit approval being used for capital projects that can generate sufficient revenue stream to service debt financing obligations".

The Local Government Association said, in a letter that I recently received, that it understands that

"Trading credit approvals are so termed because they were issued on the basis that associated borrowing costs would be met from income streams".

Indeed, such criteria for borrowing approvals make excellent sense. They follow the golden rule laid down by the Chancellor of the Exchequer that borrowing should be for capital investment and not revenue expenditure. They comply with the Treasury's proposals for resource accounting, and therefore do not add to the public sector borrowing requirement. They would allow local authorities to invest in trading operations that can provide an appropriate rate of return and that meet stringent but transparent tests.

However, obtaining either a supplementary credit approval or a trading credit approval depends entirely on the discretion of the Secretary of State, who may have regard, according to section 55(1) of the 1989 Act,

"to such factors as appear to him to be appropriate".

Surely such a situation is unacceptable.

This year, four local authorities applied for a trading credit approval, and not one of them was successful. If, as for Harrogate, the reasons for refusal are somewhat spurious to say the least, what is the point of such a facility? Of course Governments should set strict guidelines for borrowing, but legislation that depends simply on the whims of the Secretary of State cannot be acceptable. I therefore ask the Minister to agree to examine the legislation and to make proposals that would allow, under clearly defined circumstances, local authorities access to borrowing for profitable trading operations.

When Harrogate applied for a trading credit approval just over 12 months ago, it did so having exhausted every other avenue of financing for its new facilities. Revenue balances were considered, but rejected. Harrogate borough council is certainly not profligate. Its net budget was £15 million in 1991–92, and next year it will be £15.4 million—an increase of 2.5 per cent. in cash terms over eight years, but a real-terms reduction of 19 per cent. Reserves are at a minimum, prudent level and are insufficient to apply to a capital project.

A sale to the private sector was considered. In 1991–92, the business was marketed worldwide without success. Although great interest was shown in taking over the management and operational functions, the private sector was not prepared to take on the capital debts and invest in new facilities. Nor could the core objective that the business remained a key local economic development primer be guaranteed.

The reason why was perfectly clear, and is the reason why most conference and exhibition businesses remain in public ownership. Given the subsidies paid around the country to attract business, the financial returns on investment are low, and not adequate, given the risks, to justify investment on purely commercial grounds. However, they are more than adequate to meet long-term public sector borrowing costs. Independent experts have agreed that Harrogate's investment proposal is not appropriate for private commercial investment, although the catering business has recently been transferred to the private sector—to Crown Catering.

The private finance initiative was considered in some detail and subjected to an assessment by KPMG, which concluded:

"PFI does not offer a suitable solution for the procurement of the whole of the scheme . . . PFI does not appear to offer a realistic funding solution".

The chief executive of the public private partnerships programme also concluded:

"Therefore, on balance, and in the light of the Council's likely commitment to underwrite the investment financed by the TCA, I would find it difficult to argue that, in this case, PFI would provide a best-value option".

Were European grants available? Harrogate is not an assisted area. Unique among conference venues, it has access only to one small source of European funds: Konver. Harrogate has been advised that, although there was an outside possibility of grant aid from Europe, that is now unlikely. In any event, the maximum possible was only ever going to be £500,000—not enough to finance the whole scheme.

What about capital challenge? That was considered but not taken forward because it was clear that the Government were seeking cross-service bids and the total UK allocation was very small. Perhaps a single regeneration bid would have been successful. Originally the subject of an informal bid in the first round, the proposal was rejected at the outline stage by the Government office for Yorkshire and Humberside.

Two other possibilities were considered before any application for a trading credit approval: the reallocation of resources within the capital programme and the sale of assets. Ironically, those were the very suggestions made by the Government when they denied Harrogate its request for trading credit approval. The briefest examination of the evidence presented to the Government reveals how absurd both those suggestions were.

The trading credit approval being sought was for £6.6 million. In contrast, Harrogate's total capital programme for next year amounts to just £4.7 million on housing and £3.5 million on general services. To reallocate £6.6 million from those figures would virtually wipe out existing spending plans and commitments, but the simple fact is that most of that money cannot be reallocated. About £2.3 million is from grants for specific projects which Harrogate has secured from the lottery and other bodies; £600,000 is match-funding to secure those grants; £3.2 million is ring-fenced by law for specific services, mostly housing, and that leaves just £2.1 million of spending over which the council has any degree of choice.

Even if the council had put all the £2.1 million towards its new exhibition hall, first, that sum is nowhere near the £6.6 million financing requirement, and secondly, it would involve the complete cancellation of essential or committed schemes including housing renovations, rural centre closed circuit television projects and public convenience refurbishment.

All those points were explained to the Government when the trading credit approval was requested. The Government had no questions about the figures and it is plain that the capital programme could not be reallocated to find the £6.6 million, so why do the Government, who had the information for over a year, persist with a suggestion that is illogical and impossible to achieve?

Further asset disposal is equally illogical. Since 1980, the council has had a proactive policy of asset disposal in line with Government policy. Over £35 million has been raised from asset disposal, with about half of the proceeds being applied to the debt on the existing conference centre. Although the council retains some assets, further disposal does not satisfy the commercial tests that must be applied before disposal can be justified and it would fall foul of the district auditor.

Following that detailed analysis, which is supported by KPMG and the public-private partnerships programme—the 4Ps—and not challenged by the civil servants, it was clear that a trading credit approval was the only way forward. Local authorities do not enter lightly into commercial operations. They know only too well that the cost of failure has to be paid by poorer local services. However, Harrogate and other local authorities involved in the business and holiday tourism market know that a failure to invest results in a spiral of decline for their communities.

Harrogate's position as conference and exhibition centre owner is unusual. The dependence of the town's economy and the borough council's finances on the conference and exhibition business is unique because of the scale of the conference business compared to the size of the council.

The Government recognise in their wider economic policies that particular local circumstances warrant extraordinary action. The Government have rightly recognised Birmingham's dependence on the Longbridge car plant and are prepared to support that business with public money. The dependence of Harrogate's economy on the conference business is at least equal to Birmingham's dependence on Longbridge, yet, while the Government are apparently prepared to support Birmingham's economy with cash, they are not prepared to allow Harrogate to borrow what is, in public expenditure terms, a tiny sum to meet its requirements.

The Government have now given local authority-owned airports freedom to borrow commercially. Why cannot similar freedoms be given in respect of conference and exhibition businesses, especially if individual borrowing is subject to specific vetting by the Department of the Environment, Transport and the Regions? There is an inherent contradiction in general Government policy that requires local authorities to achieve best value and annual efficiency savings of 2 per cent. while specific policies prevent capital investment that is often essential for improving efficiency.

The Government's promotion of the use of the PFI is entirely unrealistic for the wide range of small and medium investment requirements of small local authorities. High start-up and financing costs and the artificial nature of risk transfer ensure that any attempt at private finance will conflict with the need to achieve best value. The PFI may be appropriate for £50 million-plus investment schemes but Ministers will be aware that the cost effectiveness of even those schemes is widely questioned by finance professionals and independent academic research.

Harrogate borough council's approach to working with the private sector is pragmatic and entirely business driven. Hence the use of the private sector for construction work and the repair and maintenance of roads and buildings, and recently the transfer of the Harrogate international centre's entire catering operation.

It is about time that the Government came clean on this issue. If they are opposed to the provision of services direct by the public sector and direct public investment as a matter of policy, irrespective of business and financial arguments, let them say so. We shall all know then exactly where we stand. A clear political stance on this issue will at least help us to explain to local businesses and to workers whose jobs are being put at risk why the council is being prevented from making a commercially sound investment that would support local business and jobs.

If the Government do not have an ideological or policy reason that goes against local authority trading operations, surely the appropriate and selective use of trading credit approvals makes good sense. Harrogate wants to borrow its own money. It does not ask for a penny of Government grant support. It does not seek to burden council tax payers with additional revenue costs. It will pay for what it wants within the business plan. Like any other successful business, it wishes to invest to sustain jobs and businesses into the next millennium.

On behalf of all my constituents, I plead with the Government to reconsider Harrogate borough council's application for a trading credit approval.

10.17 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Alan Meale): Before congratulating the hon. Member for Harrogate and Knaresborough (Mr. Willis), Madam Speaker, I congratulate you. Some of us have early nights and get home, but when we are involved in Adjournment debates we realise that you are here all the time. It is nice to put that on the record.

I congratulate the hon. Member for Harrogate and Knaresborough (Mr. Willis) on securing an Adjournment debate on a very important subject. Since entering this place the hon. Gentleman has never missed an opportunity to fight with vigour the cause of his constituency. I pay tribute to him for that.

The hon. Gentleman has explained well the circumstances surrounding Harrogate borough council's application for trading credit approvals for capital investment in a new exhibition hall and hospitality facility for the Harrogate international centre. I shall undoubtedly disappoint him at the outset when I say that the Department rarely gives extra credit approvals. One of the main reasons for that is that the 1999–2000 budgets in the Department are identified from within specific funding programmes. There is only £4.5 million for local authority airports and only £1 million for ports in total. More generally, the importance that the Government

[Mr. Alan Meale]

attach to capital investment by local authorities is evidenced by the announcement made last summer by my right hon. Friend the Chancellor of the Exchequer in his statement on the economic and fiscal strategy report.

In that statement, my right hon. Friend announced new measures for the modernisation and improvement of Britain's infrastructure and public sector, including a near doubling of net public sector investment over the next three years. Since then, my Department has published a White Paper, "Modern Local Government—In Touch with the People", setting out our detailed proposals for a long-term capital investment framework for improving the system of capital allocations. It also gives local authorities greater freedom as well as encouraging better local authority asset management, thereby ensuring that spending is conducted in the most efficient, fair and effective way.

The hon. Gentleman will know that the Government are committed to sound economic strategies and to spending no more than we can afford. That means prudent policies that meet our fiscal rules and maximise the value of local government investment within public spending constraints.

Under present arrangements, a local authority's borrowing for capital spending is limited to the amount of credit approvals issued by the Government, as the hon. Gentleman acknowledged. Basic credit approvals are issued each year to local authorities for capital expenditure for all purposes. In addition, supplementary credit approvals may be made available through specific programmes focused on Departments' particular policies.

The total amount of provision for credit approvals made available each year is for individual Departments to determine, within the limits of their overall budgets and in accordance with their spending plans. Departments have announced their capital provision for 1999–2000, as well as provisional figures for the next two years, in accordance with the comprehensive spending review.

As I said, my Department has no plans to make provision for trading credit approvals—

Mr. Paul Tyler (North Cornwall): I am sorry that I have not precisely followed the Minister's argument, but I understood that as the public sector borrowing requirement does not provide a cap or ceiling on the amount of money that can be made available for such purposes, it should not be necessary for Departments to have ceilings.

Mr. Meale: That is a factor, within the constraints in the budget, the design and plan of which is for a three-year spending programme. We want to stick to our programme.

My Department has no plans to make provision for trading credit approvals for the period of the comprehensive spending review, other than a small amount for specific transport schemes. In the past, such credit approvals have been issued to only a small number of authorities for investment in transport schemes such as railway lines, tunnels or ports, which generate fares, tolls or some other form of revenue stream. That is because trading credit approvals do not receive revenue support from central Government, so the scheme must generate sufficient operating revenues to pay financing costs.

That is the position with regard to planned expenditure. It is also open to local authorities to apply for extra credit approvals, as the hon. Member for Harrogate and Knaresborough pointed out, which Ministers may issue at any time, taking account of factors that seem to them to be appropriate. My Department receives numerous requests for such increased borrowing for a wide variety of purposes. However, because of pressures on public finances, the hon. Gentleman will not be surprised to hear me say that additional credit approvals—

Mr. Willis: Four were received last year.

Mr. Meale: If the hon. Gentleman waits a little longer, I may finish the explanation. Additional credit approvals, including trading credit approvals, outside existing programmes can be given only in the most exceptional circumstances.

The hon. Gentleman suggested that issuing a trading credit approval would have no impact on central Government resources. As I explained, trading credit approvals are different from other supplementary credit approvals in that they do not attract central Government revenue support for the revenue costs of borrowing. Because of that, it is a fairly common misconception that trading credit approvals are in some way free, and that Ministers are being perverse if they refuse to grant them.

Trading credit approvals, like all other credit approvals, other than those issued in connection with the private finance initiative, count as public spending. Additional trading credit approvals therefore lead to additional public spending. Any extra amounts would have to be found from within the relevant Department's expenditure limit.

In other words, outside identified expenditure programmes, additional trading credit approvals could be given only by taking resources from some other programme. Before my Department agreed to such a transfer, we would need to be fully convinced that it was for a purpose more pressing, especially from the national perspective, than our other expenditure priorities.

As I am sure the hon. Gentleman will understand, my Department's budgets are always stretched, and there is no shortage of projects that Ministers could fund if the resources were available. Another reason why Ministers must be cautious about the issue of additional credit approvals is that increased borrowing means an extra burden on the local authority. That is because trading credit approvals are not supported by revenue payments from central Government. The whole burden of the debt falls on the local authority—in this respect, the local citizen. We would therefore need to be fully convinced on the self-financing aspects of any scheme funded through the trading credit approval route.

Indeed, if the authority could not afford the loan, it would help nobody for the Government, further down the line, to find that they were faced with the dilemma of either pouring more national resources into a rescue measure or writing off the initial investment, leaving the authority to cope with mounting debt. That would help nobody, least of all the local authority. In such circumstances and whatever was decided, either the national or the local taxpayer might have reason to feel justifiably aggrieved if we went about our business in that way.

A further question needs to be addressed in assessing the merits of applications for extra credit approvals—that of precedent. As the hon. Member for Harrogate and

Knaresborough will no doubt appreciate, every local authority making such an application is, naturally, able to make arguments for why it thinks that it should receive assistance and to point to circumstances that it considers to be exceptional. Although the circumstances of particular cases may vary, they are all similar in that they represent opportunities or unavoidable expenditures which authorities face outside their planned programmes.

My Department often hears the argument from local authorities that funding their proposal would cost peanuts in the overall scheme of things. Indeed, they cannot understand the Government's hesitation in that regard, but, although many cases may have merits, it may be extremely difficult for my Department in particular to determine whether any one of those applications for expenditure is more pressing than another. Clearly, helping them all would have a significant impact on public expenditure.

I have said that additional credit approvals, including trading credit approvals, could be given only exceptionally. As all requests for additional resources are looked at on their merits, it is not possible to have rigid criteria for assessing applications. However, together with the considerations that I have mentioned, we take into account whether national or Government policy objectives could be seriously impaired or whether an authority appears to be in imminent danger of failing to deliver effective statutory services.

In that respect, we have had a number of discussions over the past two or three weeks in this place, in particular on the Local Government Bill. The debate amply showed that there are circumstances—whatever the political persuasions of local authorities—where there may be a risk of failure to deliver essential services to our citizens. In that regard, we must always be hesitant about emptying the bank—those services would be more difficult to afford.

Whatever the circumstances, the arguments for giving any additional support would need to be very compelling indeed. All applications for additional credit approvals must be viewed in the general context that I have described. In the case of Harrogate's application for trading credit approvals for upgrading the Harrogate international centre, I can tell the House and the hon. Gentleman that Ministers met the authority, as he described, and considered written reports and other evidence, as well as the arguments in the case. That included the helpful report of the public-private partnerships programme—the 4Ps to which the hon. Gentleman referred—on a possible public-private partnership approach.

As the hon. Gentleman knows, after weighing all the circumstances of the case, we concluded that the project was not sufficiently exceptional to divert departmental resources from other spending priorities and that a trading credit approval should not be given. I understand that the council proposes to proceed with the upgrading of the conference centre in a phased programme funded by other resources, including usable capital receipts. I hope that that may be assisted by the decision taken last summer to allow the whole of the capital receipts from the sale of council-owned assets, other than council houses, to be used to fund investment rather than to repay debt.

May I expand on some of the issues that have been raised in relation to our decision? The conference centre has been compared with local authority airports, which it cannot be in this case. Controls in respect of airports, tunnels and other such structural items are very different from those in respect of whether a local authority should fund and employ people in an international business centre. The relationship in that case has a different set of priorities.

The Government hope in future to relax the restrictions placed on a number of airport companies, particularly small ones, which now operate on a full commercial basis. To qualify for the removal of borrowing controls, the hon. Gentleman's local airport company, Leeds-Bradford, and the other three local authority airport companies concerned have had to demonstrate a track record of consistent profitability and a strong balance sheet with the prospect of positive cash flows, which has not been the case in respect of the Harrogate international centre. In those cases, my understanding is—

The motion having been made after Ten o'clock, and the debate having continued for half an hour, MADAM SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at twenty-nine minutes to Eleven o'clock.

House of Commons

Tuesday 30 March 1999

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

UNIVERSITY COLLEGE LONDON BILL

Read the Third time, and passed.

Oral Answers to Questions

HEALTH

The Secretary of State was asked—

Primary Care Groups

1. **Mr. Tim Boswell** (Daventry): If he will make a statement on the establishment of primary care groups. [77698]

The Secretary of State for Health (Mr. Frank Dobson): Four hundred and eighty-one primary care groups, covering the whole of England, will become operational from 1 April. They will replace the divisive internal market introduced by the previous Government, which set doctor against doctor and hospital against hospital. In place of that, the primary care groups will represent all local family doctors, together with community and practice nurses, representatives of social services and lay people. They should ensure more modern and dependable services and less bureaucracy overall.

Mr. Boswell: Now that PCGs are a reality, is the Secretary of State worried about their management capabilities and about the level of management cost allowance, which was said by John Chisholm of the British Medical Association to be inadequate at £3 a head? Is he concerned about the suggestions by other GPs that PCGs may form a perfect vehicle for rationing health care services?

Mr. Dobson: Primary care groups were introduced with the consent and agreement of the BMA. The level of management costs is neither a floor nor a ceiling; it varies from place to place, and rightly so. I am confident that, as a result of the introduction of primary care groups people will have more universal access to top-quality care. What we are proposing goes with the grain of what the professions wanted, and that is what we have delivered.

Mr. David Hinchliffe (Wakefield): In developing the policy, will my right hon. Friend consider the future capital resourcing of primary care? Is he aware of the difficulties with the funding arrangements in respect of GPs' surgeries and health centres, whereby GPs occasionally have to charge exorbitant rents to social services and community health trusts for community psychiatric nurses who are in attendance, which obstructs the close working relationship of health and social services in a primary care setting?

Mr. Dobson: We want to continue improving primary care premises. We have changed the rules to make it easier for people to develop or improve existing primary care premises in health action zones, and we will continue to try to help. As an indication of the progress that has been made, the Turnberg review of health care in London more than a year ago reported that about 50 per cent. of premises were inadequate. That figure is now down to 32 per cent.

Mr. Philip Hammond (Runnymede and Weybridge): Does the Secretary of State recall telling the House on 18 January that

"primary care groups provided incentives for all concerned to 'level up' to the standards of the best."—[*Official Report*, 18 January 1999; Vol. 323, c. 594.]?

What does he have to say to the 60 per cent. of patients whose GPs were fundholders and who are already finding, in the run-up to the takeover by PCGs, that services such as counselling, alternative therapies and many other innovative services are being withdrawn by those GPs? Can he tell the House by what tortuous logic he can define the withdrawal of services as levelling up?

Mr. Dobson: First, let us get the facts straight. It is not the case that 60 per cent. of GPs were fundholders when we took over. It was about 50 per cent.—a large number of whom were unwilling fundholders, but had decided to go along with the scheme. We have tried to make it clear to health authorities and others that we do not expect people to withdraw services that are presently being provided.

Mr. Hammond: It is happening already.

Mr. Dobson: If it is happening, it should not be—but that is down to local decision making. The decisions will be made by the doctors, the community nurses, the practice nurses, people from social services and lay people who serve on the boards of primary care groups. Decisions will be taken by the people who are responsible for delivering the services in each locality; the first time that that has been the case in the history of the health service.

Ms Sally Keeble (Northampton, North): Is my right hon. Friend aware of the success of the primary care group in Northampton, which built on the work of the commissioning GPs—who existed under the previous Government—and did such important work in terms of commissioning emergency pelvic scanning for women, which has helped deal with the problems of the early stages of pregnancy? Does he agree that, if the doctors of Daventry are having problems setting up their primary care groups, they could come to Northampton where they would learn a great deal?

Mr. Dobson: I take this opportunity to pay tribute to the medical profession. Until 1 April, it will have had

monopoly control over decision making in primary care since primary care was invented. Voluntarily, the profession agreed to give representation to nurses, social services and lay people on the boards of the primary care groups because it thought that that was the best way of serving local people. In nearly every part of the country, the profession has made remarkable strides in developing primary care groups. I emphasise that this is an entirely voluntary arrangement; no law has been changed. However, in every part of the country, the primary care groups have been established with the consent of—and, in most cases, a great deal of enthusiasm from—the professionals on whom we depend.

Bed Blocking

2. **Dr. Vincent Cable** (Twickenham): How many beds are currently blocked in the district general hospitals in west Middlesex and Kingston. [77699]

The Parliamentary Under-Secretary of State for Health (Mr. John Hutton): On 19 March, out of 376 occupied beds at Kingston hospital there were 19 containing patients ready for discharge but still in acute care. In the 319 occupied beds at West Middlesex hospital there were 40 such patients.

Dr. Cable: Does the Minister accept that the considerable problems that those two hospitals have with admissions are being compounded by the fact that the surrounding local authorities, which happen to be respectively Labour, Liberal Democrat and Conservative controlled, are all having to cut their services for the elderly because of the local government settlement? At a national level, what is his reaction to last week's Age Concern report, written by a leading NHS geriatrician, which said that up to 70,000 additional admissions could be secured if the Government were willing to co-ordinate, with local authorities, effective rehabilitation programmes for elderly patients?

Mr. Hutton: That is exactly the direction of our current work within the Government. We want to reduce delayed discharges, and we are working to that end. Last winter, we spent £209 million in additional money on trying to find better ways of managing discharge from acute hospitals into the community. Many of those schemes operated in the hon. Gentleman's constituency. Nearly £1.5 million was spent in Kingston and Richmond health authority area, and one such scheme benefited 40 patients. We are pursuing the right policies and additional resources are being spent. The new national service framework for older people, which we launched last week, will include an expert task group working specifically to improve discharge arrangements from acute hospitals into the community.

Accident and Emergency Services

3. **Mr. Jim Cunningham** (Coventry, South): What analysis he has made of the impact on employment in the NHS of his accident and emergency modernisation schemes. [77700]

The Secretary of State for Health (Mr. Frank Dobson): Altogether, £100 million extra will be invested over the coming year in modernising accident and emergency departments. That will be better for patients and staff; it will also help to retain and create jobs. The recent investment of more than £1 million in modernising the accident and emergency department at the Queen Alexandra hospital in Portsmouth provided orders for more than 20 firms from all parts of the country. Rule of thumb suggests that the £100 million investment will provide 100 times as many orders, and that 100 times as many jobs will flow from them.

Mr. Cunningham: May I congratulate my right hon. Friend on one of the biggest hospital development programmes in history, with 31 new hospital developments worth more than £2 billion? Will he publish a list of the companies involved, and the jobs created as a result of that new development?

Mr. Dobson: Yes, I will. As I have pointed out, more than 20 firms received orders for £1 million worth of improvements in Portsmouth. The developments in some parts of the country—at the Norfolk and Norwich, for example, where the total cost of the hospital is £160 million—will result in huge orders being placed all over the country. That is part of our policy not only to benefit the patients and hard-working staff of the health service, but to create jobs all over the country.

Mr. Jonathan Sayeed (Mid-Bedfordshire): The Secretary of State will know that some people being treated in accident and emergency units have to go into an intensive care unit because of the severity of their injuries. He will also know that the director of the ICU at Bedford hospital wrote to him six months ago complaining about the fact that he had had to turn away 58 patients because he did not have enough beds. Why has the Secretary of State not yet replied?

Mr. Dobson: Because I went there and spoke to him.

Mr. Bruce Grocott (Telford): From among the many advisers and specialists that my right hon. Friend talks to in the Department of Health, has he yet received any clinical explanation for the fact that, whenever he gives us good news about the national health service, Opposition Members look depressed?

Mr. Dobson: They look depressed today because we can announce that waiting lists in February fell by 39,000, taking the figure 38,000 below the one that we inherited. Over the past year, more than 450,000 extra operations have been carried out. *[Interruption.]* It is no good idiots opposite talking about fiddling—

Madam Speaker: Order. I am sure that such language is not necessary. The Secretary of State knows what "Erskine May" says about good parliamentary language.

Mr. Dobson: I withdraw the word "idiots", and replace it with "Tories", Madam Speaker.

The Tories mock the performance of people in the health service. Nurses, doctors and other professionals put in a huge amount of work to deliver operations to 450,000 more people in the current year, and they will go on doing so. They will bring the waiting lists down, deal with more out-patients and with more accident and emergency cases.

There has been no fiddling; the figures have been produced on exactly the same basis as under the previous Government.

Beta Interferon

4. **Mr. Paul Burstow** (Sutton and Cheam): If he will make a statement on the provision of beta interferon in the NHS. [77701]

The Minister of State, Department of Health (Mr. John Denham): All health authorities were issued in 1995 with guidance that covered the use of beta interferon for the treatment of multiple sclerosis. It recommended that prescribing should be initiated by hospital specialists where clinically appropriate. The costs of prescribing are expected to be met within health authority allocations, taking account of local priorities.

Mr. Burstow: I am grateful for that reply. May I draw the Minister's attention to two cases in my constituency? Josephine Timms, a mother with a young family, and Adrian Donno, a young man with a promising career ahead of him, were each diagnosed with multiple sclerosis last July. Both were recommended by consultant neurologists for beta interferon prescription, but both are still waiting.

Every time they have a further attack, they become more dependent and more disabled. The longer they wait, the more likely it is that they will not fit the health authority's criteria for prescribing, which require them to demonstrate that they can walk unassisted without stopping for at least 100 yd.

Does the Minister agree that the failure to prescribe treatment that the consultant neurologists say will be beneficial to those patients and to others like them lets those people down and leads to a reduction in their quality of life?

Mr. Denham: Obviously, I shall take an interest in any individual case raised by an hon. Member. However, we should be clear that there are continuing questions about the clinical effectiveness and cost effectiveness of beta interferon, the level of benefits achieved, which patients will benefit and for how long, and how the benefits compare with those of supporting MS patients through, for example, specialist nursing care. Health authorities and clinicians rightly take those and other factors into account when they set local priorities.

Mr. Gordon Prentice (Pendle): As the Minister tells us, beta interferon can be prescribed only by a hospital consultant. The problem is, however, that, after initial diagnosis, many people with multiple sclerosis do not see a hospital consultant for years. They therefore do not know whether beta interferon would be the drug to help them. Would it not be sensible to put in place some recall system so that people with MS have the option to see a consultant if they feel that beta interferon or some other drug might help them, or if they are not coping as well as they should with MS?

Mr. Denham: I shall consider my hon. Friend's suggestion carefully. We must ensure that clinical and cost-effective treatments are spread throughout the national health service as quickly as possible, and that is one of the roles of the National Institute for Clinical Excellence, which will provide clear and authoritative advice on key treatments and procedures. Subject to the outcome of consultation on the discussion document and appraisal by NICE, we are minded to refer beta interferon to the institute.

Miss Ann Widdecombe (Maidstone and The Weald): Is the hon. Gentleman aware of an exchange about rationing in the health service that took place last year between me and the Minister for Public Health, in which I asked a very simple question:

"Is there rationing or is there not?"

The answer I got was very simple:

"No".—[*Official Report*, 15 December 1998; Vol. 322, c. 746.]

In view of the evidence put to the House by the hon. Member for Sutton and Cheam (Mr. Burstow), does the Minister now wish to revise that answer?

Mr. Denham: No.

Miss Widdecombe: Is there or is there not rationing of beta interferon? Is there or is there not rationing of Aricept? Is there or is there not rationing of Ironotecan? Is there or is there not rationing of Taxol? If not, why cannot those patients who are prescribed those drugs obtain them?

Mr. Denham: The reality is that priority setting is a feature of every health care system in the world. It happens to be the case that the national health service is fairer, more equitable and more efficient than the privatised alternative that the hon. Member for Rutland and Melton (Mr. Duncan) advocated earlier this week. While the Conservatives are giving up on the national health service, new Labour is building a new national health service.

Miss Widdecombe: Will the hon. Gentleman answer a simple question? If he is denying rationing in the health service, will he explain to the House, and to those concerned people who would like to obtain drugs and operations that are not available, his definition of the difference between rationing and a priority?

Mr. Denham: Under the health system advocated by the right hon. Lady and her hon. Friends, any access to health care would be rationed by the ability to pay.

Children's Services

5. **Mr. Denis Murphy** (Wansbeck): What estimate he has made of the total amount to be spent in the current financial year on improving NHS children's services. [77702]

The Parliamentary Under-Secretary of State for Health (Mr. John Hutton): Forecast total gross expenditure on the national health service in the United Kingdom for 1998–99 is £48.1 billion. Overall funding does not distinguish between age groups, although there are specific initiatives in our expenditure plans that will

be of direct benefit to children's health services. Planned gross expenditure for 1999-2000 is £50.8 billion—an increase of 3.1 per cent. in real terms.

Mr. Murphy: I thank my hon. Friend for that reply. Northumbria health care trust plans to build phase 2 of Wansbeck general hospital. When will that building commence and will it include the much-needed children's centre?

Mr. Hutton: I acknowledge the support that my hon. Friend has shown for the new hospital development in his constituency. The child health centre is an integrated part of the Wansbeck phase 2 scheme, which is now under private finance initiative negotiation. It is expected that a full business case will be submitted to the regional office in May 1999. The trust hopes to be in a position to complete negotiations with a PFI partner within the next few weeks and officials from the regional office and the PFI unit are working with the trust on various aspects of the deal.

Mr. Andrew Lansley (South Cambridgeshire): Is the Minister aware that funding of additional paediatric intensive care beds at Addenbrooke's hospital in my constituency is a priority task for the management in the financial year ahead? Is he further aware that Addenbrooke's hospital is forecasting for the first time ever a revenue deficit of £2.5 million in the year ahead? For a well-managed hospital, that is an exceptional situation. Can the Minister explain why the Government have contributed to that difficulty by imposing costs of £622,000 next year to pay for the implementation of the working time directive?

Mr. Hutton: The hon. Gentleman takes a regrettably negative tone. He has failed to acknowledge the fact—and it is a fact—that additional money is being made available to provide additional paediatric intensive care beds in the national health service.

Mr. Lansley *indicated dissent.*

Mr. Hutton: It is no good the hon. Gentleman shaking his head, because that is a fact. Some £15 million is being made available to provide additional paediatric intensive care beds. He let that fact slip through his hands.

Miss Melanie Johnson (Welwyn Hatfield): Does my hon. Friend agree that one of the most unpleasant experiences for parents and children in the NHS is being rushed to accident and emergency departments with no separate facilities for children? My right hon. Friend the Secretary of State had the pleasure of visiting the separate, specialist facilities in my constituency at the Queen Elizabeth II hospital, which provides an excellent service for children admitted to A and E. Can my hon. Friend comment on monitoring the expenditure of the welcome new money going into A and E provision and how it will improve services for children where there is no separate provision for them?

Mr. Hutton: I am grateful to my hon. Friend for raising that point. She is dealing with the reality, which is that the Government are spending significant extra money modernising accident and emergency departments across the country. She, like my hon. Friends, but unlike Opposition Members, will be interested to know that some of the money in the modernisation programme will be spent on providing A and E facilities for children. That is good news and it is a pity Opposition Members are not prepared to acknowledge it.

Nurse Shortages

6. **Mr. Andrew George** (St. Ives): What assessment he has made of the level of nursing shortages; and if he will make a statement. [77704]

The Secretary of State for Health (Mr. Frank Dobson): From the various figures and sources available, I estimate that there are around 9,000 nursing vacancies in the national health service that have existed for three months or more. As the hon. Gentleman knows, on 1 February we launched a major recruitment campaign. Since then, more than 52,000 people have contacted the national response line. Around 5,000 of them were qualified nurses asking about returning to nursing. Nurses who have to go on refresher courses and return to the NHS will have their fees paid by the NHS; those who have already done so will have their fees reimbursed, including his constituents.

Mr. George: I am grateful to the Secretary of State for that clarification. The Royal College of Nursing estimates that there are between 12,000 and 13,000 nurse vacancies and believes that nurse shortages rather than flu epidemics created the winter crisis. What steps will he take to encourage experienced nurses—the backbone of the NHS—to remain in nursing and not leave the NHS at the present rate?

Mr. Dobson: The RCN certainly produced estimates different from those of officials of the NHS and my Department. When I last appeared before the Health Committee, I said that I would authorise my officials to get together with people with other estimates so that we can agree how many vacancies there are and not have futile discussion about numbers rather than doing something about it. We are trying to recruit extra nurses. It looks as though the campaign is successful. We are also trying to introduce family friendly policies so that services are available for nurses who want to be able to take their children to school in the morning, take them home in the evening or need a creche so that they can take younger children to the hospital or community service with them. We are determined to bring that about. That applies not only to nurses, but to everyone who works in the NHS because it must provide a top-class service for patients while allowing its hard-working staff to reconcile their jobs with their family responsibilities.

Laura Moffatt (Crawley): Will my right hon. Friend join me in congratulating the Surrey and Sussex Healthcare NHS trust, which held open evenings at the Crawley and East Surrey hospital sites attended by 165 people? Ten at Crawley signed up for the back-to-nursing course. They are delighted. There is clearly a new view about nursing and people feel invigorated that they are getting back into the profession that they love.

Mr. Dobson: My hon. Friend, speaking from her experience as a qualified nurse, offers me

some reassurance. In other parts of the country, besides the national initiatives that we have taken, local nursing managements are conducting a variety of initiatives to attract people back. It looks as though they are working. I have recently visited several hospitals with nurse returners. When I asked one why she had come back, she said that her children had reached the stage where it was quieter at work. She was working in the intensive care unit.

Mrs. Virginia Bottomley (South-West Surrey): The NHS cannot afford to lose any competent and qualified nurses. I certainly applaud the steps that have been taken to follow up the Opportunity 2000 initiatives. The NHS was the first public sector body to join Opportunity 2000. We had a debate yesterday on the Macpherson report. In 1993, the NHS set a target for the number of black and ethnic minority G grade nurses. What further steps are being taken to ensure that we do not lose the skills of public sector workers in the NHS from the black and ethnic minority communities?

Mr. Dobson: I agree with the right hon. Lady that it is bad if we lose trained nurses from the health service. When we got in there were 140,000 qualified ex-nurses no longer working in the NHS, the odd one or two of whom, I have reason to believe, left when the right hon. Lady was Secretary of State for Health.

We are doing a lot more than any previous Government about the recruitment and retention of black and Asian staff. One of the biggest problems is that, when one says to Afro-Caribbean young people, "Will you think of taking a job as a nurse in the health service?" they say, "Not if they're going to treat me like they treated my mum." We have to deal with that. We are setting examples in so far as we can. The only appointments that I make in the NHS are of non-executive directors. I am proud to say that since we got in we have raised the number of women on the boards to 50 per cent. and the number of black and Asian people to 10 per cent.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Is my right hon. Friend aware that anyone with an ounce of common sense is highly delighted not only with the recruitment campaign that he has mounted, but with his serious acknowledgement that there is a problem with nurses and nurse retention? Will my right hon. Friend assure me that he will abandon any idea of introducing schemes for discretionary payments for nurses? We know that within the NHS such a scheme for doctors is unfair, inequitable and expensive.

Mr. Dobson: I am not entirely clear what my hon. Friend is referring to. We have certainly set our faces against the idea of performance-related pay in the NHS. We want to relate pay mainly to responsibility. With—I think—the likely agreement of the profession, we intend to get rid of the rigid grading system that is holding back the professional development of nurses and holding down their pay.

Newbury Hospital

7. **Mr. David Rendel** (Newbury): When he will announce his decision about the construction of the new Newbury hospital. [77705]

The Minister of State, Department of Health (Mr. John Denham): Officials at the south-east regional office of the NHS executive are currently in discussion with West Berkshire Priority Care Service NHS trust on the funding mechanism for the construction of the new Newbury hospital. Ministers will consider the project once those discussions are complete.

Mr. Rendel: Is the Minister aware that there is a nurse now serving at Newbury hospital who was promised when she did her training as a young person that the new Newbury hospital would be built shortly? As it is still not being built and she is coming up to her retirement, is it not time that the Government stopped saying, "Shortly" and said, "Now"?

Mr. Denham: The hon. Gentleman will be aware that the scheme is unusual and complex. For example, it is the first time that a charity has been proposed to act as a private finance initiative partner. It was also important to examine whether the plans fitted the strategic direction of Berkshire health authority. As the hon. Gentleman is aware, Berkshire is benefiting from a £73 million publicly funded scheme for the Royal Berkshire and Battle Hospitals NHS trust to resite its services at the Royal Berkshire hospital. That is one of the 31 major hospital developments worth almost £2.4 billion that make up the largest hospital building programme in the history of the NHS.

Waiting Lists

8. **Mr. Oliver Letwin** (West Dorset): How many patients have been removed from central returns health service waiting list statistics since 2 May 1997, without having received the treatment intended. [77706]

The Minister of State, Department of Health (Mr. John Denham): National health service waiting lists are falling because thousands of extra patients are being treated; more than 4 million elective patients have been treated in the first nine months of 1998–99—a third of a million more than a year ago.

Patients may be removed from waiting lists for a number of reasons other than treatment: for example, if they have recovered from their illness, or have been treated elsewhere. During the first three quarters of this year, 490,000 patients were removed from waiting lists; that means that the proportion of patients removed from the waiting list has remained broadly stable over recent years.

Mr. Letwin: Why has the number of patients waiting to get on to waiting lists apparently doubled since May 1997?

Mr. Denham: It would be better for the hon. Gentleman to acknowledge what has been achieved in Dorset, where he comes from and where the allocation of an additional £4.2 million means that 8,000 more people were seen in hospitals in the Dorset health authority area during the first half of this year than in the first half of 1997-98. That additional work is a tribute to the staff of the national health service, whom he should not try to undermine.

Dr. Brian Iddon (Bolton, South-East): Will my hon. Friend ensure that all people with Down's syndrome have

equality of access to all waiting lists? According to the Down's Syndrome Association, that is not the case at present; contrary to Government policy, some practitioners are treating those patients as second-class citizens. My hon. Friend will be aware of a recent television documentary that highlighted some cases, and some hon. Members will be aware of other cases.

Mr. Denham: I shall certainly look into any cases that my hon. Friend draws to my attention. It is the case that clinical need is the principle that governs the national health service.

Mr. Simon Hughes (Southwark, North and Bermondsey): I hope that the Minister will answer my actual question and not the one he hoped I would ask.

This morning, we have seen that, for the first time, the figures for waiting lists in England have fallen below the level that Labour inherited in May 1997, and we accept those figures. However, the number of those waiting more than 12 weeks to see their consultant, after seeing their doctor, has risen from about 250,000 to about 500,000, and the number of those still waiting for treatment more than a year after they have seen their consultant has risen from about 30,000 to just over 50,000. Given those figures, when will the Government change from their obsession with lists—which do not matter in the slightest to patients—to an obsession with waiting times, which matter deeply to patients? Will they tell us when those waiting times—between doctor and consultant, and consultant and treatment—will be below the level that Labour inherited from the previous Government?

Mr. Denham: First, the number of people waiting more than a year has fallen. Secondly, the number of people referred to out-patients includes those—perhaps 150,000—who attend for post-surgery visits. We intend to pay attention to out-patients; we are considering our planning for this year and anticipate that about a third of a million more out-patients will be treated in the coming year. That will take the number to be treated to more than 11 million for the first time.

Mr. Ivan Lewis (Bury, South): Does my hon. Friend agree that the past 24 hours have been a significant demonstration of the contrast between the Labour Government's approach to the NHS and that of the Conservatives? The falling waiting lists contrast with the statement made by the hon. Member for Rutland and Melton (Mr. Duncan) articulating the Tory philosophy of the massive expansion of the private health care sector as a solution to the country's health care difficulties.

Mr. Denham: My hon. Friend is right. While the Labour Government are building a new national health service—modern, dependable and there when people need it—the Opposition have given up on the national health service.

Mr. Stephen Dorrell (Charnwood): Does the Minister recall that, before the election, the objective of the NHS was that 90 per cent. of patients should be seen in out-patients within 13 weeks of their first referral by a GP, and that the remaining 10 per cent. should be seen, at the latest, within 26 weeks of referral? Is it true—I cannot believe that it is—that the Government have junked that objective? If it is true, what alternative, tighter target have the Government set in its place?

Mr. Denham: No, we have not junked the objective, but we are delivering on our manifesto commitment to cut waiting lists, and we have now brought them down to below the level that we inherited.

Mr. Ronnie Campbell (Blyth Valley): What advice does my hon. Friend have for a constituent of mine who has been waiting for a heart bypass for many months? In the past few months, he has three times been sent to the hospital, gowned up, given pre-meds and then sent home. I understand that he is to go tomorrow to try again. I also understand that the Freeman hospital, Newcastle upon Tyne, has only five emergency beds.

Mr. Denham: I hope that my hon. Friend's constituent will benefit from the measures that the Government are taking to invest in the NHS: from 1 April begins the investment of an extra £21 billion in the NHS, and we have announced a further £320 million to tackle waiting lists in 1999-2000. The measures announced by my right hon. Friend the Secretary of State on nurse retention and recruitment are the key to ensuring that hospitals are properly staffed and able to meet their commitments to patients.

Mr. Alan Duncan (Rutland and Melton): Today is not the triumph for the Minister that he would like people to believe it is. Instead of a serious improvement in what is really happening to patients who need treatment, there has been a published fall in the number of people on waiting lists together with a parallel rise in the number of people waiting to get on waiting lists in the first place. The real figure is far higher—*[Interruption.]*—as the Secretary of State, who is barracking from the Front Bench, well knows. People on the lists are waiting longer—*[Interruption.]*—in the case of the Alexandra hospital, Redditch, they are waiting more than 1,000 per cent. longer. Will the Minister, perhaps to a quiet House, now confirm that he has not yet met his pre-election pledge? In the interests of doing what is good for patients rather than for politicians, will he now drop his ill-conceived waiting list policy altogether and concentrate on what is good for the treatment of people who need it?

Mr. Denham: All the 450,000 extra operations carried out last year were performed on people who needed them. Which of them would the hon. Gentleman prefer we had not treated?

Mr. Hilton Dawson (Lancaster and Wyre): Will my hon. Friend commend the approach to waiting lists adopted by the new Morecambe Bay Hospitals NHS trust? In its first year of operation, which ends tomorrow, the trust has achieved not only its waiting list targets, but management savings of a recurrent £400,000 per annum. It has targets of a further recurrent £400,000 per annum next year, and all that money will be diverted into patient care. Will my hon. Friend commend every single person who works in that hospital trust on their excellent work?

Mr. Denham: I certainly commend all the staff in that hospital trust, and all the staff in the NHS, without whose

work we could not have achieved the fall in waiting lists that has been announced today. My hon. Friend is right to refer to the efficiency with which his local trust and many others now operate. Supported by the waiting list task force, the NHS is not only treating more patients, but treating them better, and organising services in more effective and more efficient ways. I am sure that my hon. Friend's local hospital is an example to the rest of the country.

11. **Mr. Nick St. Aubyn** (Guildford): Which health authorities have discussed with general practitioners measures to reduce the number of patients which they refer to hospitals for surgery for which there is a waiting list. [77709]

The Minister of State, Department of Health (Mr. John Denham): I would expect all health authorities and primary care groups regularly to discuss with GPs arrangements to ensure that patients receive the treatment they need, as quickly as possible. That is the key to improving health, reducing inequalities and modernising NHS services. Reductions in waiting lists are being achieved on the back of record growth in activity, with an extra 460,000 patients expected to be treated in 1998–99 than a year earlier.

Mr. St. Aubyn: In view of the exchanges that we have heard this afternoon, will the Minister confirm to the House that the number of patients who have waited more than 13 weeks to see a specialist has increased by more than 200,000 since Labour came to power?

Mr. Denham: I repeat what I said earlier: in planning for next year, we anticipate treating at least a third of a million more out-patients. That will take the number of out-patients to be treated in the national health service above 11 million for the first time.

Dr. Evan Harris (Oxford, West and Abingdon): Does the Minister think it is ethical for GPs to be told that their patients cannot be referred for major operations because hospitals are trying to reduce waiting lists by performing only small operations and spending insufficient money? Does the Minister accept that that practice is prevalent, and will he condemn it?

Mr. Denham: I assure the hon. Gentleman absolutely that, if he can give me chapter and verse on those allegations, I shall look into them. We have made it perfectly clear that we do not expect and will not tolerate any manipulation of waiting list figures. I shall certainly examine any cases that the hon. Gentleman uncovers.

Health Professions (Regulation)

12. **Mr. Phil Sawford** (Kettering): What measures he proposes for improving the regulation of health professions. [77710]

The Minister of State, Department of Health (Mr. John Denham): The Government are committed to improving quality in the national health service through the introduction of clinical governance. Strong, open and accountable systems of professional self-regulation play an integral part in that, and we want to work with the professions to build on and strengthen existing systems. The Health Bill includes measures to allow for the regulation of new professions and the strengthening of existing regulatory schemes by order.

Mr. Sawford: I thank my hon. Friend for that answer and welcome any action that is designed to improve the regulation of health professions. I draw his attention in particular to the situation regarding psychologists. It would seem that people can call themselves counsellors, therapists or psychologists without receiving any training whatever. Will my hon. Friend support the current moves by that profession to establish a register of chartered psychologists in order to protect the public from possible exploitation, abuse or harm? If necessary, can such registration be made a statutory requirement?

Mr. Denham: I share my hon. Friend's concern about bogus psychologists or anyone else who makes false claims concerning health care and treatment. The Government are well aware of the issues involved.

The order-making power proposed under the Health Bill would allow regulatory schemes to be set up for health care professions, such as psychology, that are not yet covered by statute. Our officials who are directly involved in developing the proposals have discussed those matters with the British Psychological Society, and the Under-Secretary, my hon. Friend the Member for Barrow and Furness (Mr. Hutton), will hear the views of the society on 21 April. That will help us to consider the options and reach a decision in due course about the right action to take.

Mr. Nicholas Winterton (Macclesfield): While we may accept that some regulation of the medical profession may be necessary, does the Minister agree that the medical profession across the spectrum requires a boost in morale? Will he follow the example set by the East Cheshire NHS trust and its chairman Peter Hayes and ensure that morale across the hospital service is of the highest order? In doing that, he would ensure the best service provision to the people of this country and treatment of a maximum number of people.

Mr. Denham: I am very keen, as are my right hon. and hon. Friends, to ensure that best practice is spread throughout the national health service. The system of NHS beacons is designed, among other things, to identify good practice in leadership and management. I hope that the hon. Gentleman's local trust will be able to contribute to that process. However, the hon. Gentleman should not underestimate the significant determination of the medical profession to modernise its system of self-regulation, which I think will benefit patients throughout the country.

Mr. John Heppell (Nottingham, East): I welcome the Minister's attempts to improve the quality of service in our hospitals. However, is he aware that last week two patients in Nottingham City hospital contracted malaria? Even more worrying, it has been discovered since then that another patient who was discharged from the hospital has died from malaria. Will the Minister assure us that

there will be a thorough investigation into the causes and that whatever measures are necessary to protect the public in future will be taken?

Mr. Denham: That is a very unusual occurrence.

Madam Speaker: It had nothing to do with the question, either.

Mr. Denham: For the reason given by my hon. Friend, the authorities will certainly establish what happened in that case and whether there are any lessons to be learned from that.

Regional Specialist Units (Hillingdon)

13. **Mr. John Wilkinson** (Ruislip-Northwood): When he expects to announce the conclusion of his Department's reviews affecting regional specialist units at hospitals in the borough of Hillingdon. [77711]

The Secretary of State for Health (Mr. Frank Dobson): The Turnberg report on the future of London's health services recommended a thorough review of specialist health services in west London. We accepted all the Turnberg recommendations, including that one. A group covering all the specialist services involved is now considering how best to provide top-quality patient services, teaching and research in that area, which includes Harefield hospital in Hillingdon. The hon. Gentleman will, I hope, be reassured to know that I have discussed the review with Sir Magdi Yacoub on two occasions, that he is content with the proposals and that I have given him my personal undertaking that NHS funding will be available to help to fund the heart sciences centre and the patient services centre at Harefield.

Mr. Wilkinson: I am most grateful to the Secretary of State for that reply, particularly with regard to Harefield. However, I turn his attention to the future of the regional specialty for burns and plastic surgery at Mount Vernon hospital. There is a grave discrepancy between the right hon. Gentleman's boasts that he will take into account local opinions on the siting of services, and the blithe disregard for the wishes of local people as expressed in a petition with more than 80,000 signatures, as well as an early-day motion in my name and a deputation to the former Minister of State, the right hon. Member for Darlington (Mr. Milburn).

Will the right hon. Gentleman now assure us that he will invest in centres of excellence such as Mount Vernon and Harefield, rather than putting all his eggs in the basket of the private finance initiative hospital, which may be seductive for the financiers, but is not necessarily the most cost-effective option?

Mr. Dobson: The future of the burns and plastic surgery unit at Mount Vernon hospital is being considered by an expert advisory group. The group has not yet reported back even to Hillingdon health authority. If local people and the community health council are opposed to the proposals, the decision will eventually rest with me. No decisions have been made. I shall, in line with the Turnberg recommendations, make sure that the best health services for treatment, training and research are available in west London. That may or may not mean that there will be changes at Mount Vernon. I do not know at the moment because I have not received the advisory group's report.

Mr. Tony McNulty (Harrow, East): Does my right hon. Friend agree that the future of specialist treatment centres such as the burns and plastics unit at Mount Vernon would have been better assured if, in 1996, before the election, the Tories had not closed the hospital's accident and emergency department?

Mr. Dobson: Yes.

Social Work

14. **Mr. Gareth R. Thomas** (Harrow, West): What action he is taking to promote high standards in social work; and if he will make a statement. [77712]

The Parliamentary Under-Secretary of State for Health (Mr. John Hutton): We shall promote high and improved standards for all social care staff. We have already announced our proposals to create a general social care council. Before that, we aim to reshape the social work training system and launch a new post-qualifying award in child care later this year. This summer, our new training strategy will allow us to start raising qualification levels in the whole social care work force.

Mr. Thomas: Does my hon. Friend agree that a key to high standards in social work is a trained work force? Is he aware that some 80 per cent. of the social care work force do not have any qualifications? Is that a priority for him, and what action is he taking to improve the situation?

Mr. Hutton: I strongly agree with my hon. Friend. It is unacceptable to us—and, I am sure, to everyone in the House—that such an important group of key workers remain largely unqualified. Some of the measures that I have already announced will help to raise the qualification levels in the social care work force, but my hon. Friend may be particularly interested in the steps that we are taking to introduce a new national vocational qualification level 3 award for people working in residential child care settings. It is our priority to improve the qualification levels of all the social care work force, and the programmes that we have set in train will achieve that.

Mr. Peter Luff (Mid-Worcestershire): Does the Minister recall the recent letter that he sent to Worcestershire county council congratulating it on the high priority that it attaches to a high standard of social work and social services? Does he understand that that demands an inflation-busting increase in council tax of 9.9 per cent? To avoid any possible charge of hypocrisy, will he make representations to his right hon. Friend the Deputy Prime Minister in order that the county council is not penalised for protecting social services and social work, to which the Minister says he attaches such importance?

Mr. Hutton: The local government settlement was a fair one for all authorities. I have recently been to Worcester to see at first hand some of the outstanding and excellent social care schemes that the county council is organising. I pay tribute to the staff there for that. I am

sure that the hon. Gentleman would join me in welcoming the recent announcement by my right hon. Friend the Secretary of State that a new hospital costing more than £100 million will be constructed in Worcester, which is good news. It is something, I am afraid, that his Administration never quite got round to doing.

Smokers (Health Care Charges)

15. **Mr. Barry Sheerman** (Huddersfield): If he will introduce a system of health care charges for smokers before they receive NHS treatment. [77713]

The Minister for Public Health (Ms Tessa Jowell): The Government have no plans to introduce such a system. I am quite sure that my hon. Friend needs no reminding that to do so would be in breach of the founding principles of the NHS: it is open to all regardless of income; it treats sick people when they need treatment because they need treatment, not because of why they need treatment.

Mr. Sheerman: I know that, like me, my right hon. Friend wants not to penalise smokers but to help them liberate themselves from a disgusting habit that damages their health and future. Does she agree that it is worrying that, after many years of decline in smoking, the use of tobacco is increasing again, especially among young people, and particularly women? Will she stand up to all the pressures on her, unlike the previous Secretary of State for Health, the right hon. Member for South-West Surrey (Mrs. Bottomley), who, even in the face of a recommendation from three Cabinet Ministers, including the Deputy Prime Minister, would not ban tobacco advertising?

Ms Jowell: I have seen the reports, to which my hon. Friend refers, of the right hon. Member for South-West Surrey (Mrs. Bottomley) not supporting a ban on tobacco advertising. We know that our strategy against smoking, particularly to reduce smoking among young people, will not work unless we ban tobacco advertising, which is why we will ban tobacco advertising. We know that smoking is the single greatest cause of health inequality. We know that the right hon. Lady, when she was Secretary of State, banned the term "inequality" in the Department of Health. It is therefore not surprising that she refused to take measures to reduce inequality in health. We will tackle smoking and we will reduce health inequality.

Mr. John Bercow (Buckingham): I warmly congratulate the Minister on her reply to the original question. Does she agree that there is no reason on earth why smokers, of whom I ceased to be one on 25 June 1986, should pay an extra tax for NHS treatment, given that they contribute approximately six times more to the Exchequer than they cost the NHS in treatment for smoking-related illnesses? Does she agree furthermore, that if she were so foolish—which she is not—to pursue the pernicious nostrum recommended by the hon. Member for Huddersfield (Mr. Sheerman), she would in all logic have to extend it to people suffering from alcohol-related illnesses or, indeed, avoidable obesity?

Ms Jowell: I have from time to time wondered how the hon. Gentleman might be an example to the young people of this nation: this afternoon, he has revealed to the House that young people can admire him for the fact that he gave up smoking.

Ms Gisela Stuart (Birmingham, Edgbaston): I congratulate my right hon. Friend on her commitment to reduce smoking among young people, particularly women. Will she congratulate Birmingham health authority on its tremendous work and commitment to make Birmingham a smoke-free city by 2005?

Ms Jowell: I am delighted to join my hon. Friend in congratulating the leadership shown in Birmingham in declaring itself a smoke-free city. We hope that, as we implement the agreement to extend smoke-free public places, other cities will enjoy the benefits that the people of Birmingham are enjoying.

Modernising Government

3.30 pm

The Minister for the Cabinet Office (Dr. Jack Cunningham): Madam Speaker, with permission, I should like to make a statement on the modernising government White Paper, which I am publishing today. Copies will be available in the Vote Office when I sit down. The White Paper sets out the Government's vision of public service into the next millennium. It provides new directions for change. It is also a clear statement that government must be responsive to the public and that policies and services must be shaped around people's needs.

Modernisation is a hallmark of this Government. We are reforming the welfare and criminal justice systems, rebuilding the national health service, raising standards in schools and restructuring our democratic and constitutional framework. To achieve those goals, we must also modernise the way in which government itself works. It is modernisation with a purpose: to make life better for people and for business, too.

The White Paper is based around five principles: first, policy that is forward looking and able to deliver outcomes that matter, and not simply short-term in its aims. Policy must tackle causes, not symptoms, and be measured by results, rather than activity. Policies must be designed around shared goals, not just organisational structures. Policy making must also reflect the needs of different groups—women, older people, ethnic minorities and people with disabilities among them. We want a wider input into policy making from those who deliver it and those who are affected by it.

New initiatives in the White Paper include the new Centre for Management and Policy Studies, identifying and spreading good practice in policy making; joint training for Ministers and officials in policy making; and a drive to remove unnecessary regulation and ensure that future regulations are necessary and proportionate. Where Departments are preparing policies that impose regulatory burdens, high-quality regulatory impact assessments must be submitted to Ministers and agreed by the Cabinet Office before decisions are taken.

The Government also intend, when parliamentary time allows, to increase the flexibility of the Deregulation and Contracting Out Act 1994 to facilitate deregulatory action.

Secondly, public services should meet the needs of citizens, and not just at the convenience of the service providers. People are rightly impatient with ineffective and inconvenient services that stem simply from the way in which government is organised. They should not have to worry about what part of government they are dealing with. They want services that are joined up and responsive to their needs. People are used to private sector services being available when they want them. The Government are committed to delivering public services 24 hours a day, seven days a week, where there is demand.

The modernising government White Paper sets out action to reduce obstacles to joined-up working, commits government to working through local partnerships and one-stop shops to achieve those services and includes clear commitments to making common life episodes, which we all experience, less bureaucratic and less burdensome.

The third principle is that of delivering high-quality public services and not tolerating mediocrity. The Government are committed to ensuring that our public services are innovative, effective and efficient. Some of our public services are outstanding. Others simply are not good enough. We intend to bring them up to the level of the best and make sure that the best get even better. I emphasise that we are not prepared to tolerate mediocrity of the kind that we inherited from the previous Administration.

We are committed to quality and continuous improvement of services, and we will use competition to deliver improvement, but the Government will not make the mistake of rigidly preferring private sector delivery over public sector, or vice versa. Instead, we will review all central and local government department services and activities over the next five years to identify the best supplier in each case.

In addition, we will set up "learning labs", encouraging new ways of working by front-line staff by suspending rules and removing red tape that stifles innovation, and, as part of our focus on delivery, we will ask all permanent secretaries to ensure that their Departments have the capacity to drive through achievement of the key Government targets and to take personal responsibility for ensuring that that happens.

Fourthly, we will develop government for the information age. The Government intend that, within three years, people will be able electronically to look for work and be matched to job vacancies; submit tax returns and VAT returns; access health care advice through NHS Direct; apply for regional business support grants; be paid by government for goods and services, and notify different parts of government of details, such as change of address, through one transaction.

Looking ahead, we propose that 100 per cent. of dealings with government should be capable of electronic delivery by 2008. We will achieve that by developing a corporate information technology strategy for government, establishing frameworks across government on issues such as digital signatures, smart cards and websites.

Government must also serve those who feel excluded from developments in information technology. We will ensure that information age government increases the choice of how citizens and businesses receive services, and not restrict it. We must also address people's concern that information technology could lead to "big brother" government. Our belief is that data protection should be an objective of information age government, and not an obstacle to it.

Fifthly, the Government will value public service, not denigrate it. The public service must be the agent of the changes identified throughout the White Paper. We must make sure that it is properly equipped to rise to the challenge and properly rewarded for success. We will remove unnecessary bureaucracy which prevents public servants from experimenting, innovating and delivering a better product. We want staff at all levels to contribute to evaluating policies and services, and to put forward ideas about how they might be improved. We will explore the scope for financial rewards for staff who identify financial savings or service improvements.

The public service must also reflect the full diversity of society. At present, it does not. The White Paper therefore includes a range of measures—linked to tough new

targets—to tackle the under-representation of women, people from ethnic minority groups and people with disabilities in the senior ranks of the public service.

The Government will develop a civil service for the 21st century. We will provide incentives for innovation and collaborative working. We will bring in more people from outside, open up recruitment, and create opportunities for able, younger staff to be promoted more quickly. We will bring together key players from across the public sector to exchange experience and work more closely together.

The White Paper is a programme for the whole of the public sector—local government, central Government, the health service—and we have worked closely with them all in developing it. We want to mobilise all the public sector's resources to achieve the outcomes that people want from government.

This not a single event; it is part of a process of change that we will manage, develop and improve over time. But we have set a clear direction for change over the years to come that will make our public services better than any anywhere else in the world. We will drive forward change by setting milestones to chart the course, by publishing the measures of success by which the programme can be judged and by reporting on its progress annually to Parliament.

In the White Paper, the Government have set out the most radical programme of public service reform for a generation, and I commend it to the House.

Sir George Young (North-West Hampshire): We welcome the publication of the White Paper, with its objective of improving the quality of public services. We look forward to debating the important issues in it, and we congratulate the Minister on not appearing on the "Today" programme to trail it. I have to tell him that I preferred the original title, "Better Government", to the one that he has chosen, "Modernising Government".

Does the Minister agree that the foundations of what he calls joined-up government were laid by his predecessors? City challenge, the single regeneration budget and Government offices for the regions—which were all opposed by Labour Members—were pioneered by my right hon. Friend the Member for Henley (Mr. Heseltine). In driving this concept forward, should the Minister not re-examine some of the initiatives launched since 1997? In our cities, we now have education action zones, employment zones, health action zones, crime and disorder partnerships and new deal for communities. Will those now be joined up?

Should we not consider other issues? For example, as we just heard in Question Time, there has been more money from the Department of Health for the national health service, which we welcome, but I know that Hampshire has had less money from the Department of the Environment, Transport and the Regions for social services. What people gain from the NHS swings, they lose on the social services roundabout. As the Minister patrols the frontiers between Departments, will he tackle these problems of conflict and confusion?

The Minister's statement raises important issues for Parliament. We vote money to Departments and we hold Ministers to account, but, as more money is pooled and spent collectively, the more difficult it is to stick to our historic approach to accountability. Has the Minister thought that through, and are there not issues for our Select Committees to consider? Does devolution not make the achievement of joined-up government more difficult? For example, disabled people need cash and care, but policy on cash is retained at Westminster, whereas policy for care has been devolved.

On the use of information technology, does the right hon. Gentleman acknowledge the risk of pinning his faith on large IT systems at the moment? All hon. Members have constituents caught up in the shambles of the immigration and nationality directorate at the Home Office, where people have to queue from 4 o'clock in the morning and which it is impossible to get through to by phone. Government there is not so much joined up, as clogged up. The Benefits Agency has had much publicised difficulties with the national insurance recording system. People have not received the right pension, and have been offered £10 compensation.

What the Minister has just outlined is larger than any system that has so far been successfully introduced. Will he approach it with a measure of caution? He recognised the need to deregulate, but there have been 2,000 new regulations since 1997, with schools receiving roughly one communication from education departments every day. Will he reassess that approach?

If the Government are to provide a more coherent approach to the services that the individual needs, how will the individual be identified? Will we all have a number? Are we moving towards ID cards, and how will civil liberties be protected?

What will be the cost and who will pay for the delivery of public services 24 hours a day, seven days a week? Does that pledge cover the whole of the United Kingdom? Will it be possible to retain a unified home civil service after devolution? Will Wales and Scotland end up with their own civil service? Does the White Paper stress the importance of a non-political, impartial civil service? Has not some injury been done to that concept since 1997 by the increase in special advisers, the establishment of a strategic communications unit and the decision to make the Prime Minister's private secretary and press secretary political appointments?

We welcome the Government's stated aims to improve government, to make it more accessible, more accountable and more cost-effective, but we shall watch the details and the implementation with some care.

Dr. Cunningham: I am grateful to the right hon. Gentleman for his general welcome for the White Paper. His tone and comments were in marked contrast to the buffoonery of some Conservative Members, and I also welcome that.

I shall try to deal with his important questions. We have not thrown away successes from the previous Government's policies. The White Paper acknowledges that there were some successes in this area under the previous Government, and we want to build on and retain them. I am pleased to put that on the record.

The right hon. Gentleman suggested that action zones should be "joined up". The whole purpose of health and education action zones is to join up local services so that they can deal with problems more comprehensively. Action zones are examples of joined-up government in action.

[Dr. Cunningham]

The right hon. Gentleman welcomed more money for the health service—in marked contrast to his right hon. Friend the shadow Chancellor of the Exchequer, who opposed such action and described it as reckless. Again, there is a divergence of opinion in the shadow Cabinet on what investment in the health service is welcome and what is not.

There is no conflict and confusion in government. The White Paper covers all the activities of both central Government and local government. Sir Jeremy Beecham, leader of the Local Government Association, has been a working member of the Cabinet Committee preparing the work.

The "invest to save" budget is an example of precisely what the right hon. Gentleman asked us to do. It will target resources for new activities of this kind, in which more than one agency is involved, with the aim of providing services more efficiently. That applies to local government, Government agencies and Departments of State in Whitehall.

I agree with the right hon. Gentleman that the proposals raise questions about accountability. We have asked the performance and innovation unit—*[Interruption.]* We have asked the performance and innovation unit to examine issues of accountability in one of its first studies, because, understandably, the House will want to know how it may be affected by the pooling of resources and the sharing of budgets. The right hon. Gentleman has raised an important point, notwithstanding the inane mutterings of his right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth).

Devolution means that elected Governments in Scotland and Wales will have to decide for themselves. Of course we hope that they will join us in many of our initiatives where that is appropriate, but the very fact of devolution will, in some cases, mean diversity and choice. That was recognised when we embarked on the major constitutional reform that has been so widely welcomed.

The right hon. Gentleman may not have heard me say that, precisely because we want to avoid the problems of large single information technology systems that he identified, we are developing a corporate strategy for the whole of government. Such a strategy did not exist under the last Administration; that was rather remiss of them. We intend to establish not a single mega-system, but different systems using nets to avoid the problems described by the right hon. Gentleman.

The right hon. Gentleman mentioned identity cards. As the White Paper makes clear, there will be no compulsion. If people choose to use smart cards to gain access to government services, that will be a matter for them, but it will be purely voluntary: no one will be compelled to have a smart card.

The right hon. Gentleman asked about making government services available 24 hours a day, seven days a week. People with web television sets will soon be able to fill in their self-assessment income tax forms at home, and send them to the Inland Revenue electronically. Businesses will be able to do the same with their value added tax returns. The idea that that is not a major advance for people and businesses in terms of convenience and efficiency is laughable: it is a major step forward, enabling people to fill up forms conveniently in their homes without all the paperwork that has dogged them in the past. I am sure that both individuals and businesses will welcome this development warmly.

The right hon. Gentleman asked me about the future of the civil service. Civil service unions have been closely involved in the work as it has developed. I see the general secretaries of the unions regularly. My hon. Friend the Parliamentary Secretary, Cabinet Office and other ministerial colleagues have been engaged in a wide-ranging series of workshops with front-line service providers in the public service, learning from them how we can improve the delivery of services. They have many good ideas about how that improvement might be achieved. None of the proposals threatens the future of a unified civil service; nor do we have any intention of doing so.

Dr. David Clark (South Shields): I thank my right hon. Friend for his statement and wish him well in his efforts to ensure that the service that our citizens receive in the public sector is equal to the best that they experience in the private sphere. I remind him that, for most of our citizens, government means standing in queues and filling in unnecessary forms. Will he give an assurance that it is his objective to use the best information technology, including voluntary government smart cards, to ensure that unnecessary queueing and form filling are things of the past?

Dr. Cunningham: I am grateful to my right hon. Friend for those comments. I also thank him because he was the one who embarked on the radical reforms; he set the work in train while he was working in the Cabinet Office. I was grateful to him for the work that I inherited.

My right hon. Friend is right: we want to take the hassle out of life for people. That is why we need to redesign the provision and delivery of government services for the convenience of those who use them, not of those who provide and work in them. Historically—under all Governments of all parties—that is the way in which public services have been organised: on a nine-to-five, five-day-a-week basis. The private sector has shown the way forward. We must learn from its advances and adopt them, where it is possible and appropriate, in the public services. That we shall do.

As for unnecessary form filling, my right hon. Friend is right about that, too. We have seen from lots of experiences and encounters how it is not only tiresome and time consuming, but distressing for people to have to fill out several forms about someone in the family who has a disability or is ill. When people are under stress, bureaucracy should be helping them and reducing the stress, not placing more burdens on them.

Mr. Robert Maclennan (Caithness, Sutherland and Easter Ross): I congratulate the Minister on giving us a joined-up statement, which perhaps is more easy to debate than to ask questions about, as, in some areas, it appears to point in different directions. For example, in respect of the attitudes towards public service, it still seems that the Government are in purchaser-provider mode, yet elsewhere we are told about the importance of the high duty of high-quality public service. Those things are not exactly contradictory, but they suggest that the Government are not quite as radical as they claim.

I want to ask a particular question on that score. Why have the Government not proposed a statutory basis for the civil service code of conduct to ensure that the impartiality and, indeed, ethical underpinnings that we look for are put in place by Parliament, and are not dependent on the prerogative powers on which they rest at present?

Dr. Cunningham: I am grateful to the right hon. Gentleman for his welcome for the White Paper. It is increasingly apparent that the people who use, need and depend on the services that we are talking about do not care so much about who the provider is; they care about the quality and accessibility of the services. That is why we have not been dogmatic about who the provider should be. The provider may be the public sector, the private sector or the voluntary sector. What matters is that people get easy access to the service when they need it, and that the service is of the quality that they are entitled to expect as local and national taxpayers. That is why we are determined to look at how services are provided, and to test them against the best available. If they are found wanting, we shall have to make changes, whether that means local or national Government decisions.

As for the independence of the civil service, there is nothing in the White Paper that threatens for a moment the long-standing, robust and continuing independence of the civil service.

Mr. Rhodri Morgan (Cardiff, West): Does my right hon. Friend agree that the White Paper shows the narrowness of thinking during the 18 years of the previous Administration? Although there were undoubtedly efficiency gains from the setting up of the next steps agencies, the price paid was narrowed departmental thinking; the chief executive of a next steps agency, on performance-related pay, looked after that agency, but lost sight of the big picture. The White Paper helps to restore the primacy of the interests of UK plc.

Is it necessary for the centre to be further strengthened? Will the reforms suggested in the report to the Prime Minister by Sir Richard Wilson, the Cabinet Secretary—which was never made public—have to be followed through to provide the technical and bureaucratic lead, to go with the ministerial lead, to drive the reforms through?

Dr. Cunningham: I agree that the narrowness of thinking—and, on occasion, meanness and cheapness masquerading as efficiency—of the previous Administration left so many of our public services starved of resources in terms of personnel and equipment. We have set about putting that right. I remind the House that we have invested £21 billion extra in the health service and £19 billion extra in education.

The reforms of the Cabinet Office are central to many of the White Paper proposals which we continue to drive through on the basis of the statement made to the House by my right hon. Friend the Prime Minister last July.

Mr. Peter Brooke (Cities of London and Westminster): Although I will give the Minister the benefit of the doubt—I will certainly read the White Paper—will he, in the interim, say whether he would be prepared to enter his statement in a national competition for a parody of management-speak? Will the new Centre for Management and Policy Studies teach Ministers how to prepare statements as well as to prepare policy?

Dr. Cunningham: I am sorry that the right hon. Gentleman is so curmudgeonly in his response to the White Paper. He was a Minister for many years, and he knows very well that the Government of whom he was a member left our public services in pretty bad shape. We are doing something about that.

Mr. Tam Dalyell (Linlithgow): In 38 days' time, on the morning of Friday 7 May, to whom will Mr. Muir Russell, currently permanent secretary at the Scottish Office, be ultimately responsible—the First Minister in Holyrood or the Prime Minister in 10 Downing street?

Dr. Cunningham: As a member of a unified, United Kingdom civil service, he will be responsible in the way that he always has been.

Mr. Andrew Welsh (Angus): What is meant by

"joint training for Ministers and officials in policy making"?

Does that mean that officials will be making policy? Should it read "the policy-making process"? With the greater availability of information technology must surely come greater confidentiality and security. What extra steps is the right hon. Gentleman taking to assure the individual about the security of the system that he proposes?

Dr. Cunningham: In the White Paper, we say that we must learn how to develop and implement policy better than Governments have been able to do in the past; that is a modest, but honest, thing to say. If we can do that by working together with the senior civil service, as is proposed, in the new Centre for Management and Policy Studies, we shall.

The hon. Gentleman's question seems to suggest that we already know all the answers to the questions of how to grapple with and solve the complex problems that we face. We do not know all the answers, and we need to develop policies more effectively than the record of failed policies shows us was done in the past. We cannot go back to making the same mistakes that were made then.

We will develop new systems of training and working together for Ministers and civil servants and, as the policies develop, we shall, of course, have to ensure that they are consistent with the Data Protection Acts.

Dr. Tony Wright (Cannock Chase): One of the principles associated with the present Government is doing what works—contrary to the behaviour of the previous Government, who seemed to operate on the opposite principle. That means finding out what works, ensuring that we evaluate new programmes properly and then disseminating throughout the rest of the public sector information about what works. Will that not be one of the major tasks of the new performance and innovation unit?

Dr. Cunningham: I agree that we need to find out what works and develop policy accordingly. Another of the themes running through the White Paper is the dissemination of best practice, whether that be in local government or in central Government. As I said earlier,

[Dr. Cunningham]

it could involve central and local government working together. One of the aims of the performance and innovation unit is to examine how we can do that more effectively, and I look forward to the first of its four reports, which will be available in the summer.

Mr. Eric Forth (Bromley and Chislehurst): I thought that 1 April had come early, and we were being treated to a spoof White Paper. Among the clichéd gems that I made a note of are "vision of public service" and "new direction for change".

When the Secretary of State moves on from the "PlayStation Government" that he is offering us now, will he explain how he squares his claims about deregulation, which he repeated today for the umpteenth time, with the plethora of regulations that the Government have showered on the education and health services and on business since the day they came to office? Until he can explain that satisfactorily to the hapless recipients of the bureaucracy and the regulations, no one will believe a word that has been spoken this afternoon.

Dr. Cunningham: The right hon. Gentleman used clichés to complain about clichés. As for regulations, Labour Members believe in the national minimum wage—unlike the right hon. Gentleman and his right hon. and hon. Friends, who believe in poverty pay. We believe in necessary legislation to protect both people and the environment, and we shall go on legislating to fulfil our manifesto commitments. That is not inconsistent with taking tougher action and new powers, or with introducing new systems in government to ensure that the regulatory burdens are proportionate where necessary, and, where not necessary, are not imposed.

Dr. Lewis Moonie (Kirkcaldy): Will my right hon. Friend tell us how many members of the senior civil service are drawn from ethnic minorities? What form will affirmative action take?

Dr. Cunningham: In the civil service as a whole, people from the ethnic minority communities are proportionately represented. However, as my hon. Friend suggests, they are not proportionately represented in the higher ranks and the better jobs in the civil service. In 1998, people from ethnic minority backgrounds held 1.6 per cent. of all posts in the senior civil service. We aim to increase that proportion—indeed, to double it—by the early part of the next century. We shall set a target for women in senior civil service posts too, for the same reasons. They, too, are hopelessly under-represented at the top of the civil service.

Mr. Richard Shepherd (Aldridge-Brownhills): Surely the right hon. Gentleman must appreciate that, if he employs high-flown management-speak, people will fear that he is concealing, rather than revealing. Much of the language of his statement simply was not the plain English that would have helped many of us.

The right hon. Gentleman did not say a great deal about the civil service. I have not, of course, read the White Paper, as it was not available until he stood up to speak. What plans are there to put the civil service code on a statutory basis? That theme ran through the previous Opposition, and the right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan) and the Foreign Secretary reached an agreement before the general election. Two years into this Parliament, however, we still have had no announcement.

Dr. Cunningham: I am sorry that the hon. Gentleman does not like a modern management approach to reforming government. There was no attempt in my statement or in the White Paper to conceal anything from him or the House. On the contrary, I made sure that the right hon. Member for North-West Hampshire (Sir G. Young) and the hon. Member for South Staffordshire (Sir P. Cormack) had a copy of the statement a full hour before I made it, and a copy of the White Paper. That was much better than the treatment that we used to receive when we were in opposition and some Tory Members were Ministers. I will take no criticism from anyone about concealing anything. The two Tory Front Benchers had more than enough time, and more than we were ever allowed, to study Government statements.

On the second part of the question put by the hon. Gentleman, we have no proposals yet.

Mr. Dale Campbell-Savours (Workington): My hon. Friend proposes that 100 per cent. of government services should be capable of electronic delivery by 2008. That remarkable proposition will transform people's lives in ways that they currently find it difficult to understand. Can we go a stage further by considering the introduction of national identity cards, which would produce huge benefits to government in savings, the reduction of fraud and service delivery? Surely, only by introducing a national identity card can we fulfil the real ambition that my right hon. Friend has shown.

Dr. Cunningham: My hon. Friend is right. It is revolutionary to propose that all government services should be accessible using information technology systems. That is a target that we shall work towards, although it will not mean that everyone will have to use information technology to access services.

On my hon. Friend's second point about identity cards, I have made it clear that there is no proposal in the White Paper to introduce a compulsory card. These days, a great many people—probably the majority of the population—carry a whole series of cards that readily identify them. For that reason, some heat has gone out of the issue. We have no proposal to introduce compulsory identity cards.

Mr. Andrew Tyrie (Chichester): May I share the views expressed by my right hon. Friend the Member for Cities of London and Westminster (Mr. Brooke) and my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) that the statement was packed full of jargon that is every bit as much of a barrier between the general public and whatever it is that the Government are trying to convey to them as Sir Humphrey Appleby-speak would be?

The statement listed as a new initiative the Centre for Management and Policy Studies. Was that not announced last July? It is not a new initiative at all. How many more initiatives announced today had been announced already?

Dr. Cunningham: The Centre for Management and Policy Studies is a new initiative. The first important

decision has been made: Professor Ron Amman has been appointed to head the centre and will be in post from June. From then on, the centre will be fully established as quickly as possible.

Ms Tess Kingham (Gloucester): I am pleased to see on page 60 of the White Paper a commitment to improving the system of public appointments. I recently participated in selecting chairs of NHS trusts under the current system, and found it desperately unsatisfactory—I understand that it was inherited from the previous Government. The system is opaque and shrouded in mystery. It places too much power in the hands of too few unelected people, and those who have not been selected do not know the results until the last minute. The current system is not a good way to recognise the hard work that many people put into many years of public service. Will my right hon. Friend improve the system and ensure that it is transparent and open? There must be a better way to reward public service and make it more accountable.

Dr. Cunningham: I am grateful to my hon. Friend. More than 100,000 people participate in public life through service on boards, trusts and advisory and executive bodies, so it is a big issue. We need to change significantly the system that we inherited from the previous Administration, and we propose to do that, as set out in the White Paper on page 60 under the heading "Public appointments". Today, my hon. Friend the Parliamentary Secretary, Cabinet Office had discussions with representatives from all Departments to initiate those changes.

Mr. Ian Bruce (South Dorset): Many of us who listened to the Minister's statement will have asked, "Where is the beef?" How will he improve on government? For a long time, I have criticised the time that it takes for Ministers to respond. Members of Parliament are most closely involved with Ministers, but it can still take more than three months to get a simple answer to a simple letter. What is the point of linking all Ministers to the internet if, in the latest edition of the list of Ministers' addresses, only four Ministries include the e-mail addresses of their Ministers, despite the fact that almost all Ministries can be contacted by e-mail?

Dr. Cunningham: The hon. Gentleman seems to be somewhat confused. The White Paper is not describing an event or announcing additional expenditure: it is describing a process of change which will have to be managed over a period of years. His first question demonstrates his lack of understanding of what we are trying to address and how we intend to change the situation.

I take the hon. Gentleman's second point more seriously, because he is right in saying that we need constantly to examine the performance of Departments and Government agencies. We shall do that. New standards were announced last July and I am reviewing that and tightening up the procedures. I agree that people, whether they are Members of Parliament or members of the public, should not have to wait months and months for a reply.

Mr. Peter Bradley (The Wrekin): My right hon. Friend will agree that he need take no lessons from Opposition Members who, when in government for 18 years, seemed to know the cost of everything but, when it came to public service, the value of nothing. They contributed more than any other factor to the demoralisation of staff and the degradation of their services. My right hon. Friend took the opportunity in his statement to commend the potential of people working in the public service. How will he release the enormous potential and commitment of people in the public service? Will he recognise that, just as the dead hand of bureaucracy frustrates members of the public, it also frustrates public servants who know that, if they were able to exercise more discretion and flexibility in their work, they could provide a far better service to the public?

Dr. Cunningham: I agree with my hon. Friend. We have much to learn about using the talents, skills and knowledge of people in the public service more effectively than we have in the past. The new Centre for Management and Policy Studies is one way to ensure that people, through their training and skilling, will be as sharp and adept as the best private sector managers in managing large public expenditure budgets.

At the other end of the scale, we need to ensure that people in the front line of providing services get a much fuller opportunity to persuade their middle managers and, for that matter, Ministers, that they better understand how services can be made more accessible—or more user friendly, to use jargon that I know Conservative Members will hate—and how we can better serve the public.

Points of Order

4.15 pm

Mrs. Alice Mahon (Halifax): On a point of order, Madam Speaker. Last night, I tabled an early-day motion calling for the resignation of the chief inspector of the Office for Standards in Education because I knew that the Government have received evidence that he did not tell the truth and attempted to cover up a matter of public interest. Today, I have received a copy of the *Bristol Evening Post*, in which numerous teachers confirm that Mr. Woodhead sought to mislead the Government. Has the Secretary of State for Education and Employment said whether, in view of all the publicity and the claims being made, he will make a statement on what is developing into a serious situation?

Madam Speaker: I have had no indication that a statement is to be made on that issue today.

Mr. Tam Dalyell (Linlithgow): On a point of order, Madam Speaker. Have you had any indication from the Ministry of Defence or the Foreign Office that they would like to report to the House on contacts yesterday and possibly today, with the Russians on Kosovo?

Madam Speaker: I have had no indication that any Minister is seeking to make a statement on that issue.

Sexual Offences (Anonymity of Defendants)

4.16 pm

Mr. Crispin Blunt (Reigate): I beg to move,

That leave be given to bring in a Bill to provide for the anonymity of teachers, etc. accused of sexual offences against children in relation to whom they are in a position of trust; and for connected purposes.

Last year, 700 people attended the funeral of Nick Drewett, a 31-year-old teacher in my constituency. He was a popular, committed teacher who took his own life when facing charges of behaving improperly with pupils in his care. The master who was charged with him was subsequently acquitted.

A significant factor in Nick Drewett's decision to commit suicide was the sensational publicity that attended the investigation of the charges. Sadly, he is not alone. The National Association of Schoolmasters/Union of Women Teachers has had recent experience of three members who have taken their own lives in similar circumstances. Since 1991, there have been 974 police investigations into abuse allegations made against NAS/UWT members. In 792 of them, no grounds were discovered for prosecution. Publicity in 80 per cent. of those cases did serious injustice to innocent teachers. The Bill attempts to protect teachers from injustice that can do them permanent professional and personal damage.

There is a popular view that an allegation of child abuse, unsubstantiated by investigation, is in itself sufficient cause for concern to disqualify permanently a teacher from being in charge of children. There is little awareness that teachers are liable to be the victims of false or malicious allegations. It is therefore just to take measures to ensure that teachers as well as complainants undergo investigation with their identities protected. That is what the Bill aims to achieve.

I am grateful to the NAS/UWT for its help with the Bill and for supporting data. I am also grateful to the National Association of Head Teachers for its support. Teachers are particularly vulnerable to such allegations because of the nature of their job. Regrettably, often because of wide publicity given to cases, pupils know that such allegations can cost a teacher his or her job. Some pupils have had no compunction in seeking maliciously to make allegations against teachers whom they dislike.

The press has endless opportunities to obtain such stories. Cases are often reported to it at the investigation stage by a variety of people, including the parents of the child concerned, other parents who have heard rumours, and pupils. It is not unknown for the police to assist the press with its inquiries. Press coverage includes the usual harassment of those under investigation to obtain photographs and statements. The combination of sex and teaching does not make for restrained reporting. Sensational news stories are allowed to identify teachers.

Allegations against teachers are investigated under the Children Act 1989. The practical effect of its operation is to reverse the normal criminal law convention. Teachers are suspended and then investigated. The experience of teachers accused of child abuse is that they are presumed guilty by police and social services. In Nick Drewett's case, the assumptions made by the police, no doubt reinforced by the publicity, contributed to his depressive state. Whatever happened to the presumption of innocence?

The Bill would not mean that teachers were not suspended while investigations were carried out—a harrowing experience for innocent teachers—but it tries to deliver the simple principle of innocent until proven guilty in the climate that surrounds child abuse allegations today.

Bizarrely, the National Union of Teachers does not appear to support the principle of innocent until proven guilty for its members. It has declined to support the Bill as

"it will protect the guilty as well as the innocent . . . there is potential that the Bill could shield those guilty of serious crimes until after court proceedings are concluded".

I find the contrast between the NAS/UWT and the NUT most marked. One organisation represents teachers and the other seems more concerned with politically correct posturing. It will be for teachers to decide which organisation best represents their interests, but members of the NUT will have to take comfort from the fact that their union believes that a Department for Education and Employment circular will restrain the press from traducing the reputation of innocent teachers and that an

"accurate controlled statement will stem the spread of gossip and local publicity".

It appears that the NUT does not live in the same world as you and me, Madam Speaker.

Once publicity is given to a case, even after the teacher has been cleared, dismissal or inability to return to work are probable outcomes. Even where the school and its governors are supportive, the publicity can cause serious damage to the teacher. It causes major problems at home, at the workplace of the teacher's partner and at the schools of their children. Health breakdown is not unusual in such cases. The effects of the publicity are devastating not only for the teacher but for his or her family. Constructive dismissal can result because the teacher's position, as a consequence of publicity, often becomes untenable. For example, parents, having read the press coverage and operating on the principle of no smoke without fire, may choose to remove their child from the school. Governors often bow to that pressure.

If our objective is to make education top of our social priorities, the status of the teaching profession is central to that objective. That status should be reinforced and supported by our laws, not undermined by them. No longer should unsubstantiated publicity destroy a professional reputation built up over years, if not decades. If the climate of suspicion and anger that surrounds allegations can be restrained by limiting publicity to the issues and not allowing it to extend to personalities in advance of conviction, the Bill should allow the genuine allegations of sexual abuse to be made more readily. The current system, while it serves to blacken the reputation of innocent teachers accused, also ensures a sensational and sometimes hysterical atmosphere, in which a child and the parents must deal with reporting an offence. That hurdle to reporting an offence would be reduced by the Bill.

The Bill would not only assist teachers and pupils directly involved in allegations of sexual abuse, but contribute to a climate of support for the profession as a whole. Teacher training colleges continue to report a shortage of men training to become primary school teachers. There has been much discussion about the consequences of the absence of male role models for many children, not least those of single mothers. However, if we encourage a climate of paranoia and suspicion, it is hardly surprising that many young men are unwilling to enter the profession. The Bill offers the profession some protection against false allegations and it should lead to men more readily entering the profession and doing so with more confidence.

There is injustice when the principle of innocent until proven guilty is in effect overturned by publicity. There is a general principle of open, transparent justice, but when the sensational handling of cases has the effect of undermining justice, the requirement for open justice must be balanced by the requirement for justice itself. Victims of sexual offences are already accorded that protection.

I hope that the House will accept my Bill as a way of preventing more victims from being created among the teaching profession by salacious publicity in the media climate in which we all have to operate.

Question put and agreed to.

Bill ordered to be brought in by Mr. Crispin Blunt, Mr. Robin Corbett, Mr. Ian Bruce, Mr. Ian Cawsey, Mr. Graham Brady, Mr. Nick St. Aubyn, Mr. Gerry Steinberg, Mr. Edward Leigh, Mr. John Bercow, Dr. Phyllis Starkey and Mr. Tim Loughton.

SEXUAL OFFENCES (ANONYMITY OF DEFENDANTS)

Mr. Crispin Blunt accordingly presented a Bill to provide for the anonymity of teachers, etc. accused of sexual offences against children in relation to whom they are in a position of trust; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Friday 16 April, and to be printed [Bill 78].

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

TERMS AND CONDITIONS OF EMPLOYMENT

That the draft National Minimum Wage (Offshore Employment) Order 1999, which was laid before this House on 10th March, be approved.—*[Mr. Jamieson.]*

Question agreed to.

EUROPEAN COMMUNITY DOCUMENTS

Motion made, and Question put forthwith, pursuant to Standing Order No. 119(9) (European Standing Committees),

DELIBERATE RELEASE INTO THE ENVIRONMENT OF GENETICALLY MODIFIED ORGANISMS

That this House takes note of the European Union Document No. 6378/98, relating to a draft Directive amending Directive 90/220/EEC on the deliberate release into the environment of genetically modified organisms; and endorses the Government's approach in the negotiations.—*[Mr. Jamieson.]*

Question agreed to.

Orders of the Day

Employment Relations Bill

As amended in the Standing Committee, considered.

New Clause 11

COMPENSATORY AWARD ETC: REMOVAL OF LIMIT IN CERTAIN CASES

'.—(1) After section 124(1) of the Employment Rights Act 1996 (limit of compensatory award etc) there shall be inserted—

"(1A) Subsection (1) shall not apply to compensation awarded, or a compensatory award made, to a person in a case where he is regarded as unfairly dismissed by virtue of section 100, 103A, 105(3) or 105(6A)."

(2) Section 127B of that Act (power to specify method of calculation of compensation where dismissal a result of protected disclosure) shall cease to have effect.'.—*[Mr. Byers.]*

Brought up, and read the First time.

4.26 pm

The Secretary of State for Trade and Industry (Mr. Stephen Byers): I beg to move, That the clause be read a Second time.

Madam Speaker: With this, it will be convenient to discuss Government amendments Nos. 166 and 65.

Mr. Byers: Most Members will be aware that one of the proposals contained in the Bill is to raise to £50,000 the level of compensation for unfair dismissal. The Government have given careful consideration to the level of compensation for those people who are covered by the provisions of the Public Interest Disclosure Act 1998. At present, no compensation levels have been laid down in respect of that Act. We believe that the time is right to protect whistleblowers by announcing the level of compensation to which they will be entitled and by indicating when we intend to introduce and make effective the provisions in the Act.

New clause 11 provides that the compensation for people covered by the Public Interest Disclosure Act will be unlimited. We believe that the £50,000 limit that will apply in other cases of unfair dismissal will be inappropriate for those individuals coming within the remit of the Public Interest Disclosure Act. The Act was broadly welcomed on both sides of the House. I am delighted that the hon. Member for Aldridge-Brownhills (Mr. Shepherd), who was responsible for introducing an earlier measure on that subject, is in the Chamber.

It is appropriate to delimit the level of compensation to which an individual is entitled. However, we believe that we can go further than that. Another group of individuals can be subject to victimisation and discrimination in the workplace: those who have responsibility for health and safety matters. We have been giving detailed consideration to the level of compensation that should be awarded to individuals who take action on health and safety grounds and, as a result, are unfairly dismissed by their employer. Such individuals should not be restricted to the £50,000 limit on compensation that would normally apply. I am therefore pleased to inform the House that new clause 11 will ensure that those individuals will also be entitled to unlimited compensation should they be unfairly dismissed.

Mr. John Bercow (Buckingham): I understand the rationale behind the proposed new clause. However, given that it could affect businesses operating in the private sector, including small businesses, what account will be taken of the circumstances of those businesses? Such businesses could be forced under, if the new clause is rigorously enforced without regard to their circumstances.

4.30 pm

Mr. Byers: The hon. Gentleman leads me to the next group of amendments, when we shall discuss the position of small businesses. It is important that the House sends out a clear message to those who are employed in a responsible position and who make a disclosure in the public interest, and to those who ensure that organisations comply with health and safety requirements. There is a common interest and I hope that the House will agree that our approach, whereby unfair dismissal compensation is increased to £50,000 other than in two exceptional sets of circumstances—those individuals covered by the Public Interest Disclosure Act and those who deal with health and safety matters—in which compensation will be unlimited, is the right one. The real objective must be to create the climate in which health and safety issues are addressed properly in the workplace and individuals can ensure that there is proper disclosure where that is appropriate.

Mr. Ian Stewart (Eccles): Does my right hon. Friend agree that the new provision will deter employers who should know better from paying less attention than they should to serious issues of health and safety at work?

Mr. Byers: My hon. Friend is absolutely right. There is a litany of cases in which people were unable to expose wrongdoing at their place of work with tragic consequences. I have examples of cases that would have been covered both by the Public Interest Disclosure Act and the unlimited compensation that we intend to offer. Let us take the case of Bristol Royal infirmary, in which a responsible whistleblower, Stephen Bolsin, raised concerns about the deaths of babies at that hospital. Those concerns were not properly addressed and we know the tragic consequences. There is now a Government inquiry looking into the details of that case.

In the case of the Clapham rail crash, it was known that loose wiring was a risk to the travelling public, but staff were reluctant to speak out, resulting in tragic and unnecessary loss of human life. Health and safety issues arose in the Piper Alpha oil rig disaster. The Cullen inquiry reported that:

"workers did not want to put their continued employment in jeopardy through raising a safety issue which might embarrass management."

Mr. Richard Shepherd (Aldridge-Brownhills): I hesitate to say this, because it is slightly ungenerous, but all those cases were cited by hon. Members on both sides of the House to push the Government towards the principle of uncapped compensation; at the time, the Government were not having any of it. Although I welcome the introduction of these provisions, the

Secretary of State should not attempt to claim credit by giving examples that were previously advanced and rejected by the Government.

Mr. Byers: I am trying to make the point that we recognise that. In response to the intervention my hon. Friend the Member for Eccles (Mr. Stewart), I am describing events that occurred because the provisions that are now being introduced were not in place. That is why I am pleased to be introducing a measure that will ensure that compensation is uncapped—a measure for which the hon. Member for Aldridge-Brownhills has argued for many years. I compliment the hon. Gentleman on his efforts to ensure that the Public Interest Disclosure Act reached the statute book. He campaigned strongly for that legislation for many years, often in opposition to the view of the previous Conservative Government. He stuck to his principles and the Act reflects his endeavours, and the provisions being passed this afternoon are the final element in establishing an effective and proper compensation regime.

There are many cases in which public interest was important, and the House must send out a clear message underlining how seriously we regard that issue. To say that compensation will be unlimited is the best possible demonstration of the importance we attach to that matter. An even better outcome would be that we succeed in fostering a climate of openness and transparency in which individuals in the workplace do not feel that they will be victimised if they draw attention to wrongdoing or to a work practice that might compromise health and safety. That is what we should aim for, and I hope that businesses, including small business, will adopt best practice to ensure that the measures we are introducing today will never need to be used, because the climate has been created that precludes the occurrence of such wrongdoing.

Mr. Bercow: I am sorry to trouble the Secretary of State again, but an important principle is at stake. In other Government legislation emanating from his Department, Ministers have recognised the difference between small and large companies—for example, the Competition Act 1998 makes provision for fines that depend upon turnover. Therefore, will the right hon. Gentleman at least concede the argument for taking specific account of the circumstances of small businesses in implementing the new clause? That is not an unreasonable proposition, and it certainly does not seek to detract from the force or the logic of his argument.

Mr. Byers: I assumed that the hon. Gentleman was more knowledgable than he actually is about the method of dealing with such matters. I hope that my response will be informative and helpful.

Any tribunal can take account of the size of an organisation or company in deciding whether an approach has been fair and reasonable in particular circumstances. I am pleased to put that on the record. If a small business does not have the amount of back-up that is available to a larger company, the tribunal can take that factor into account in deciding the appropriate level of compensation to apply. I hope that I have assisted the hon. Gentleman.

I believe that extending this provision to those involved in health and safety matters sends an important message. The Health and Safety Executive produced clear evidence to show that, when a proper consultation mechanism was in place to address health and safety matters, the number of accidents in the workplace decreased by 50 per cent. A real benefit can materialise for effective health and safety measures. I do not believe that many cases will reach the tribunal stage—at least, I hope not—but it is appropriate that the House gives clear notice today of its priorities.

Amendment No. 166 would limit the amount of compensation to be paid. Hon. Members will know that clause 12 provides that an individual may complain to a tribunal that his or her employer has failed to comply with the provisions of clause 11, which entitles an individual to be accompanied at a grievance or disciplinary hearing. There is no limit on the award that can be made, and it is right to take this opportunity to clarify the position.

We intend to link the amount with the upper limit on a week's pay, which is currently specified in section 227(1) of the Employment Rights Act 1996. At present, it decrees the maximum amount as £220 a week, which will be index linked in the future. We propose that there should be two weeks at £220 a week, providing a maximum amount of compensation of £440—I hope that my mathematics have not let me down on this occasion. That is the maximum amount provided under the amendment.

We feel that it is right to clarify the position, and we believe that that strikes a just and reasonable balance. I hope that the House can agree to new clause 11 and amendments Nos. 65 and 166.

Mr. Tim Boswell (Daventry): I welcome the Secretary of State to the Dispatch Box for the Report stage. We understand that other obligations make it difficult for him to appear before Committees, although it is not unknown for Secretaries of State to do so. His presence in the Chamber gives me an opportunity to say on behalf of the official Opposition that we are sorry that the Minister of State, the right hon. Member for Makerfield (Mr. McCartney), is still unwell. We understand the circumstances and we do not wish to press him to return. We simply record that we are missing him and his lively contributions to our discussions. While I am handing out the bouquets, I must say that I am pleased to see the Minister for Small Firms, Trade and Industry in the Chamber. He did very well in Committee in trying to respond at short notice to at least some of our concerns. Bearing in mind that we have much business ahead of us, I now address new clause 11.

I shall not advise my hon. Friends to oppose the new clause, but we remain gravely concerned about circumstances relating to the Bill's formulation and presentation. The new clause has been thrown at us, and if I may be at all critical, I point out that given that it alludes to previous legislation and that its words do not leap off the page coherently, it would have been helpful if the Secretary of State had had the time, which he clearly did not, to share with Opposition spokesmen the import of the proposals that he was intending to put to the House. However, he has explained the new clause and we do not find it objectionable in principle.

I shall deal first with amendment No. 166, because amendment No. 65 is merely a repealing amendment. Amendment No. 166 relates to the maximum level of compensation. I chose not to move an amendment on that in Committee to facilitate proceedings. I was concerned, however, about the other end of the compensation scale

[Mr. Tim Boswell]

and whether it is necessary to pay compensation at all if no loss has occurred. The Government have acknowledged that there should be a reasonable limit on compensation in proceedings relating to clause 12. We accept that.

On the more important issue of public interest relating to the new clause, the Secretary of State made a persuasive case, but I have a question and a couple of comments. As I understand the Secretary of State, the circumstances under that new clause are confined to matters of public disclosure or health and safety disclosure and do not apply to other compensation or special awards relating to, for example, trade union participation or otherwise. We had an interesting debate in Committee, in which I made the point that one of the possible side effects of the Government's proposals for special awards would be to reduce the level of compensation in particular cases. That remains the case under these proposals, apart from the two specific provisions.

On the substance of the matter, the Secretary of State responded, second time around, to the concerns about small businesses expressed by my hon. Friend the Member for Buckingham (Mr. Bercow), which I intended to voice myself. It is, perhaps, significant that the examples that the Secretary of State cited to the House were disasters which should never have happened involving large corporations. Although such companies might not welcome an unlimited claim for damages, they certainly would not find it difficult to pay a damages claim limited to £40,000 or £50,000 and they might be able to stand the rap for a fairly substantial fine. That would be much more difficult for a small concern.

The Secretary of State has confirmed that it will be within the power and competence of a tribunal to take into account all the circumstances of the case, including the degree of culpability and the resources of the firm—in other words, whether it will be bust by an unlimited award. I imagine, as the Secretary of State hopes, that that is not likely to happen frequently.

Another point that needs to be clarified is proportionality. In any case, the tribunal will consider the proportionality of the circumstances and will not automatically be required to set a compensatory award above, for example, what would be the limit for other cases of unfair dismissal. It would have regard to the circumstances, how bad the offence was and how much the metaphorical whistle had to be blown. Will the Secretary of State confirm that in his response to the debate?

This matter has concerned many hon. Members and some of us have personal concerns on health and safety. Given the context in which the public interest legislation has been proposed and accepted, we accept the Secretary of State's presentation, and look forward to any further comments by hon. Members.

4.45 pm

Mr. John Healey (Wentworth): I begin by declaring an interest—an active though not registerable one. I was a trustee—I am still a member of the council of management—of the charity Public Concern at Work, which, along with the hon. Member for Aldridge-Brownhills (Mr. Shepherd), did so much to get the Public Interest Disclosure Act 1998 on the statute book.

I welcome the new clause very strongly, as I know does Public Concern at Work. The proposal to remove the limit on compensation payments for whistleblowers was widely and strongly welcomed and backed by a range of consultees, including the CBI, the Trades Union Congress and a number of key professional groups.

It takes special courage and a special person to blow the whistle on malpractice in the workplace. They often suffer loss of a job, an income and career prospects—not to mention isolation, pressure and sometimes intimidation, especially in the early stages of making such a move. The cases of Maxwell, Barlow Clowes, the Bank of Credit and Commerce International and a host of lower profile and smaller examples of whistleblowing underline the need for people to be able to report malpractice with confidence. Any cap on compensation would have limited the effectiveness of the Public Interest Disclosure Act to do the job that we need it to do.

The new clause means that middle managers in industry, doctors in the national health service and even civil servants in Whitehall will be properly protected if they raise and pursue their concerns responsibly. To that extent, the new clause sends out strong encouragement to those who might be considering blowing the whistle on malpractice where they work. I welcome the same provision for health and safety representatives, which simply underlines the importance of health and safety in the workplace.

I had thought that my right hon. Friend the Secretary of State was poised to make an announcement on the commencement of the Public Interest Disclosure Act. It is important that an announcement be made in good time—at least a couple of months before we propose that the PIDA comes into force—not least to give diligent employers time to put in place proper internal procedures. I hope that my right hon. Friend might later today be able to announce in the House when the Act will commence. I leave him with this thought: the Act was enacted on 2 July 1998. Would it not be fitting if we marked its first anniversary with commencement?

Mr. Shepherd: My thunder has been stolen by the hon. Member for Wentworth (Mr. Healey), because he made the points that I would also make. I pay great tribute to the Minister of State, Department of Trade and Industry, the right hon. Member for Makerfield (Mr. McCartney), who throughout discussions on the Public Interest Disclosure Bill was a Trojan worker for a sense of justice in this very important area.

As the hon. Member for Wentworth said, it is extremely difficult for honourable people to surrender what might be their family's income by disclosing something for which the Act offers protection: a disclosure that is in the public interest. The public interest is the wider interest of us all, as a society.

It is right that the Government were very nervous about extending compensation along the lines of that available for race or sexual incidents. I am very pleased that, on reflection, they have taken on board the work of the charity behind much of the campaign. The Solicitor-General was also a trustee of that charity. A wide body of opinion had formed behind the campaign. At any time, my Front-Bench team could have stopped the Public Interest Disclosure Bill becoming law. I therefore pay tribute to them, too.

We are seized of the notion that certain wrongs have happened about which people knew. Barlow Clowes is a very good example; we know of Maxwell, too. Many such instances may be going on even now, concerning which highly paid people in the City or elsewhere will not surrender their jobs for fear that they will never be employed again. The measure will therefore give the tribunal the opportunity to judge what is appropriate when an employer has so wilfully disregarded the law in terms of compliance with that Act. I give a cheer for that and I welcome what the Government and the Secretary of State are doing.

On the commencement date, it is nearly a year since the PIDA was enacted. The hon. Member for Wentworth made a valiant point: companies must be in a position to prepare themselves and to ensure that their systems for coping with such circumstances are set up properly. We are into a new world, I hope, where our country will be the better, for when individuals know of wrongdoing that has implications, they will know that our law will support them in the quest for justice.

Mr. Michael Fabricant (Lichfield): I raise this point as a point of order, because it is not strictly connected with the Bill. Will the Secretary of State make a statement, given the announcement by Professor Joachim Milberg, the chairman and chief executive of BMW, on "the slow pace of negotiations with the UK Government over"—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. I really cannot see that that has any place in the proceedings at present. It is certainly not a point of order for the Chair. There has been no notification of a request for a Government statement on that matter. We are dealing with the Employment Relations Bill.

Mr. Fabricant: The Secretary of State might like to comment.

Mr. Deputy Speaker: Order. I hope that the Secretary of State will resist the temptation. We are discussing the Employment Relations Bill.

Mr. Byers: I shall, as always, try to keep in order, Mr. Deputy Speaker, and thank you for your clear guidance.

A number of issues were raised during the debate and I welcome the tenor of the remarks that have been made. As several hon. Members have said, the PIDA had all-party support in the House, which is why we were able to get it on the statute book last year. Hon. Members have asked about commencement. The Government's objective is for the Act to commence in the very near future. I want to work towards the Act being in operation, with appropriate notification to employers, to meet the anniversary of its enactment. That is a good target to set ourselves. Now that I have said that, hon. Members will want to keep me to it; I shall be pleased to be kept to my task of achieving that particular objective.

The hon. Member for Daventry (Mr. Boswell) is absolutely right that the proposals in new clause 11 are restricted to examples covered by the PIDA and to issues related to health and safety matters, and do not go beyond that. I hope that that reassurance is helpful. On the point made by the hon. Member for Buckingham (Mr. Bercow) and reinforced from his Front Bench, tribunals will be able to take into account the circumstances of a particular employer, including its size, in deciding whether it has acted reasonably or unreasonably, and thus whether the dismissal is fair or not.

The important aspect is that compensation must be suitable to the particular circumstances, a point that was raised from the Opposition Front Bench. Whistleblowers must have unlimited compensation because they are often in positions of great responsibility and at the higher end of the salary range. So going beyond the cap of £50,000 would be appropriate.

I confirm for the hon. Member for Daventry that there is no question of exemplary damages being applicable. The measure will give the tribunal the opportunity to award beyond £50,000, if that is appropriate in the particular circumstances of the case before it.

I hope that I have been able to address hon. Members' concerns and that we can agree to new clause 11 and the consequential amendments.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 1

SMALL EMPLOYERS' EXEMPTION

'.—(1) The additional individual rights conferred by sections 8 to 21 of, and Schedule 3 to, this Act shall not apply to any worker unless the employer of that worker, taken with any associated employer or employers, employs—

(a) at least 51 workers on the day in respect of which the employee claims the right, or

(b) an average of at least 51 workers in the 13 weeks ending with that day, to be determined in accordance with the methodology established under paragraph 6(2) of Schedule 1 to this Act.

(2) The lower of the two figures in subsection 1(a) or 1(b) shall be known as the qualifying limit.

(3) The Secretary of State may make an Order modifying the qualifying limit for workers, or applying, varying or disapplying any rights conferred under this Act for workers employed in numbers below the qualifying limit, but no such order may be made unless a draft of it has been laid before, and approved by a resolution of, each House of Parliament.

(4) An Order under subsection 3 may make provision for the continuation of employment rights mentioned in subsection (1) and already enjoyed by an individual worker or workers at the time of the passing of this Act.'.—*[Mr. Redwood.]*

Brought up, and read the First time.

Mr. John Redwood (Wokingham): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this, it will be convenient to discuss the following: New clause 2—*Microbusiness exemption*—

'.—(1) Subject to subsection (2) below, the Secretary of State may by Order disapply or modify such rights of individual workers under the Employment Rights Act 1996 (but excluding any rights conferred under that Act by the provisions of this Act) as he deems appropriate in the interests of businesses employing 10 or fewer workers (or such lesser or greater number as he may by Order specify from time to time).

(2) An Order under subsection (1) shall not apply to rights already enjoyed by individual workers at the time at the passing of this Act.

(3) No Order under subsection (1) shall be made unless a draft of it has been laid before, and approved by a Resolution of, each House of Parliament.'.

Amendment No. 5, in schedule 1, page 19, line 39, leave out '21' and insert '51'.

Amendment No. 6, in page 19, line 40, leave out '21' and insert '51'.

Government amendments Nos. 66 to 68.

Mr. Redwood: Amendments Nos. 5 and 6 are consequential on new clause 1, should the House agree to that, and I have no objection to Government amendments Nos. 66 to 68, subject to anything that the Secretary of State or the Under-Secretary may wish to say by explanation.

I remind the House that I have declared an interest in certain companies in the Register of Members' Interests. I am not speaking on their behalf or at their request today, but all companies are obviously affected by these new clauses and amendments, so it is right that I should remind the House of those interests.

I thought it curious that the Secretary of State was so generous to whistleblowers but not others until I remembered that it is to a whistleblower that he owes his job. We were grateful to the whistleblower who exposed the goings-on at the Department under the right hon. Gentleman's predecessor. It was good that we were able to find common cause on the issue of whistleblowers in the first exchanges.

I hope that we can make similar progress by tempting the Secretary of State to live up to the fine rhetoric that he has placed in the newspapers in recent weeks about the need to deregulate. Some of the words which have been planted in the press, perhaps at his request, allegedly on his behalf, could have been uttered by me. They were fine deregulatory statements, saying that the costs of business must be cut, that the burdens on business must be reduced, that the Government have at last got the deregulatory message coming loud and clear from businesses, small, medium and large.

Mr. Fabricant: Does my right hon. Friend think that, with regard to deregulation, that is just rhetoric, not actual delivery? Could that be why Joachim Milberg today said that BMW is thinking of moving the Longbridge operation to Hungary, where there is not only little regulation but low pay and no excessive charges on top of employment?

Mr. Deputy Speaker: Order. Perhaps the right hon. Member for Wokingham (Mr. Redwood) will take a gentle reminder from me that that can hardly be answered in the context of small employers.

Mr. Redwood: I take your warning, Mr. Deputy Speaker. My hon. Friend is noted for his persistence and I know that he has the interests of all British business at heart. With your permission, I shall answer within order by saying that I fear that, on the issue of deregulation in general, and deregulation for small businesses in particular, there will be many more words than actions from the Secretary of State.

The right hon. Gentleman has a marvellous opportunity tonight to prove me wrong. If he would like to intervene at this moment and welcome the new clause, I would forgo the advantage of the rest of my speech, congratulate him warmly and say that he has at last understood some of our message on deregulation. However, I see the right hon. Gentleman is not about to leap to his feet, so I fear that we must tease him a little further about the big gap that is growing between the rhetoric, the spin, in the unattributable briefings in the press and the reality of a Government who put cost upon cost, burden upon burden, regulatory requirement upon regulatory requirement upon small and big businesses alike.

Mr. Bercow: My right hon. Friend, as the House knows, is renowned for his generosity of spirit, but on this occasion, I hope that he will not over-egg the rhetorical pudding. To that end, does my right hon. Friend recall that, in the course of 46 minutes of speech from the Secretary of State during the Budget debate—a 36-minute opening speech and a 10-minute statement on enterprise and competition—the word "deregulation" did not come forth from his lips once?

Mr. Redwood: My hon. Friend has a better memory than I do, but I am sure that he is right. It would be a notable omission to go through such a speech with no reference to deregulation. But that is symptomatic. There has been no such reference in the House of Commons because my hon. Friends or I might cross-examine the right hon. Gentleman and discover that there is no back-up to the rhetoric that he wishes business chiefs outside to believe. This is a regulatory Government who are presiding over an industrial crisis. We propose this modest measure of relief for small business because we are worried by the climate now confronting small industrial companies in particular.

5 pm

Let us consider today's news. The pound hit a new high against the euro this morning: there has been a 7 per cent. or more devaluation of the euro in three months. BMW says that it still has not settled its future at Longbridge despite long and protracted negotiations, and that threatens many firms that depend on the jobs at that most important plant. Four hundred jobs have disappeared at Marks and Spencer, and there is a strike at National Power. What is the Government's answer to all that? Yet more regulations, which interfere with the rather good employee relations we left the Government when we were removed from office, and yet more costs to be placed on small and big business at a time when it is already too dear to make certain products in Britain. The Government have gone out of their way to make it too dear to make goods in Britain by having a high exchange rate, high interest rate, high tax and high regulatory cost policies, which they have pursued come hell or high water over the whole of their two years in office.

In the lifetime of this Parliament, small and big firms face £8 billion of extra charges from the national minimum wage bureaucracy and policy; £6.65 billion extra costs for the working time directive; £85 million for European works councils; £110 million extra for parental leave; and £90 million extra for the Food Standards Agency. That is on top of the massive stealth taxes, wealth taxes and company income taxes that have been imposed through the back door in three successive Budgets. It is no wonder that small business now finds it extremely difficult to prosper, and we see factory closure after

factory closure day after day, and redundancy after redundancy as the full impact of these taxes and extra costs is felt.

Worse still, from the Secretary of State's point of view, is the fact that the big impact is in his constituency and in the constituencies of his right hon. and hon. Friends in the northern and midlands manufacturing heartlands. I am glad to say that it is not being felt in my constituency.

Mr. Byers: The right hon. Gentleman should stand against me.

Mr. Redwood: The Secretary of State rather foolishly says that I should stand against him in his constituency. Why should I let my constituents down? Why should I throw away all that hard work for them, and why should I have to apologise to him for the fact that, despite Labour Government policies, they are prosperous and succeeding and do not have an unemployment problem? I have every right, as a member of the shadow Cabinet, to speak out for his constituents if he fails to do so. The industrialists and the industrial employees in his constituency and in neighbouring areas are getting tired of the Government, who are long on promises and short on delivery. They are unable to understand that their policies are doing enormous damage to industry and companies in that part of the world.

The Secretary of State, in his rhetoric, says that this legislation is about a new culture of partnership. How can he believe that, when the Bill is about compelling people and companies to do things that they otherwise would not voluntarily agree among themselves to do? His idea of partnership is like the idea of partnership entered into between the chicken and the pig for the breakfast business: it might be all right for the chicken, but not very good for the pig. The Government have such a partnership in mind in this legislation.

Our proposal would exempt all small firms with 50 employees or fewer from the impact of the Bill. It would not prevent them from going ahead by voluntary agreement with best or better practice than is recommended in the legislation. It would not prevent them from offering even better terms and conditions of employment to their staff. Many of them already do, and I hope that many of them will be able to do so in the future.

Does the Secretary of State realise that if a firm has fewer than 50 employees it is possible for the boss to know them all, to like them all, to have individual business relationships with every one of them, to understand their requirements and needs and to negotiate with each of them on what is best in their circumstances? He can negotiate individually on hours, pay, conditions and family circumstances. There can be give and take between employees and the employer: employees understand that in a small firm there has to be more give and take on their part as well. If there is not, the life of the small firm may be jeopardised.

Mr. Geraint Davies (Croydon, Central): Why did the right hon. Gentleman not opt for a limit of 100, 150 or 200 rather than 50, given what he has said? If he were sincere, he would admit that he does not want any of this legislation: he does not want any additional rights for any workers, or the partnership and prosperity in industry that it envisages. Why does he not come clean and say that we should get rid of the 50 limit and abolish the lot?

Mr. Redwood: If the hon. Gentleman reads the new clause, he will see that it gives power for the number to be varied. My right hon. and hon. Friends and I discussed the matter, and decided to go for a modest proposal. We are offering it seriously, because we hoped that the Government might accept it. We had read all the rhetoric suggesting that they were now very worried about small firms.

As I have just explained, in a company employing 50 people or fewer, it is normal for the employer to know all those individuals, to have hired them personally and to be able to negotiate with them separately. That might be a little more difficult with 100 or more employees. Personally, I favour the 100 figure, and some small business organisations have made representations to us suggesting that we opt for it, but we chose the more modest figure, because it can be convincingly argued that, in a firm employing 50 people or fewer, the problems resulting from the introduction of a statutory framework applying to much bigger companies will be greater. In a company with 50 or fewer employees, employer and employee will obviously know each other, and will be able to work things out on an individual basis.

The hon. Member for Croydon, Central (Mr. Davies) and his right hon. and hon. Friends may be interested to hear some of the views of the business community, if they are not sure about my powers of persuasion. The London chamber of commerce and industry is very worried by the alarming increase in costs. In one of its recent press releases, it says that the Government's measures

"will result in added costs and bureaucracy for firms when they are already having to comply with the Working Time regulations and preparing for the minimum wage legislation . . . Furthermore, measures such as the introduction of parental leave will be a greater burden on small firms than on large ones. We want the Government to lighten these burdens on small firms".

Surely the Government want London to prosper. Do they not understand that jobs are more likely to be created in the difficult areas of London by small firms than by large ones? That is the historical experience, and it is the likelihood for the future. Jobs are created much more in the United States of America, where there is a larger population of small firms, than on the continent of Europe, which relies on large firms and ends up with mass unemployment.

Mr. John Wilkinson (Ruislip-Northwood): My right hon. Friend is making an particularly important point about London following the representations that he has received from the London chamber of commerce and industry, which—as I know from my former professional capacity—does an excellent job.

The LCCI has further cause for concern. Not only will these measures hit small businesses in the capital; there will also be road user charges and parking charges. Let us at least get these measures right, so that small businesses can survive to face the other imposts that the Government have in mind.

Mr. Redwood: My hon. Friend has considerable knowledge of London. As he knows, there is high unemployment in parts of the capital, which will be

[Mr. Redwood]

particularly badly hit by yet more costs of the kind that he describes, in addition to those that we are discussing. They will have a bigger impact on many businesses that would otherwise be able to create some of the jobs that we all want to see.

The Government love quoting the Confederation of British Industry, with which they seem to think they have a special relationship. I do not think that they can have been reading the CBI policy statements of recent months; if they had, they would have noted that on most issues the CBI is now more in line with the Opposition than with the Government, because of the damage that the Government have been doing to the interests of larger as well as smaller companies.

According to the most recent statement by the CBI's director general, published in the *Financial Times* this month:

"Good employee relations should be built on trust and this is not best fostered if collective bargaining has been imposed on an employer by a trade union. Collective bargaining can work where it has two willing partners, but not where there is only one. No real improvements in industrial relations occurred the last time we had compulsion in the 1970s and indeed the legislation proved to be unworkable."

Exactly. I am worried that the Bill will prove to be most unworkable in the sector that is most at risk: the smaller firms sector.

Mr. Fabricant: My right hon. Friend will be aware that I used to run a broadcast electronics company: one might say, an engineering company. Is he aware that the Engineering Employers Federation says that small engineering companies will be stifled by the Bill? Is he further aware that the CBI is also saying that the Department of Trade and Industry has over-egged the directives from Brussels and that there can be no future for engineering if such small firms are stifled at birth?

Mr. Redwood: My hon. Friend is ahead of me because I was going to refer to the plight of engineering firms. He is right to say that the Engineering Employers Federation is worried by the changes. It stated in January:

"The proposed changes to the law on industrial action will inevitably change the industrial relations climate and may make industrial action more common."

It said elsewhere that it was against the measures because it feared that they would be yet another blow to the independence and success of small and large engineering companies alike.

The Institute of Directors has been even tougher in its opposition to the Bill. That may come as no surprise to the Secretary of State, but the IOD may be right; he should bear that in mind as a possibility. It has stated:

"The Bill is entirely inconsistent with its"—

the Government's—

"objective of creating a competitive economy. The legislation imposes a raft of new costs and burdens on firms, including compulsory trade union recognition, higher compensation for unfair dismissal and the Parental Leave Directive. These measures will sap the competitiveness of British Firms."

The Institute of Personnel Directors is against the proposals. The Chemical Industries Association has also said that it is worried about the measures. It says that it does not welcome the Bill and thinks that there are alternative ways in which to promote partnership which fall short of the compulsion in the Bill.

On the specific matter of small firm exemption, the CBI proposed that the threshold should be raised to 50—another part of our case in going for the lower number, rather than 100. The CBI says:

"Members believe that direct relations between management and employees is the norm in businesses with far more than 20 employees."

It proposes 50 as a reasonable, prudent guess of a sensible limit. The British Chambers of Commerce has also said that 50 is a reasonable limit, rather than the 20 in the Bill.

The Federation of Small Businesses has proposed a threshold of 100 and would obviously prefer 50 to the threshold in the legislation. It is worth dwelling on its quotes because it speaks for many small businesses. Its voice should be heard in our important debate. In a press release in February, the federation stated:

"Small firms are now being over-regulated to such a degree that it is too costly and too risky to employ staff . . . The provisions of the Employment Relations Bill will place them under further pressure and the introduction of the Working Families Tax Credit will mean the onus of administering more benefits falling on to employers."

In an earlier submission, it made it clear that it was against the union measures in the White Paper and draft legislation. Firms across the spectrum—the CBI, the IOD, small firms and chambers of commerce—are saying that they do not want the legislation and that, if we have to have it, small firms must be exempted because they behave differently and would be particularly vulnerable to its measures. Will not the Government listen?

The Government came to office saying that they were going to be different, that they would listen and understand, that they cared about companies. We now have the united voice of business. We have the united voice of the Opposition. We are all telling the Secretary of State the same thing. We are telling him that his rhetoric in the newspapers on deregulation is promising, but that the actions in the Bill show that he does not mean a word of it. We are giving him a simple way out of the conundrum by asking for a modest improvement: an exemption of small firms with up to 50 employees.

5.15 pm

We have just heard from the Minister for the Cabinet Office something about "joined-up government". That is an extraordinary idea from this Government, who have nothing joined up about them at all and who make disjointed statements from day to day, based on their idea of media management and what might make a good headline or news story the following day.

We are told that there is to be a regulatory impact assessment for every new measure that is proposed. Whoopee, Mr. Deputy Speaker; but that is not new. There have been cost assessments of regulations for many years. We want the Government to produce honest assessments, rather than fiddled ones, and then to understand what the assessments are telling them. The regulatory cost assessments of these and other measures that the Government have introduced should be telling them that they are taking too much money out of British business, and that the reason why factories are closing and people are being sacked day by day in the industrial sector has something to do with the Government's policy.

If the Government take out too much in tax and regulation and push sterling too high, it will become difficult to compete and jobs will be lost. We do not want more regulatory impact assessments. We want the Government to come up with some honest figures, to understand the voice of business, to understand what business is saying and to do something about it.

The Secretary of State's usual defence is to say that the previous Government introduced regulations. That is quite true; they did, and those regulations also increased costs. However, the Secretary of State is proposing far more expensive and damaging regulations than did the previous Government, on top of the regulations introduced by that Government. If the Secretary of State wished to identify regulations introduced by the previous Government that he thought we could do without, nobody would be more delighted than I. I am sure that I could persuade my right hon. and hon. Friends to see the wisdom of repealing those regulations, as well as those that he is proposing. We would be delighted. Rather the sinner repenteth before it is too late than that the sinner should go on to his inevitable doom.

We are giving the Secretary of State a chance to repent with new clause 2. As we are prepared to trust him in this respect, we are offering him the power to choose those items in the Employment Rights Act 1996 that he thinks should no longer apply to very small firms: those employing 10 people or fewer. We are leaving it to his judgment. He will be in a good position to consult and to find out from business which parts of the legislation are most damaging and which could be removed without doing overwhelming damage—something that he and I would not want. We are being true to our word. We are happy to look at past as well as future legislation.

The main burden of the Opposition's charge is simple. There are already too many regulations. The Government have introduced some big and expensive ones already which business is having to digest, the minimum wage and the working time directive being two of the most obvious and expensive. We say to the Government, "Please do not put on top of that all the additional requirements of the Bill. Please exempt small firms. Please do something for very small firms."

If the Secretary of State does nothing for those categories, it will reveal that he is not interested in deregulation or British business, that he does not understand the catastrophe in modern British industry and that he will do absolutely nothing to stop those job losses and factory closures.

Mr. Bercow: I support new clauses 1 and 2, which offer a lifeline to the small businesses of this country. What my right hon. Friend the Member for Wokingham (Mr. Redwood) had to say in support of the clauses demonstrated beyond doubt that, in the context of this Bill—as in other aspects of Government legislation and public debate—the official Opposition are on the side of small business and the Government are working against it.

Six reasons occur to me why the new clauses should be accepted. The first is the background to them. The circumstances in which we find ourselves are serious indeed for the small business sector of our economy. In 1998, 38,000 small businesses in this country closed. That represented a 6 per cent. increase on the figure for 1997. I hope that the House will be interested to know, and disturbed to learn, that in the first quarter of this year, no fewer than 11,000 small companies have ceased to trade.

There are a variety of reasons for closures and cessation of trade, but two reasons are paramount. *[Interruption.]* Before the hon. Member for Eccles (Mr. Stewart) chunters on any further, for all the world as if his main ambition this afternoon were to resemble the village idiot, let me favour him with the facts—*[Interruption.]* I shall continue to be as polite as I ordinarily am. Let me favour the hon. Gentleman with the evidence of the Federation of Small Businesses. As he was a doughty contributor to the proceedings of the Standing Committee, I hope that he will be interested to know the verdict of that organisation, which is the authentic voice of small and medium-sized enterprises in the United Kingdom.

The federation says—not anecdotally, but on the basis of all the evidence of its members—that there are two main problems. One is cash flow; the other is the burden of regulation on enterprises. In the context of the first reason, to prove that I am being scrupulously fair, I say at the outset that although far too many of the companies that have ceased to trade have gone bust, several of them have not.

Some of those companies—especially micro-businesses, although larger businesses are also involved—have made the decision to cease to trade while still relatively profitable, because they think that the odds are stacked against them, and that the Government seek to thwart rather than to assist them.

Some relatively successful business people, suffering the avalanche of additional regulation that the Government have produced in their first 22 months, have said to themselves—or rather to their employees—"I am sorry, but this is no longer a culture in which I feel comfortable to continue. I no longer want to get up and face the problems, surmount the challenges, market and sell products, make profits, keep you in work as my employees, and say to others, 'Come and work for me.'"

I hope that the Secretary of State will realise that if we believe that small businesses will be the engine of employment growth and commercial advance for the United Kingdom in the 21st century, the anxiety of those business people should be uppermost in his mind. Many of them are saying, "We don't want to face that burden any longer. We'll sell the company; we'll retire; we'll go and play an extra round of golf or buy an apartment in Marbella—but we don't want to operate small and medium-sized enterprises in the United Kingdom when Ministers don't seem to want us to do so."

Mr. Wilkinson: My hon. Friend is making an important point. It is in the micro and small business sector, among the family businesses, that personal sentiment is most prevalent. Our constituents who have been in that sector, and who have come to tell us that the game is not worth the candle, are absolutely right. They are sick to death of the hassle, and they do not see why they and their families should be subjected to health risks and protracted aggravation for so little benefit.

Mr. Bercow: My hon. Friend, as usual, is right. I can testify to the truth of what he says not only on the basis of the comments and evidence of the Federation of Small Businesses, but from personal experience in my constituency. The small business sector is well developed in my constituency, in Milton Keynes and in the rest of north Buckinghamshire.

[Mr. Bercow]

Time and again, people say to me, "We don't think Ministers are on our side. They utter soothing words, but they do not will the means to help us." What my hon. Friend said reflects what people in business at the grass roots are really saying.

Mr. Ian Bruce (South Dorset): I am worried that we have already persuaded Ministers on this point and that my hon. Friend may therefore be over-egging the pudding. Does he not remember the excellent speech made by the Minister for Small Firms, Trade and Industry—an unpaid Under-Secretary—who said, when he was asked by the Liberal Democrats for further regulations on discrimination against people on age grounds, that they would not be appropriate? That statement came during the last part of the Standing Committee's deliberations. Does my hon. Friend think that the Government have at long last realised the damaging effect of all their regulations and may accept the new clause?

Mr. Bercow: I should like to think so, and hope springs eternal, but although I pay tribute to my hon. Friend's truly elephantine memory, I cannot in all candour pay similar tribute to his judgment or his generosity of spirit. I should be delighted to be disabused of my suspicion, but I fear that Ministers will not be willing to accept our new clause. If I am wrong, I shall happily donate £100 to my hon. Friend's favourite charity, but I do not think that I am likely to be so impoverished.

The second reason why new clauses 1 and 2 should be accepted lies in the pronouncements of senior Labour Members before and since the election. Before the election, the Chancellor of the Exchequer said, in the foreword to Labour's business manifesto:

"We will not impose burdensome regulations upon business because we understand that successful businesses must keep costs down."

That statement was supposed to betoken a light-touch regulatory approach which has not been reflected in practice. As my right hon. Friend the Member for Wokingham pointed out, the Government have imposed 2,400 additional regulations on business during their first 22 months in office. They have discarded only 20 regulations, which makes a net increase of 2,380.

If the Government want to honour their pre-election commitment, they should be prepared to accept the new clause as it would remove burdens otherwise imposed on small companies. I am particularly sorry that the right hon. Member for Hartlepool (Mr. Mandelson) has wafted out of the Chamber. I thought that he might be good enough to stay for the exchanges on new clause 1, because, as he does on other matters, the right hon. Gentleman has form on this subject. Under the protection of parliamentary privilege, I can even go so far as to say without fear of a writ for defamation that the right hon. Gentleman has previous convictions on the subject of regulation.

If the right hon. Gentleman were here, I am sure that he would not mind my reminding him that when he was Secretary of State, he said that:

"we have no intention of introducing any legislation that presents a burden on business and reduces the competitiveness of British firms."—[*Official Report*, 25 November 1998; Vol. 321, c. 214.]

Mr. Tim Collins (Westmorland and Lonsdale): My hon. Friend may wish to know, as a point of information, that the right hon. Member for Hartlepool (Mr. Mandelson) is sitting in the No Lobby, where he is, perhaps, preparing to vote no on Third Reading for the reasons outlined by my hon. Friend.

Mr. Deputy Speaker: Order. Comments should relate entirely to what is taking place in the Chamber.

Mr. Bercow: I shall confine myself, Mr. Deputy Speaker, to the hope that the right hon. Member for Hartlepool will prove to be a sinner who repenteth, and that he will join us in the Division Lobby. He need be in no fear of being traduced or attacked if he does so. If it would be helpful for him, I shall, on this one occasion, make the very dangerous commitment to hold his hand as we walk through the Lobby in support of new clause 1, at the risk of considerable damage to my own reputation. I should be happy to do that for the benefit of having the right hon. Gentleman on side.

It is entirely characteristic of my hon. Friend the Member for Westmorland and Lonsdale (Mr. Collins), as a member of the Opposition Whips Office, that he should be the source of such invaluable information. The information of the Whips is always the most up-to-date of all.

The commitment made by the right hon. Member for Hartlepool on 25 November has not been followed. What I find most extraordinary about the Government is the wholly laid-back way in which they make commitments, do not honour them and then think that there is something curious about our pointing out the contradictions between rhetoric and reality. In days gone by, there was at least some assumption that people would follow their commitments with action, but that does not happen under this Administration.

5.30 pm

Mr. Graham Brady (Altrincham and Sale, West): It is not only Conservative Members who have noted the Government's practice. The director-general of the Engineering Employers Federation said in February that the Government appeared to be doing one thing and saying another on the Bill.

Mr. Bercow: My hon. Friend reinforces my point. He is right and he would have been right also to allude to the evidence of the president of the Confederation of British Industry. Exactly 22 days before the right hon. Member for Hartlepool, the former Secretary of State, made his declaratory statement about not introducing burdensome regulation, the president of the CBI, Sir Clive Thompson, said that there was a creeping paralysis of regulation on British industry and commerce, and that unless the Government took action to arrest and reverse that trend, regulation would

"be the only growth marker in the British economy in 1999."

I challenged the Secretary of State on that point following his statement on enterprise and competition on the day after the Budget. With respect, his response on that occasion—for a rising star of the Blairite faction—was limp in the extreme. He told me that his statement was not about the Budget and, therefore, he did not propose directly to respond to my challenge. If the Government want to reverse the tide of regulation and the

creeping paralysis from which business is suffering, they should accept the new clauses and free small and medium-sized enterprises from their impact.

The third reason why the Government should accept new clauses 1 and 2 was given by my right hon. Friend the Member for Wokingham and reflects the opinion of the business organisations. I understand that Governments have to take account of a variety of representations about the content of Bills. Some will be for a proposal and others against. The task of Government is to exercise judgment. They have to make the decisions, defend them in Parliament and seek approval for them, and I do not cavil at that. If business opinion were mixed on the subject, the Government could opt for their own preferences in the Bill. However, business opinion on family friendly policies is not mixed. The business organisations are against the thrust of the Government's policies and are supportive of the thrust of the proposed improvements to the Bill contained in new clauses 1 and 2.

My right hon. Friend the Member for Wokingham referred to the opinions of some of the business organisations. For example, the Institute of Directors has said that the Government's proposals would sap the competitiveness of United Kingdom firms. Ministers have not offered a response to that. They have not justified their position or shown why the Institute of Directors, one of the foremost business organisations in this country, is wrong. If the Government have an answer, we would be fascinated to hear it. They have not offered an answer to the British Chambers of Commerce, which has predicted that the proposals, if not withdrawn or amended,

"will slow or stop growth in the small business sector."

The Government have not provided an answer to the observation by the Federation of Small Businesses that, as a result of these proposals, it will become too costly and too risky to employ staff. The Government have offered no rebuttal of the view of the Forum of Private Business, which is that the proposals could be "disastrous" for small firms. What answer has the Secretary of State or his hon. Friend the Minister for Small Firms, Trade and Industry to the London chamber of commerce and industry, which fears the impact of the proposals and has said that they will be more damaging and burdensome to small firms than to their larger counterparts, and that action is needed now to help those small firms? We do not get answers from Ministers. They merely blithely assure us that the injurious effects that we predict will result from the legislation will not occur. That is not good enough, and that is why it is necessary to have the new clauses.

The fourth reason why the new clauses are necessary is that the Government are guilty of gold-plating the parental leave directive, which will be burdensome to British firms. I say without apology that Ministers were naive in the extreme to sign up to the European social chapter, which has obliged them to accept in toto the content of the parental leave directive, because the chapter is subject to qualified majority voting. A Conservative Government would not have signed up to the social chapter in this Parliament any more than we did in the last. We would not have been subject to the directive's damaging effects. It was the Government's choice to sign up to the chapter and the directive that flowed from it.

It is unfortunate that instead of interpreting the directive in its least damaging form for British micro, small and medium-sized enterprises, the Government have over-zealously interpreted it, especially in relation to time off for domestic incidents.

Mr. Fabricant: I would not like to accuse my hon. Friend of plagiarism, but the House should know that it was not he who said that the directive was being gold-plated, but the CBI.

Mr. Bercow: I am grateful to my hon. Friend. I, too, have had the benefit of the excellent, copious CBI brief, which speaks for itself. It is particularly lamentable that the Minister for Small Firms, Trade and Industry sits on the Front Bench without offering any answer. With no disrespect to the Secretary of State, I hope that the Minister will reply to the new clauses, or at least make his views known at some point in our exchanges. It is a matter of great importance because he is responsible for small firms. We need to know why he rejects the view of the authentic representatives of British business that small companies will be damaged by the proposals.

Gold-plating is unhelpful and unnecessary. It probably results from Ministers' lack of control of their officials. A good Minister guides officials. One has to assume from Ministers' rhetoric since 1 May 1997 that they do not want to gold-plate. If they do not want to, they should keep control of the process. If they wish to gold-plate, and I have underestimated their zeal in these matters, the logical corollary is that they have no right to claim to be small business-friendly. They cannot have it both ways. Whichever way they have it, they are the losers.

Miss Julie Kirkbride (Bromsgrove): My hon. Friend is perhaps a little unfair to officials. The Government do not understand what they signed up to with the European social chapter. The right hon. Member for Hartlepool (Mr. Mandelson), having signed it on behalf of the British Government, said that he would not accept any regulations that he did not like the look of. He clearly did not understand what he was talking about.

Mr. Bercow: I am grateful to my hon. Friend. The right hon. Member for Hartlepool is a man of the broad brush. Far be it from me to accuse him of excessive preoccupation with detail or to suggest that beads of sweat appeared on his brow late at night as he ploughed through his red boxes, attending in the greatest detail to every feature of the legislation that he would subsequently have to defend in the House. He is a man of the general principle—the grand, high-falutin' declaration. Others have to pick up the debris from the ill-informed, misguided judgments that he habitually made as a Minister.

My hon. Friend the Member for Bromsgrove (Miss Kirkbride), who accused me of being a little ungenerous—perhaps I was—to officials, should not understate her case.

Not only the former Secretary of State for Trade and Industry was naive and ill-informed on these matters. The Prime Minister himself is and has long been singularly under-briefed on the contents of the proposals and treaties to which he has given his signature. It is precisely because the Prime Minister frequently imagined that he did not

[Mr. Bercow]

have to sign up to or accept things that he did have to accept that it has been necessary for the Conservative Opposition to table the new clauses. The Prime Minister sometimes fondly imagines that if he goes to a summit or conference and says that he is against something, it will not happen in this country. That simply is not the case.

We all know that there is an agenda in the European Union. The Foreign Secretary certainly knows it. It is called the European social model. EU countries want to impose it on us and export to Britain the high costs, slothful growth and increasing unemployment that they have long suffered. We are in favour of lower costs, better growth and higher employment, not unemployment. That is why we are against the Government's proposals and in favour of the sensible new clauses tabled by the Opposition.

Mr. Redwood: While my hon. Friend is speculating on Secretaries of State of the broad brush and what they may have read in their red boxes, will he answer this question? Does he think that in recent days, when the Secretary of State received a copy of the oral statement that the Minister for the Cabinet Office was to give on modernising government, he read it, saw that it was a strong statement of the need to remove unnecessary regulation and fired off a letter to the Minister saying that the statement would embarrass him greatly today as he was unable to accept sensible deregulation proposals in new clauses tabled to the Bill? Or does my hon. Friend think that the Secretary of State just did not bother to read it?

Mr. Bercow: I do not know what accounts for this extraordinary state of affairs, but my right hon. Friend, as usual, makes a highly pertinent point. The Minister for the Cabinet Office made a statement only a couple of hours ago on the modernisation of government and said, in response to questions, that regulations should be proportionate. That was the word that he used. It is a good word, and one that I commend to the House—proportionate—

Mr. Redwood: And necessary.

Mr. Bercow: And necessary, as my right hon. Friend helpfully points out from a sedentary position. I commend it to the House. The Secretary of State was no doubt genning up on his remarks for the afternoon at that point so whether he had the benefit of hearing from the Minister for the Cabinet Office, I know not, but he should have seen in exchanges of letters between Cabinet colleagues what the Minister proposed to say. In the light of that, it is extraordinary that the Secretary of State has not put his hands up this afternoon and said to my right hon. Friend, "You are absolutely right. We agree to the new clauses. We can proceed to make further progress on the Report stage of the Bill."

Mr. Boswell: Is not one of the difficulties that the Secretary of State faces the fact that some of his other clients or friends take a different view. For example, the TUC explicitly acknowledges:

"The arrival of the full Social Chapter procedure is both timely and crucial for the creation of a European system of industrial relations."

It goes on at length in exactly the same vein.

Mr. Bercow: I am not surprised to hear what my hon. Friend says because we have always known that the cloth-capped colonels of the TUC are enthusiasts for greater regulation. As they could not get it through the front door because of the admirable stewardship of this country's affairs by my noble Friend Baroness Thatcher of Kesteven, they decided some time ago that if they could usher it in through the back Delors, they would happily do so. They have made strenuous efforts to see that they are on the winning side as often as possible. Now that they have a Government in office who are sympathetic to their general viewpoint, they are determined to extract the maximum in return for the enormous donations that they made to that party when it was in opposition for 18 years. What my hon. Friend says is highly relevant to our proceedings.

I referred a moment ago to the statement by the Minister for the Cabinet Office about the proportionality of regulations. That is relevant to what I have to say about my fifth reason why the new clauses should be accepted by the House this afternoon. My fifth reason is the regulations that flow from the Bill.

It is important that the public outside this place should be aware that the Bill is substantially a skeleton Bill. The devil is in the detail, and it is a lamentable abdication of responsibility on the part of the Government that there will be no opportunity to debate on the Floor of the House the detail of the regulations that will implement the Government's intentions as set out in the Bill. I am extremely anxious about the burden that the regulations will impose and that is a further reason why the new clauses should be accepted.

The regulations will be burdensome in terms of time. Companies will have to devote much time to familiarising themselves—

5.45 pm

Mr. Deputy Speaker: Order. I have been extremely generous in allowing the hon. Gentleman to make certain general points in relation to the new clause, but I have reached the limit of my patience. The hon. Gentleman is now moving away from the kernel of this particular group of new clauses; the new clauses relate to exemptions for small businesses rather than to general matters in the Bill.

Mr. Bercow: As you would expect, Mr. Deputy Speaker, I shall immediately comply with your helpful guidance. That is why I say that we should support the new clauses. If they are passed, they will give small businesses an exemption from the regulations that will accompany the Bill. That seems to be at the heart of the debate.

In Committee, we explored the whole subject and discussed the possibility of exemptions for small firms. One of the reasons we did so was that, as Ministers are aware, the regulations flowing from the working time directive, which will have an impact on small and medium-sized enterprises in Britain, currently stretch to 72 pages of A4 paper. If people outside this place are surprised to learn that, they will be even more surprised to learn that the regulations that flow from the requirement to impose a national minimum wage—a requirement that is as applicable to small and medium-sized enterprises as it is to others—stretch to no fewer than 112 pages of A4 paper. Part of the rationale behind the introduction of the new clauses is that the Opposition are the friends of small and medium-sized enterprises and do not think that they should have to face

that burden. Quite apart from the work that those in such enterprises do to keep their companies afloat, to make them profitable, to sell products, to keep and, if possible, increase their staff, why should they have to devote a great deal of time to studying the regulations to see that their companies conform to them? That is a key weakness of the Bill as it stands and a good reason why the new clauses are required to improve it.

The cost of compliance—and the cost of discovering whether one is complying—will be a further burden on micro, small and medium-sized companies. Although business organisations have been almost uniformly critical of those aspects of the Bill, little attention has been paid to the comments of our old friends the lawyers. I am not a lawyer—I say that with pride—but I am aware that many make their living from the practice of the legal profession. A leading member of Bevan Ashford said recently that the passage of the Bill would result in a great deal more work for him unless certain provisions were removed or amended.

The reason why that greater work will result is that companies will not know whether or not they are in conformity with the regulations, they will naturally consult and pay lawyers, time will be taken, and references to the courts will be required—none of which activity is remotely relevant to the overriding task of a small business, which is to stay afloat, make a profit and keep its staff. It is precisely because of that damage that we need to act.

The sixth and final reason why we should embrace the new clauses with enthusiasm is that, if we do so, we emulate the spirit and the practice of the United States of America. In an important recent speech, the Secretary of State said that the creation of wealth was now more important than its redistribution. I welcomed that statement and congratulate the right hon. Gentleman on having made it, but I want it to be reflected in practice. If we are to adopt a policy under the Bill that is helpful to SMEs, we have to free them from the burden I have described. The reason why I refer to it in the context of the new clauses is that, when my right hon. and hon. Friends discussed this matter before coming to the House today, we became conscious of a pattern of which the Secretary of State is one part, and the former Secretary of State, the right hon. Member for Hartlepool and the Prime Minister are two other important parts.

I see that the former Secretary of State has been jolted from his private conversation with the deputy Chief Whip. The right hon. Gentleman will know that as Secretary of State, when talking about business growth, he made frequent references to the importance of learning from the United States—indeed, in the course of one speech, he referred several times to visits he had paid to the United States. He will recall that I raised the matter with him, because I thought it important, in the Select Committee on Trade and Industry on 4 November last year. I politely challenged him about what appeared to me to be the conflict between the commitment to American practice and the reality of Government policies—

Mr. Deputy Speaker: Order. The hon. Gentleman is spinning wide of the scope of this group of new clauses and amendments. I suggest that he gets back to the main subject very quickly.

Mr. Bercow: I shall come back to it immediately, Mr. Deputy Speaker. I had not thought that I had strayed, but I accept your judgment in these matters.

We need light-touch regulation and, in some cases, businesses to be free of regulation altogether, in line with the American model. The direct relevance of that, if I may say so, Mr. Deputy Speaker, will now be blindingly obvious to every right hon. and hon. Member present. The relevance of my invocation of the example of the United States is that there, a directly comparable provision on parental leave is applied very differently from the way it is to be applied in this country. That is the relevance, Mr. Deputy Speaker, and I hope that you will accept that it is within the scope of the new clauses.

In the United States, as I have reminded the Minister for Small Firms and the Minister of State, Department of Trade and Industry, the right hon. Member for Makerfield (Mr. McCartney), there is legislation on family and medical leave—the Family and Medical Leave Act 1993. Moreover, that legislation does indeed provide for 12 weeks unpaid leave for parents and guardians in certain circumstances. However, it does not apply to firms with fewer than 50 employees, which is one good reason why we adopted the figure of 50 as the basis of our new clauses. I ask a simple question of the Secretary of State: why talk about American practice unless he is prepared to emulate it? It is not good enough for the Minister for Small Firms to tell me in his letter of 25 March that, in incorporating American ideas in the British context, one has to take account of British traditions and institutions, as an excuse for not doing in this country that which works extremely well in that country.

Mr. Deputy Speaker, as ever, you have been a model of tolerance and I am grateful to you for that, as it has enabled me to give six reasons—of the no doubt 666 reasons—why the new clauses should be accepted by the Government.

Mr. Wilkinson: The previous speech was a tour de force and I shall not attempt to emulate it. Nor could I emulate the authority with which my right hon. Friend the Member for Wokingham (Mr. Redwood) spoke. Suffice it to say, if I can be forgiven for being subjective, that my impressions of the merits of the new clauses stem less from long hours in Standing Committee—I applaud my right hon. Friend and his colleagues for their persistence in trying to amend the Bill in Committee, and regret that we have had to return to these issues on Report—than from my experience of running a small company of my own for 12 years.

I cannot believe that, in the current climate, it will be easy to induce people to enter the small business sector, because everything is stacked against them. The background is grim. Given that we have an overvalued currency, following the plunge of the euro, and given the imposts and directives under which a small business has to labour, those who run such businesses face an exceptionally difficult task. However, the Government should show willing and at least recognise that it is time to match their rhetoric with action. The new clauses contain proposals that are exactly in line with best practice, to use the current jargon, in the United States, as my hon. Friend the Member for Buckingham (Mr. Bercow) clearly explained. I cannot see any reason other than bigotry and dogma why the Government should not wholeheartedly embrace the new clauses. I cannot see what they would lose by so doing.

Speaking as a London Member, I am grieved that the Bill will have an especially hard impact on family businesses, which in my constituency in the north-west of

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the capital are often run by members of the ethnic community. We hear time and again from the Government protestations that they are on the side of the ethnic community and that their legislation is drafted to demonstrate that commitment. However, members of the ethnic community who start up small businesses will be extremely vulnerable to the complications of the plethora of burdens that are inherent in the Bill. Those who run a family business do not need explicit provisions on parental leave, because they know what is appropriate in their family's circumstances and in the interests of the business. I find the Government's prescriptive, dogmatic attitude objectionable.

Likewise, there is a huge divergence between the Government's protestations and rhetoric and their actions in respect of women, who will suffer especially from the Bill as it stands. Part-time workers, a large proportion of whom are women, are less likely to be taken on by small businesses because of the provisions of the Bill. This is exceptionally sad.

It is the experience of every economy that, time and again, small businesses prove to be the engine for growth. If they are to be fundamentally inhibited, the chances of our getting out of the proto-recession into which we have slumped under the current Administration will be fatally compromised. The process of emerging from the proto-recession will be protracted, more difficult and more painful. Many people would lose their jobs unnecessarily.

I do not understand why the Government refuse to listen to the wise counsel of my right hon. Friend and those who support the new clause. The Government should accept it wholeheartedly and demonstrate thereby that they are genuinely on the side of business. They should not use small business simply as a slogan in an attempt to beguile the electorate into acquiescing to their policies. My constituents in the small business sector tell me that the Government's rhetoric is all very well, but the prescriptive nature of their regulations is a disincentive. It is about time that that disincentive was removed.

6 pm

Mr. Christopher Gill (Ludlow): My family has run a business in Wolverhampton for five generations, but I am somewhat diffident about taking part in this debate when I see so many experts aligned on the other side of the Chamber. However, the Government and I have different perspectives. I have run a business and converted a small enterprise into a bigger one, facing many trials and tribulations in the process. My son continues that business—he is the sixth generation family member to do so—and we have a joke in our family that I am here running the country while he is at home running the business. [HON. MEMBERS: "Hear, hear."] I must admit that my son is having much more success than I—but not because of this Government. The Labour Government have continued to put obstacles in his way, as they are doing tonight.

There is a huge gulf between those who come from the public sector and big business and those who come from a small business background. Small business operators recognise that employment relations problems exist and that the Government wish to tackle them. However, as my right hon. Friend the Member for Wokingham (Mr. Redwood) has been at pains to point out tonight, many of those problems either do not affect small business or cannot be solved by legislative means. Legislation is singularly inappropriate in many cases, given that so many small businesses are struggling to keep their heads above water because of the existing legislative burden.

In my earlier days, I ran my own business when there were industrial training boards. I had served in the Royal Navy—the finest training organisation in the world—and, when I returned from sea, I was intent upon training my employees. The industrial training boards killed my enthusiasm and destroyed my involvement in training by imposing a huge bureaucracy upon that vital work. As a consequence, I had to employ a training officer and training personnel to assume those duties. The situation led eventually to an industrial tribunal hearing, which I won. I could tell you much about that case, Mr. Deputy Speaker, but I must not digress.

The consequence of the Bill will be a downsizing of private businesses. Private businesses have no incentive to employ a lot of labour. The burden of employment laws—which are being added to tonight—leads many entrepreneurs to seek constantly to diversify into areas where they do not have to employ so many workers. The unemployment that results from such practices affects almost exclusively the least qualified section of society: those employees with fewer skills and qualifications.

For the benefit of the Secretary of State, I point out that the only practical difference between a successful business and an unsuccessful business is the people we employ. Many of us in the marketplace buy the same raw materials to which we do the same things and then sell them to the same customers, often at the same price. The difference between success and failure is our people. I do not need the Secretary of State or a Labour Government to tell me about the importance of personnel: any small business man knows that his success depends upon his employees. For that reason, my right hon. Friend is absolutely right to make an impassioned plea that businesses employing fewer than 51 people be excluded from the legislation.

The reality of running a small business—this may be entirely alien to the Secretary of State's life experience—is that the owner is the production manager, the sales manager, the administrator and the personnel manager. He must also perform a raft of other functions. The more legislation of this sort that we impose upon the owner, the more difficult it is for him to attend to his most important function: creating a product to sell on the market at a profit, thereby generating wealth for the nation and employment in our constituencies.

My hon. Friend the Member for Buckingham (Mr. Bercow) was absolutely correct to refer to the difference between this Government's rhetoric and the reality. That difference was summed up for me on Budget day. The Chancellor of the Exchequer stood at the Dispatch Box and told us that he was keen to encourage small business and to do his best to keep overheads down. However, he went on to say that he was reducing employers national insurance by 0.5 per cent. I do not know how the Government do their arithmetic,

but employers national insurance presently stands at 10 per cent. and will be 11.7 per cent. as a result of the Budget. That does not help small businesses.

Mr. Bercow: Does my hon. Friend recall that, shortly after the Chancellor's Budget speech, the Secretary of State said, in what should have been a joke but apparently was not:

"I am reviewing arrangements for business rescues"?—[*Official Report*, 10 March 1999; Vol. 327, c. 367.]

Was that not a good idea, given the likely exponential increase in the number of candidates requiring rescue as a result of the Government's policies?

Mr. Gill: I understand my hon. Friend's very good point. Most business people do not want help from the Government, but neither do they want hindrance of the sort represented by the legislation before the House today.

The Secretary of State may say, with some justification, that he receives relatively few complaints from the small business sector. I understand that, and I shall explain why that is so. The small business man is employed every waking hour trying to keep his business afloat and successful. They do not want to waste time appealing to politicians—particularly those from the Government party—because they know that their appeals will fall on deaf ears.

I am conscious of the fact that my hon. Friends wish to speak in the debate, so I shall conclude by informing the Secretary of State that I and my family have survived in business not because of Government, but in spite of them.

Mr. Fabricant: Does my hon. Friend the Member for Ludlow (Mr. Gill) think that his comments have fallen on deaf ears? Although the Secretary of State and his Ministers are quite charming, they have had no experience in business. A few years spent working as a polytechnic lecturer or working for a large public corporation does not equate with building a business for oneself.

When I rose on Second Reading, I spoke about Abraham Lincoln, and there was talk earlier about the American message for us, which is often seized on by the Labour party in its bid not only to gain power, but to hold on to power. Abraham Lincoln said, "You cannot make a poor man rich by making a rich man poor." That applies not only to large corporations, but to small businesses, which the Bill will strangle at birth. The legislation owes much to the tenet that he who pays the piper calls the tune. Where does most of the Labour party's money come from? It comes from the trade union movement.

My hon. Friend the Member for Buckingham (Mr. Bercow) pointed out that, in this quarter alone, 11,000 small businesses have gone bust. They needed to be rescued from the Secretary of State for Trade and Industry. I anticipate that, when he winds up the debate, he will say, "Ah, but many new small businesses have been formed." Let me pre-empt him. Information from Dun and Bradstreet reveals that the net losses in that quarter are the greatest for the first quarter of the year since the depths of the world recession—I emphasise the word "world"—of six or seven years ago. It is no use the Secretary of State saying that small businesses are being formed to compensate for the 11,000 that have gone bust—that is not so.

Mr. Byers: The hon. Gentleman rightly says that the Dun and Bradstreet report reveals that 11,000 businesses have gone bust in the first quarter and that the last time the figure was considerably higher was back in 1992, when the right hon. Member for Wokingham, the Conservative Front-Bench spokesman, was Under-Secretary of State for Corporate Affairs. The fact that records were far worse then than they are now owes much to his legacy.

Mr. Fabricant: The Secretary of State points out that the figures were worse in 1992, but I repeat that we were in the middle of a world recession, and that was at the time of the exchange rate mechanism. Does the Secretary of State not take Cabinet responsibility for his Prime Minister, who, far from gearing up for the ERM, which at least allowed us some latitude, wants to gear up for a common currency, which will make pressures on small businesses far worse?

I shall return to the new clause. The CBI, as hon. Members have already pointed out, says that the directives on parental leave that will apply to small businesses are gold-plating the EU directive. I shall let the House into a little secret. I recall that, soon after I entered the House in 1992, early in the Parliament, the Secretary of State's predecessor and then President of the Board of Trade, my right hon. Friend the Member for Henley (Mr. Heseltine), faced a similar situation with an EU directive that was not desirable for small businesses. He was advised by his officials that he had no choice in the matter—the directive had to be introduced. A few months later, the draft legislation appeared, and, like this Bill, it was gold-plated.

I therefore give the Secretary of State advice about gold-plating, which he could take from the former President of the Board of Trade. My right hon. Friend asked his civil servants, "Why is the document so thick? Why have we gold-plated the legislation?" They answered, "If we did not gold-plate it, it would be unenforceable. There would be too many loopholes." As I understand it, my right hon. Friend said, "Great! We do not want the legislation. Let us put it through Parliament without gold-plating it." It was passed and it was unenforceable.

Far be it from me to suggest that Parliament should occasionally pass laws that are unenforceable and contain loopholes; but, when they are forced on our nation by unreasonable, ill-thought-out diktats from Brussels which will result in not only small, but large businesses going under, let us pass such legislation for the sake of businesses at home. That is exactly what France, Italy and Spain do. They have to do that because they want to keep their businesses solvent.

6.15 pm

Earlier in the debate, the hon. Member for Croydon, Central (Mr. Davies), who has now left the Chamber, asked a perfectly reasonable question of my right hon. Friend the Member for Wokingham (Mr. Redwood), the shadow Secretary of State. He asked, "Why is the threshold in the new clause set at 50? Why not 20 or 100?" One of the reasons is that many of the states in the US use the threshold of 50.

The Secretary of State's view is that 20 is a reasonable figure, and that is backed up by all those who are concerned with the welfare of small businesses. However, let me tell the Secretary of State, if he does not already know, that a survey conducted by the members of the

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Institute of Directors said that 28 per cent. of respondents believed that firms employing up to 50 people should be exempted and only 13 per cent. were happy with the Government's definition of a small firm.

Mr. Bercow: Does my hon. Friend agree that the Government are inconsistent in their approach? Is he aware that, although the Government have opted, in this context, for the definition of a small firm as one that employs no more than 20 employees, Ministers have chosen the threshold of 50 employees for the purposes of the Late Payment of Commercial Debts (Interest) Act 1998? Why can they not make up their minds?

Mr. Fabricant: My hon. Friend is right. I could talk about the National Minimum Wage Act 1998. I shall not say much about that because I know that you will rule me out of order, Mr. Deputy Speaker, if I talk about it at length.

Mr. Deputy Speaker: Or, indeed, almost at all.

Mr. Boswell: While my hon. Friend is getting his angle straight, I remind him that in the United States, to which he has referred, the minimum wage is comparatively acceptable precisely because it is set at a reasonable rate and not applied to small businesses.

Mr. Fabricant: My hon. Friend anticipated my next point, and I am delighted that you did not rule him out of order, Mr. Deputy Speaker.

The Institute of Directors "Fairness at Work" research paper of September 1998 quoted a company that said:

"We employ less than 20 people at present and with the Government's current attitude we're likely to stay that way".

That echoes the words of my hon. Friend the Member for Ludlow, who asked what incentive there was for a small business to expand. The Bill is absolutely symptomatic of the Government: they are full of bright ideas that are never thought through. They do not empathise with business, because their paymasters are the trade unions and because they do not come from a business background.

As I said on Second Reading, one can read about and study business as much as one likes, but, if one has not immersed oneself in it, one cannot understand the pressures that small businesses are under.

I shall quote a business man—I anticipate that I will be receiving a brown envelope from *Hansard*—whose name I shall try to pronounce correctly. Mr. Darsghan Thiara, a clothes factory owner from Birmingham who has a staff of 85, was reported in the *Financial Times* in January as saying: "Overall it"—this legislation—

"puts a big pressure on employment; we are seriously considering cutting the number of people we employ."

We must ask ourselves what the company will do. Will it cut staff to 20 or 19 to try to avoid the provisions of this legislation?

Ministers, who are used to teams of civil servants, believe that understanding and implementing legislation are easy. They think that civil servants have all the time in the world. I know—this is certainly the experience in the Treasury—that civil servants work all the hours that God gives them. Ministers arrogantly take such an attitude, but small firms simply do not have such teams of people. As has been pointed out, the managing director is often the finance director, and often also the personnel director—or the director of human resources, as they now call it. The Government Front-Bench team will like that term because they like modern jargon and slogans.

Mr. Lindsay Hoyle (Chorley): Like joined-up thinking.

Mr. Fabricant: We have joined-up running of companies simply because one poor guy has to do it all. On top of that, such people will have to try to implement the Bill's provisions.

Mr. Ian Bruce: Is my hon. Friend not being too generous about the Government Front-Bench team? Ministers completely ignore the regulations that they introduce. They do not seem to worry about the working time directive. We even have a Minister—the Minister for Small Firms, Trade and Industry—who is working for nothing, despite the minimum wage regulations which are coming into force on 1 April.

Mr. Fabricant: The Minister is to be complimented on working for nothing. Under minimum wage legislation, one can be paid nothing, such as when one works for a charity. Of course, when people are paid under £3.60, it does not exactly help other charities—but I will not go into that, because it would be out of order.

The legislation will put people in a very difficult position. The whole situation was summed up by Mel Lambert, who is head of human resources at IVEC/Fiat, when he said—I do not have the memory of my hon. Friend the Member for Buckingham, who can quote from a marvellous mind without referring to paperwork, so I shall use my notes for accuracy:

"It puts these (small) companies in a very difficult position. They are minnows compared to union professionals."

In the short term, trade unions will fight for the so-called rights of their employees; in many ways, that is laudable, but it will be at the expense of their long-term security and long-term employment. The House should mark my words: these provisions will be a long way from fostering the growth of small business. Let us remember that it is the small business that becomes the large business. ICI did not suddenly appear out of the blue. It was originally a small company which was set up in the 19th century. Even BT was once a very small corporation.

Mr. Bruce: And Sainsbury.

Mr. Fabricant: My hon. Friend reminds me that Sainsbury plc started as a small corner shop.

Mr. Stephen Day (Cheadle): And Marks and Spencer.

Mr. Fabricant: Indeed.

Mr. Deputy Speaker: Order. That is quite enough of historical tales.

Mr. Fabricant: All large businesses start as small businesses. If small businesses are strangled at birth, there

will not be large businesses. Without large businesses, unemployment will grow. That is, of course, what we have been experiencing over the past two years.

This Government are fond of using clichés; I shall use one that is accurate. They inherited a golden economic legacy, they have started to ruin it, and it will be destroyed still further by this thoughtless, pernicious, vindictive legislation.

Miss Kirkbride: I rise to continue the plea from the Opposition Benches for the Government finally to listen to our concerns and adopt our amendments, so that some of the most onerous restrictions on business will not be placed on those that employ 50 or fewer employees. We on these Benches feel so passionately because we cannot understand why the Government, having learned many lessons from the previous Conservative Government—we should bear in mind some of the programmes that they have instituted and some of the messages that they gave the electorate during the general election campaign—cannot learn one of the most serious ones from our period in government and our record on employment.

When the Labour party was elected in May 1997, it inherited rapidly falling unemployment. In 1995, it had a programme to put 250,000 young people back to work. By the time it came to office, half those young people were already in work. We must ask ourselves why that happened. Unlike countries on the continent, we in the United Kingdom have a relatively unregulated economy. Obviously, we have provisions on health and safety at work and the right conditions for people at work, but we do not have the onerous regulation that has resulted in unemployment of about 12 per cent. in comparable countries on the continent. Over here in the UK, unemployment is 6 per cent. Indeed, due to our inheritance, there has been some further success in reducing unemployment and increasing employment.

Some of us on the Opposition Benches, who, sadly, have been considering these regulations in great detail over the past few months, see the Government's complete failure to understand why they inherited such a fantastically performing economy. We fear that we are seeing the trade unions' payback after years of a Labour Opposition.

Mr. John Hayes (South Holland and The Deepings): My hon. Friend talks about the Government failing to learn such an important lesson. Perhaps our hon. Friend the Member for Lichfield (Mr. Fabricant) was right in saying that such a lesson cannot be learned academically, but must be learned through experience and gathered wisdom. Does my hon. Friend the Member for Bromsgrove (Miss Kirkbride) agree that, as not a member of the Cabinet has ever bought or sold anything for a living in business, they are very unlikely to have that necessary experience and wisdom?

Miss Kirkbride: My hon. Friend is entirely accurate. One would have thought that the Government might be capable of learning from our experience in power and from our record on employment when we started getting things right—sadly, that is not so.

Mr. Ian Bruce: Has my hon. Friend seen the long-term unemployment and youth unemployment statistics? After six months of the new deal, youth unemployment rose by 9,000—for the first time for almost four years. After nine months of the new deal, it went up by another 22,000. That surely demonstrates that the Government have not a clue when it comes to creating jobs.

Miss Kirkbride: I pay tribute to my hon. Friend, who has been very assiduous in studying the real statistics on the new deal and youth unemployment. Despite Government statistics, which are deliberately intended to confuse the picture, the record on youth unemployment is not anything like the Government pretend it to be in public pronouncements.

In considering the new clause, and bearing in mind all the debates in Committee on the new regulations, I think of all the people in my constituency whom I meet in the Conservative club, on the street or in my surgery, or who write to me. They, like my hon. Friend the Member for Ludlow (Mr. Gill), are the unsung heroes of our community. They make our communities tick. They provide employment for the people we represent and the wealth that the Government redistribute. They are the people who make this country work. When I think of them and what is about to be imposed on them, I feel desperately sad and desperately frustrated that we clearly are unable to make the Government understand what they are doing.

6.30 pm

I shall provide some elucidation. A couple of weeks ago, I spoke at a business breakfast club, and I was pleased at the attendance for a speech by a Conservative Member of Parliament. Indeed, the number of people turning up to listen to a speech by a politician at 8.30 am was much greater than normal. I wonder whether that was because the message about how unfriendly the Government are to business is finally getting through. I told the people there many things that the Government propose to do and gave them a copy of the 76-page working time directive, to which my hon. Friend the Member for Buckingham (Mr. Bercow) referred. I suggested that they might want to go home and read it, because they would certainly have to know of its provisions.

Sadly, I was not able to give the people present a copy of the 112-page minimum wage regulations. They had not been published, despite the fact that the minimum wage is being introduced on Thursday, and were not even available two weeks ago for my constituents to read so that they might be aware of the conditions.

Then I began to tell my constituents what else was coming down the track, which was unfair: it was Friday morning and they were looking forward to the weekend, but I was busy telling them that, if all that was not enough, they had to consider other measures, such as three months paternity leave for staff: a small business may have secured a big contract, but the production manager may want his three months paternity leave. One can think of legioned examples where dislocation and huge upset would be caused for small businesses, denting their production and wealth-creating capacity.

Mr. Bercow: My hon. Friend is developing an extremely powerful argument. Given that the Secretary of State did not dispute in the debate on Second Reading on

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9 February that America's job creation record is superior to that of the European Union, can she fathom why he wants to incorporate the EU method for family friendly policies, rather than that of America?

Miss Kirkbride: My hon. Friend again makes an excellent point that goes to the heart of our concerns about the Bill. We hear one thing from the Government, but we get another. We hear that they are against regulation, but the regulations that they are introducing are so fantastically complicated and expensive that they are sufficient to make our eyes water. We hear that they think that America has some really good ideas about how to do things, but they suggest that the American model is not the one that they are introducing to the United Kingdom.

Labour Members often said that America has a minimum wage, but we were never told that it does not apply to small firms or that it was considerably less than the minimum wage that the Government intend to set in the United Kingdom. Although some of the provisions that the Government intend to introduce through the Bill are in force in America, others achieve precisely what we hope to achieve through the new clause: they exempt from regulations small firms employing fewer than 50 people.

The impact is obvious for us all to see. Over the past 20 years, there has been no net creation of private sector jobs in the EU. Some companies have gone to the wall and others have been created, but the private sector has not created any extra jobs. America's record on net job creation runs into millions. If we are to have a successful and prosperous future—not only in the United Kingdom, but throughout the whole EU—we have to get real. We must understand that the world is changing and that many other countries seek a standard of living similar to ours. We are being caught up, rapidly.

The Secretary of State will be only too well aware of the situation that we face in respect of Rover. Serious threats are being made by BMW about taking to Hungary the car-making capacity that we all want to go to Longbridge. Why is BMW making those threats? Because Hungary does not have anything like the number of employment regulations that we have, and it certainly does not have the restrictions and regulations that the Government will introduce through the Bill.

I ask the Secretary of State to hear the pleas of Conservative Members, which are earnest and honest. This is not the right way forward. The Government will impoverish our constituents by introducing the Bill. We do not necessarily dispute the point that the Government are seeking to help our constituents, but they are misguided in seeking to help them in this way.

Mr. Bercow: Well-meaning fools.

Miss Kirkbride: Sadly, I cannot disagree.

What the Government are seeking to do will have such an impact and import. I hope that they will listen to Conservative Members. I hope that, if they must go ahead on this basis, firms with fewer than 50 employees will not be affected by these provisions.

Mr. Brady: It is a great pleasure to speak after my hon. Friend the Member for Bromsgrove (Miss Kirkbride), as it must have been a great pleasure for the many business people in her constituency to attend her business breakfast and see her smiling face at 8.30 am—until, of course, she embarked on telling them the most devastating news about what the Government are seeking to do to damage the businesses on which her constituents and, indeed, people throughout the country depend for their well-being.

I shall be brief, not only because my right hon. Friend the Member for Fylde (Mr. Jack) is keen to speak, but because as many as four Labour Back Benchers of the dozen or so who were members of the Standing Committee have managed to come to the Chamber to see the Bill through. I am pleased that they are here, although a little disappointed—

Mr. Bercow: As my hon. Friend knows, I always seek to be fair to Government Back Benchers, so it is only right to point out that five Labour Back Benchers who were members of the Standing Committee are present.

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. The presence of hon. Members has nothing to do with the new clause; we must come to a discussion of it.

Mr. Brady: I am grateful to you, Mr. Deputy Speaker. I am also grateful to my hon. Friend. I wish to pay tribute to one or two Labour Members who made worthwhile comments in Committee, and I hope that they will make further helpful and intelligent contributions to our debates tonight.

I am keen to contribute, albeit briefly, because new clauses 1 and 2 are central to the question of the Government's belief in enterprise and whether their protestations about that are to be taken seriously. I have witnessed the repeated onslaught of new regulatory burdens, particularly on smaller businesses. As many of my hon. Friends have said, the burden being placed on people who run businesses—particularly smaller businesses with no recourse to professional advice, no human resources manager and no means to afford the best advice from employment lawyers—is enormous. In turn, that has enormous implications for employment in the small business sector. I hope that Ministers will start to understand the damage that their proposals will do to that sector, which is critically important in the current economic climate.

Those burdens are relevant to the road haulage industry, which has many small businesses. The contrast between what Ministers say about that industry and what they are doing to cause problems for it is quite staggering. It is also instructive in the context of the Bill. In response to complaints that road fuel duty is driving people out of business, or forcing them to reflag their businesses on the continent, the Government say that other costs here are lower than those on the continent. The Bill, however, contains precisely the measures that will remove any current competitive advantage that those small businesses enjoy over their European competitors. That will therefore compound the difficulties that the Government are already causing for that industry.

I suspect that the apparent absurdity of the Government's position is due to a fundamental misunderstanding of what we are dealing with here and its implications for businesses in what many hon.

Members may choose to call the real world. That was illustrated by the Under-Secretary, in response to an amendment which I tabled in Committee seeking to limit the practice of gold-plating, when he said:

"I would like to give some examples of the benefits that businesses with a positive attitude to family-friendly work can gain from the regulations. They gain a competitive edge, as we have said many times during the progress of the Bill. They gain improved returns on investments, because by offering good working practices they can attract the right people".—[*Official Report, Standing Committee E*, 23 March 1999; c. 551.]

I shall not quote at length because the point is made.

Ministers labour under the delusion that, far from the Bill costing jobs and being a burden and additional cost on businesses, particularly small businesses, it will do the small business sector a favour, improving returns and reducing costs by increasing regulation. That is palpable nonsense, but Ministers appear to be wedded to it.

Mr. Nicholas Soames (Mid–Sussex): Does my hon. Friend also understand the further ludicrous nature of the Government's position in that almost all the bodies that represent small and medium businesses in Britain have repeatedly pointed out to the Government the ridiculous error of what they are doing and how damaging it will be to the competitiveness of the sector of our economy that has the greatest capacity to create jobs? How will that help the British economy?

Mr. Brady: My hon. Friend makes an important point in his usual magnificent style. The important point that has been made during the debate is that small businesses, business generally, business organisations and Conservative Members understand the damage that the Government will do by refusing to accept our commonsense new clauses and amendments. But Labour Members and Ministers refuse to accept what is simple logic and common sense.

As other hon. Members wish to speak, I shall bring my remarks to a close, but I hope that Ministers will think again before causing irreparable damage to the small business sector.

Mr. Michael Jack (Fylde): I am deeply surprised that the Government do not welcome the new clauses and the consequential amendments. The Secretary of State recently addressed the Federation of Small Businesses conference in Blackpool, where he was heckled, booed and hissed because small businesses felt that that was the only way tangibly to demonstrate their revulsion of yet more regulations.

I recently met representatives of the Lancashire branch of the Engineering Employers Federation, and they told me that their main worry at present was overburdensome regulations. They said, "We are relatively small-scale enterprises and we have enough problems as it is dealing with the strength of the pound. Please, no more regulation." They said that, to deal with the working time directive alone, the federation had had to issue a 200-page guidance document. They are struggling so much that the Minister for the Cabinet Office has agreed to see a delegation from the federation to try to sort out the mess.

The federation would, to use common parlance, freak out if it saw schedule 3, to which the new clause relates. That is what the Government will impose on small businesses with fewer than 50 employees if the new clause is not agreed to.

I always worry when Ministers smile at Opposition Members as though we had a screw loose. On this occasion, we do not. Many Conservative Members, such as myself, were involved in modest enterprises before we entered the House. We understand that if a key member of staff is sick, or absent for maternity purposes, someone else must do the job or be brought in. Ministers do not seem to understand the impact that schedule 3 will have on such businesses.

The Government are fond of talking about the rights of individuals, but it is no good individual employees being affected by these proposals if they are not working because their former company has said that enough is enough in terms of the burden of these regulations. It is at that level that the Government have failed to put forward coherent, well-argued points to support their reasons for placing these additional cost burdens on this sector of industry. If the Secretary of State wants to avoid being booed again next year in Blackpool, he should adopt our proposals.

6.45 pm

Mr. Byers: I enjoyed my morning in Blackpool speaking to the Federation of Small Businesses. I was told by an official there that the reaction to my speech was one of the most positive ever given to a Minister. As the hon. Member for Ludlow (Mr. Gill) said, the very nature of small businesses means that they do not care too much for Governments of any political persuasion. Apparently, when the right hon. Member for Henley (Mr. Heseltine) addressed the conference as President of the Board of Trade, the reaction was far more hostile than anything I had to suffer. The federation made me feel very much at home.

Government amendments Nos. 66, 67 and 68 simply mean that workers who ordinarily work in the United Kingdom will count towards the minimum of 21 workers required for the purposes of statutory recognition. At present, the Bill does not clarify that point and these three rather technical amendments seek to [illegible]recisely that. I hope that the House will agree to them.

With regard to new clauses 1 and 2, Conservative Members failed to reflect on issues to do with interest rates, inflation and sound public finances. Small, medium and large businesses want economic stability and an economic climate in which they can plan ahead with certainty.

Mr. Fabricant: Will the right hon. Gentleman give way?

Mr. Byers: In a minute.

Those are the issues that concern business, but there was not one reference to them this evening.

Mr. Bercow: Will the right hon. Gentleman give way?

Mr. Byers: I want to make some progress. We have had a long debate and I know that the House wishes to divide.

That is why it is important to create the right economic climate so that businesses can plan ahead with certainty. Particularly noticeable was the reference to the Dun and Bradstreet survey, which showed that there was some 11,000 business failures in the first quarter of this year.

[Mr. Byers]

I shall take that on board and reflect on it. However, it is worth noting that one quarter of the world is in recession and Japan, the world's second largest economy, is in the depths of a deep depression. That is bound to have consequences for the United Kingdom.

But 11,000 business failures in the first quarter of this year pales into insignificance compared with the 62,000 business failures in 1992 when the right hon. Member for Wokingham (Mr. Redwood) was the Under-Secretary of State for Corporate Affairs. That is the right hon. Gentleman's golden legacy.

Mr. Fabricant: The right hon. Gentleman made that point earlier, but surely, when my right hon. Friend the Member for Wokingham (Mr. Redwood) was Minister there was a world recession. If people lose their jobs now, it will not be because of a world recession but because of this Secretary of State's legislation.

Mr. Byers: The problem was that we were going through a Tory boom and bust. Interest rates were at 15 per cent., inflation at 10 per cent. and we had lost more than 1 million manufacturing jobs. That was the right hon. Gentleman's legacy as a Minister in the Department of Trade and Industry, and I shall not let him forget it. He has form: he has a record, and people need to be reminded of it.

Mr. Redwood: That is a tired old erroneous charge. Does the Secretary of State agree that the problem was caused by our membership of the exchange rate mechanism? The Labour party supported that policy. Will he now apologise, as the Conservative party has done, for the fact that that policy went wrong?

Mr. Byers: The right hon. Gentleman fails to acknowledge the fact that he was a Minister who signed up to the ERM. He could have stood by his principles and resigned office, but he failed to do so. We do not judge people by the apologies that they make five years too late: we judge them by their actions at the time. The right hon. Gentleman could have resigned from his ministerial position and stood by his principles. He failed to do so, and he put his personal position before a principled approach. In 1992, he did not resign: he held on to his ministerial position. That is his record, and he will be reminded of it.

Mr. Deputy Speaker: Order. We are straying from the subject of small businesses.

Mr. Byers: Yes, we must come back to the debate, Mr. Deputy Speaker, and I shall do so.

When the right hon. Gentleman moved new clause 1, which would exempt companies employing 50 or fewer people, he admitted that that was not his personal option—he would favour an exemption for firms employing 100 or fewer. I am bound to ask whose policy it is that we are debating. Is it the right hon. Gentleman's policy, although he personally favours exemption for companies employing 100 or fewer, or is it the policy of the Conservative party? We need to know whose policy it is. I shall give way to the right hon. Gentleman to allow him to clarify the position.

Mr. Redwood: I have said that the Opposition would welcome an exemption for companies employing fewer than 50. We moved the new clause because we thought that we were more likely to get an exemption for those companies than we were to get an exemption for companies employing fewer than 100 people. If the Secretary of State were to offer an exemption for companies employing fewer than 100, I would be very grateful.

Mr. Byers: So the official spokesman for the Opposition favours one position—that is worth noting—but moves an amendment that takes another. The figure of 100 is relevant because such an exemption would cover well over half the working population. Those people would be denied the basic entitlements provided by the Bill.

What are these basic entitlements that are apparently so dangerous to the future of small business in the United Kingdom? One entitlement is time off for a parent whose child is sick. Is the right hon. Gentleman saying that parents should not be able to have time off if they happen to work in an organisation that employs 50 or fewer? That is the implication of the new clause moved by the right hon. Gentleman. A mother with concerns about the welfare of her child would not be able to have emergency leave to look after that child.

We are providing the right for part-timers no longer to be discriminated against, but Opposition Members are seeking to take that right away from millions of employees. The provision of unpaid parental leave to carry out the responsibilities of bringing up a child would be denied if the Opposition succeeded with their new clause. Millions of people would be denied those basic entitlements. We shall resist the new clause, because it would discriminate against millions of people in the most gross and unfair way.

Mr. Bercow: Will the right hon. Gentleman give way?

Mr. Byers: No, I shall not.

Opposition Members raised the genuine issue of the burden of regulation. The Government must address that issue, and we intend to do so. During questions last week, I said that the Department of Trade and Industry is reviewing every regulation to see whether it is worth while and, in the words of my right hon. Friend the Minister for the Cabinet Office this afternoon, to ensure that it is proportionate and necessary. That is the Government's policy, and it applies across all Departments.

Mr. Bercow: Will the right hon. Gentleman give way?

Mr. Byers: No, I want to make this point, because it is important.

That is why, just 10 days ago, I met representatives of business to identify an agenda on which we can jointly make progress on regulation and the steps that need to be taken. What we have heard tonight from Conservative Members reminded me of the debates that were held when the House debated the Equal Pay Bill, which became the Equal Pay Act 1970. Conservative Members said that that

legislation would destroy jobs for women: that was their constant refrain. It has not done so, and women in the workplace have gone from strength to strength.

Mr. Bercow *rose—*

Mr. Ian Bruce *rose—*

Mr. Byers: No, I shall not give way.

Conservative Members sought to talk down small business. They spoke about small businesses being in a desperate situation because of measures introduced by the Government. They spoke of business failures. This year, 400,000 new businesses will be established because of the framework that we have created in government. Barclays bank says that the small business population has risen by 58,000 in the past two years. More importantly, survival rates are now improving. More than 80 per cent. of new businesses now survive their first year of trading compared with 75 per cent. in 1994. That is because we are creating the right climate and the right framework for businesses to prosper.

There will be support for innovation, and we shall work to increase finance for small businesses. We introduced legislation to tackle late payment of commercial debts. The Conservative party in government did nothing to address those issues.

If the new clause were to be introduced, millions of workers would lose basic entitlements. Part-timers would be denied minimum rights. Parents would denied the security of knowing that they could take time off to look after their children.

Ours is a balanced approach that recognises the needs of small, medium and large businesses. We also recognise the responsibility that we have to ensure that all workers, whatever the size of the firm for which they work, have decent minimum standards of employment. The new clause seeks to deny that, which is why we shall resist it and vote against it in the Lobby.

Mr. Redwood: I pay tribute to my hon. Friend the Member for Daventry (Mr. Boswell) for the leadership that he has shown on this and other issues in Committee. I also pay tribute to my hon. Friends who not only worked hard in Committee in the interests of all businesses, but have been present in this debate, unlike some of the Labour Members who were on the Committee. They either did not come to the Chamber for the debate or came but said absolutely nothing either in defence of the Government's policy, which is indefensible, or in support of our new clauses, which would make life a lot better.

Mr. Ian Stewart: The right hon. Gentleman is not aware that at times in Committee not one Conservative Back Bencher was present behind his hon. Friends on the Front Bench.

Mr. Redwood: I am well aware from the evidence of those Committee sittings that my hon. Friends made all the running. They had all the good ideas, took the debate to the Government, and Labour Members were remarkably silent on most of the important issues, as they have been today.

My hon. Friend the Member for Buckingham (Mr. Bercow) produced a tour de force and gave six very important reasons why these new clauses should be accepted. I shall not repeat them, but I remind the House of the strong case he made. My hon. Friend the Member for Ruislip-Northwood (Mr. Wilkinson) set out why it mattered to London that small businesses should be exempted so that they had more chance of flourishing and creating the jobs that parts of London still desperately need. My hon. Friend the Member for Ludlow (Mr. Gill) made a passionate case on behalf of small business, drawing on his own experience and that of his son, who now runs their successful family business despite the many burdens and costs imposed on it by the Government's policies.

7 pm

My hon. Friend the Member for Lichfield (Mr. Fabricant) put up a robust performance in support of the new clause and amendments, explaining why it was important for us to emulate the American model. We hear from Labour Members that they have been converted to parts of American enterprise capitalism, but they still do not seem to understand that small businesses are flourishing in the United States of America because they are exempt from most of the regulation that Labour proposes to inflict on British business in this and related legislation.

My hon. Friend the Member for Bromsgrove (Miss Kirkbride) made a strong case for businesses in her area, drawing on her constituency experience. My hon. Friend always puts the case for her local people with passion and skill. My hon. Friend the Member for Altrincham and Sale, West (Mr. Brady) explained how absurd it was for the Government to claim that they believed in deregulation, while introducing measure after measure that imposes cost after cost on business—which in turn creates job loss after job loss, as we see every day.

My right hon. Friend the Member for Fylde (Mr. Jack) said that the Secretary of State had been heckled at a recent small business conference. I am not surprised that he was heckled; it was entirely predictable. If he had listened to small businesses, as we have in recent months, he would know how angry they are about this legislation, and about all the legislation that has already been foisted on them by a Government who do not understand their requirements.

The Secretary of State tells us that he now knows that small business wants more deregulation. He has promised small firms a pow-wow—a conference with him, enabling them to explain the ways in which they want more deregulation. We have been telling the right hon. Gentleman for months that they want more deregulation, and tonight, we have offered him a chance to show how that can be done. We have tabled two new clauses. If he accepts them after this short debate—he can do so, even at the eleventh hour—he will show not only that he has begun to understand that business is cross, but that he wants to do something about it. He should be saying sorry for the regulations that he has introduced, and for those introduced by his two predecessors, the two previous Presidents of the Board of Trade—as they liked to be known. Instead, we see a Secretary of State who has learned nothing, and who wants to do nothing to help the business cause that he should be furthering.

Mr. Bercow: Will my right hon. Friend reflect on the fact that, despite the Secretary of State's honeyed words

[Mr. Bercow]

in the Chamber tonight, his hon. Friend the Minister for Small Firms, Trade and Industry has refused to give any undertaking that the regulations resulting from the Bill will be shorter than those relating to the working time directive and the national minimum wage, which fill 72 and 112 pages respectively?

Mr. Redwood: They will doubtless be as long or longer. The Secretary of State clearly finds that amusing. He should try responding to that degree of regulation while running a small enterprise with only a few staff, and trying to make ends meet under Labour's economic policies.

The Secretary of State does not seem to understand that the problems caused by high interest rates, high exchange rates and high taxes—all of which I mentioned in my opening remarks—are being greatly compounded by legislation such as this, which leaves business chronically short of the cash that it needs to employ people, to invest in the future and to modernise—something of which the present Government might be expected to approve. We have heard a series of cheap, juvenile debating points from the right hon. Gentleman, which we have heard many times before and to which we have responded adequately in the past. Yes, there were job losses and closures in 1992; but when will the Labour party apologise for supporting the policies that were being pursued then, and when will it learn from them? When will it understand that it is beginning to replicate exactly the conditions that obtained at that time? We have listened; we have learned; we know that the present position is wrong. Why cannot the Secretary of State appreciate the damage that his rerun is doing to industry in this country?

Mr. Ian Stewart: It is a bit rich for the right hon. Gentleman to say that, given the inheritance left by his Government. One family in five in this country contains not one working person, and that does not include pensioners.

Mr. Redwood: We left a golden economic legacy of falling unemployment, low inflation, growth and prosperity, and a flourishing small business enterprise culture. That is being destroyed by this Government—by their wanton economic policies, and by the regulation and laws that they are introducing.

The Secretary of State says that I should show a little less passion, but I will not. This matters. The Secretary of State should try listening. He should understand that many livelihoods are being destroyed by this Government's policies, and he should wake up and do something about it.

The Minister for Small Firms, Trade and Industry dared to smile when it was suggested that he should be worried about the shrinking of the small business sector as small businesses went under. He smiles again, in a rather lacklustre way. I assume that he is giggling now because he realises that the small business sector will not shrink. For every firm that goes under while this Government are in office, another medium-sized firm will shrink and replace it, becoming a new small firm. That is the Minister's small firms policy: if the medium-sized firms are damaged, he will have more candidates to preside over in his inimitable way.

The overwhelming weight of evidence from business organisations, Members of Parliament and constituents in businesses who lobby us points in the same direction. It suggests that small business must be exempted from these and any other regulations introduced by the Government. Does the Secretary of State understand that, if a firm with 21 employees which will be caught by the legislation in its present form needs one extra person to handle all the regulation and bureaucracy, that will constitute a 5 per cent. increase in its costs? For a firm with 1,000 employees, which may need only three extra people to handle the bureaucracy, the increase in costs will amount to only 0.3 per cent.—not welcome, but much less serious than the impact on the small firm. Is that fair? Does the Secretary of State wish to encumber small firms in such a way, allowing big firms a competitive advantage? That is one of our main reasons for proposing this important exemption.

An entrepreneur in a business with 20 or 30 employees may be the leader of a sales team. He may supervise production. He may be involved in design. He cannot take on more; yet the Secretary of State expects him to implement these measures, and supervise the company's response to a new range of statutory requirements.

The right hon. Gentleman asks whether my hon. Friends and I want people to be denied leave when their children are ill. Of course we do not—that is an outrageous suggestion—but in a small business, in which employer and employee have an individual relationship, such matters can be sorted out without the law intruding. The law is far too clumsy. Resort to lawyers will not help relationships in small firms; it will hinder them. It will generate another unnecessary cost for a small firm that may go under as a result, because the burdens will be far too great.

It is not good enough for the Secretary of State to promise some new review of the regulatory burdens that he and his predecessors have introduced. It is not good enough for him to blame past Governments. The burden is much greater now, the protest is much stronger now, and the small business community is much angrier now, because of the huge burdens imposed by taxes and regulations under the present Government. They are throwing away our golden economic legacy. They are making it too dear to make things in Britain.

Labour is undoubtedly bad for business. If this Secretary of State wants to do some deregulating, he should start now by instructing his team of Members to back our new clauses.

Question put, That the clause be read a Second time:—

The House divided: Ayes 131, Noes 348.

Division No. 133] **[7.8 pm**

AYES

Ainsworth, Peter *(E Surrey)*	Brady, Graham
Amess, David	Brazier, Julian
Ancram, Rt Hon Michael	Brooke, Rt Hon Peter
Arbuthnot, Rt Hon James	Browning, Mrs Angela
Baldry, Tony	Bruce, Ian *(S Dorset)*
Beggs, Roy	Burns, Simon
Bercow, John	Butterfill, John
Beresford, Sir Paul	Chapman, Sir Sydney
Blunt, Crispin	*(Chipping Barnet)*
Body, Sir Richard	Chope, Christopher
Boswell, Tim	Clappison, James
Bottomley, Peter *(Worthing W)*	Clark, Rt Hon Alan *(Kensington)*

Clark, Dr Michael *(Rayleigh)*
Clifton–Brown, Geoffrey
Collins, Tim
Colvin, Michael
Cormack, Sir Patrick
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice & Howden)*
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forsythe, Clifford
Forth, Rt Hon Eric
Gale, Roger
Gibb, Nick
Gill, Christopher
Goodlad, Rt Hon Sir Alastair
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Hogg, Rt Hon Douglas
Horam, John
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Malins, Humfrey
Maples, John
Maude, Rt Hon Francis
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Ottaway, Richard
Page, Richard
Paice, James
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Robertson, Laurence *(Tewk'b'ry)*
Rowe, Andrew *(Faversham)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid–Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Townend, John
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Wardle, Charles
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mrs. Eleanor Laing and Mr. Stephen Day.

NOES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allan, Richard
Allen, Graham
Anderson, Donald *(Swansea E)*
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Baker, Norman
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Beli, Martin *(Tatton)*
Bell, Stuart *(Middlesbrough)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Browne, Desmond
Bruce, Malcolm *(Gordon)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burstow, Paul
Butler, Mrs Christine
Byers, Rt Hon Stephen
Cabom, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Canavan, Dennis
Cann, Jamie
Caplin, Ivor
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Cotter, Brian
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Dafis, Cynog
Dalyell, Tam
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Dowd, Jim
Drown, Ms Julia
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Ewing, Mrs Margaret
Fearn, Ronnie
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael J *(Worcester)*
Fyfe, Maria
Gapes, Mike
Gardiner, Barry
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hancock, Mike
Hanson, David
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kingham, Ms Tess
Kirkwood, Archy
Ladyman, Dr Stephen

Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Livingstone, Ken
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McLeish, Henry
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morris, Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Rendel, David
Roche, Mrs Barbara
Rogers, Allan
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Sanders, Adrian
Sarwar, Mohammad
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Stringer, Graham
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Vis, Dr Rudi
Wallace, James
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Webb, Steve
Welsh, Andrew
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Willis, Phil
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Worthington, Tony
Wray, James
Wright, Dr Tony *(Cannock)*

Tellers for the Noes:
Mr. David Jamieson and
Mr. David Clelland.

Question accordingly negatived.

New Clause 3

CODES OF GOOD EMPLOYMENT PRACTICE

'.—(1) The Secretary of State may prepare, with the assistance of the Advisory Conciliation and Arbitration Service and after consultation with representatives of employers and employees, a Code or Codes of Good Employment Practice.

(2) Adherence to such a Code or Codes may be relied on as a defence to any proceedings before an employment tribunal by any employer who can demonstrate that his actions and procedures in connection with employment were reasonable in relation to the circumstances of his business, including its scale, turnover and labour force.

(3) No Code shall be issued under subsection (1) unless a draft of it has been laid before, and approved by a Resolution of, each House of Parliament.'.—*[Mr. Boswell.]*

Brought up, and read the First time.

Mr. Boswell: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this, it will be convenient to discuss Government amendment No. 57.

Mr. Boswell: I declare an interest in respect of a number of amendments and new clauses that I have tabled. I do so as the employer of one full-time employee, and the occasional employer of others. I do so as a purely precautionary measure, because it is clear that almost any of the new clauses and amendments could bear on my position as an employer. I hasten to say that I have not been commissioned or encouraged by outside interests to table any amendments or initiate any debates. It is wise that everyone should know where we stand, and I may be able to draw briefly on my experience.

The new clause and Government amendment No. 57 clearly have a certain affinity, in that they relate to codes of practice for employment. My right hon. Friend the Member for Wokingham (Mr. Redwood) has said that there were no extensive Government contributions to the Committee. That is true in relation to Government Back Benchers; although, to be fair, some—including some present in the Chamber—made interesting and constructive, albeit brief, contributions.

Some effort was made by Ministers to answer the points that we made, although that was a little uneven, depending on the complexity of the points. I am awaiting some answers, including a definitive answer to the 13 points that I raised on a Government amendment.

I feel myself to be in the position of the lamp to which the moth is attached. Every time I table an amendment or new clause, lo and behold, a Government amendment attaches itself by a process of osmosis or suggestion. I can see nothing difficult about Government amendment

No. 57. Unless the Secretary of State succeeds in putting me off my stroke in his explanation of it, it seems to me that it has two great and welcome merits. First, it is shorter than the text that it proposes to replace. Secondly, it appears to introduce an affirmative rather than a negative procedure.

The idea in the code may have been instrumental to the idea that came to me in relation to the new clause. The code of practice that is set out in clause 19—with supplementary material in clause 20—concerns part-time work. This subject will repay further study before it comes into force, as I can see problems ahead. Just as in the debates on the minimum wage proposals on the subject of au pairs, we keep finding additional problems of one kind or another that must be resolved.

In terms of part-time work, a clear agenda is afoot. The TUC document on preparations for the euro states:

"European collective bargaining is already under way. Two framework agreements have been signed on parental leave and part-time work."

Clause 19 suggests that one of the materials to appear in the code should be

"any matter dealt with in the framework agreement on part-time work".

What might be termed the euro-industrial relations agenda is buzzing away merrily.

Such documents are not my usual nightly reading, but the other day I was reading representations from the Fire Brigades Union which analysed the position of retained firepersons. They are treated differently in a number of ways—in Committee, we referred to the training requirements of part-time work as additional costs of recruitment or retention—but they are paid a great deal less. If the Secretary of State persists with his equalisation in relation to part-time work, he may find that his right hon. Friend the Home Secretary comes back to him to ask what he is doing to fire service finances.

New clause 3 is complementary to the approach set out with such eloquence by my right hon. Friend the Member for Wokingham, and other hon. Friends, in the previous debate. It rehearses some of the problems that affect real-world employers, such as me. New Labour might take comfort from the fact that the new clause is grounded in the drive towards the statement that all parties are in favour of consensus and partnership. I thought that my right hon. Friend the Member for Wokingham rather brilliantly exposed some of the equivocations in that statement.

I do not find it easy to understand the concept of compulsory partnership. I believe that a partnership is one freely made by persons for their mutual advantage, rather than one imposed by an external force—the Government, or regulation—which seems to make people, as my late father always used to say, "good by Act of Parliament". It is much better, where possible, to seek agreement. In fairness, some Government Back Benchers have made those points also.

As a result of the progressive changes in trade union legislation and the change in culture effected by my noble Friend Baroness Thatcher and my right hon. Friend the Member for Huntingdon (Mr. Major), there has been a significant shift in attitude or, more fairly, a confirmation of the more positive attitudes in the trade union side of industry. There are many on all sides who want partnership, consensus and constructive working together.

I am prepared to concede, as I have readily done in Committee, that there are from time to time bad employers and bad employment practices, which I would not condone. In all such matters, the issue is how much legislative intervention is appropriate to deal with the ills from which we may or may not suffer—and, as my right hon. Friend the Member for Wokingham eloquently said, whether the cure is worse than the perceived disease.

7.30 pm

It is no good our seeking to iron out every last infelicity in industrial relations by imposing yet another tissue of regulation, which increases businesses' costs and destroys their ability to run themselves effectively and to employ labour.

In his telling interventions at the beginning of the Bill's Committee stage, before he was taken ill, the Minister of State, the right hon. Member for Makerfield (Mr. McCartney), agreed with me when I made the fairly blunt point that if there is no job there will be no employment rights either. One comes logically before the other.

It is in that context that we offer the idea of codes of good employment practice. The suggestion—the Secretary of State may take this either as a compliment or as an attempt to wheedle—is grounded in what the right hon. Gentleman proposes in clause 19 in connection with part-time work. After consultation with the representatives of employers and employees, a code or codes of practice should be prepared with the assistance of the Advisory, Conciliation and Arbitration Service, which I hold in considerable regard.

The code or codes should embrace matters of good employment practice. They could be freestanding; there may be no need to legislate for them or to tie them to other legislative requirements. We had constructive debates in Committee about the fact that ACAS and both sides of industry, through the TUC, the CBI and others, such as the Engineering Employers Federation, can seek to achieve good standards of employment practice, and to improve those standards where possible. I hope that that is not an issue between the parties.

The distinctive feature of the codes that I propose is the way in which they may bite in connection with other employment rights, or with the way in which matters are dispatched at an employment tribunal.

We had a dry run for this debate in the exchanges at the beginning of our debate on new clause 11, relating to the removal of the limit on special damages. In response to my hon. Friend the Member for Buckingham (Mr. Bercow), the Secretary of State rightly said that an employment tribunal would be able to take into account many circumstances.

By definition—I am sure that if I did not say this, the hon. Member for Eccles (Mr. Stewart) would remind me of it—a tribunal seeks to deal with matters involving failure or delinquency. If an employer behaves reasonably and in accordance with agreements he is not, in principle, likely to end up before a tribunal.

I understand that, and it is a fair point to make, but there are still some concerns, which can be illustrated in several ways and which underlay many of the contributions made by my hon. Friends in the debate on clause 1. Their experience, which I share, enables them to see the practical problems that small employers face.

[Mr. Boswell]

In the nature of things—at least until the Bill takes effect—small employers are unlikely to be able to employ human relations specialists, or specialists of any kind. Small employers are multi-functional. They may be sole proprietors with one or two employees, but they still have to understand the law. There can be few people who are such paragons that they combine the ability to run a farm or small engineering or service business properly with the ability to be fully conversant with the provisions of the working time directive, the minimum wage regulations and the new regulations that will follow when the Bill becomes an Act.

The Secretary of State may rightly say that small businesses have access to employers' organisations and trade associations that may be able to steer them through. In my experience, for example, the National Farmers Union issues guidance to its members. I see the Secretary of State nodding; no doubt that response was in his mind.

The question is whether that guidance is sufficient to enable employers to comply with the regulations. In principle, they should be able to comply, but concerns arise in two respects. The first affects "genuine" employers. The House will know what I mean when I use that term—people who try to behave respectably and treat their employees decently, and to comply with the law as precisely as they can.

Even with such people, difficulties can occur. The Government's track record of having to amend their legislation, and their advice on the working time directive and the minimum wage regulations, as they go along, shows us that it would be a paragon indeed who did not occasionally slip up.

The general conduct of a business, and the bona fides with which it is carried on, must be—at least, should be—a relevant factor in any deliberations that take place before a tribunal hearing a claim for, say, unfair dismissal. In principle, a tribunal ought already to be able to take that into account. However, the fear remains in employers' minds that they may slip up on a technicality—that something may go slightly wrong and trigger a course of action leading to undesirable and expensive consequences.

The second concern is connected with the first. Even if a business is conducted to the highest possible standards, it may from time to time have a difficult employee who does not always behave reasonably—although I am not saying that simply because someone is unreasonable he has no employment rights. Even an employer who wishes to conduct his business to the highest possible standards may fall foul of a tribunal—not necessarily in substance, because he may win his case eventually, but because of the sheer hassle of having to engage lawyers and explain actions that were probably not written down formally, because they never had been before. For small businesses that may have a seasonal turnover or other complications, life is too short for all that.

The employer may lose or win, but whatever happens, the costs will have been incurred and the hassle endured. Those considerations operate as a considerable disincentive to people in small businesses who are considering whether to make the "step change" decision to move from self-employment to taking on one or two people and becoming an employer. That is a shame, because so many small businesses have been fruitful in creating employment when larger businesses have been shedding labour.

Small business people may say, "It isn't worth the candle; I'm not going to become an employer and risk all that." That is the context in which we propose our new clause, the operative part of which is subsection (2):

"Adherence to such a Code or Codes may be relied on as a defence to any proceedings before an employment tribunal by any employer who can demonstrate that his actions and procedures in connection with employment were reasonable in relation to the circumstances of his business, including its scale, turnover and labour force."

We do not expect to impose significant changes of practice on Sainsbury's, ICI or other major household names, yet those businesses may not be creating the employment opportunities that they created in the past when they grew from small to very large businesses. However, the codes are primarily related to new businesses, or those struggling to keep going which have one or two employees. There is no reason why good practice should not be codified for all businesses, but there may be cases in which an employer can say, "I did my best under the circumstances. You can look back at my track record to see that I tried to do a good and honest job, which I hoped conformed to the code."

Clearly, a lot of flesh remains to be put on the bones, but the Secretary of State laid down the skeleton with his code of good practice for part-time employment, and he would do well to consider our idea. We all want good practice and good relations in the workplace, but they may be better secured by our approach than by a narrow, regulation-driven philosophy. Essentially, good industrial relations should be forged in the workplace, not brought out by contentious litigation.

Mr. Jonathan Sayeed (Mid-Bedfordshire): My hon. Friend the Member for Daventry (Mr. Boswell) presented his proposals with characteristic modesty. As one who has worked in companies that varied from having 19,000 employees down to 25, I can assure the Secretary of State that one sometimes comes across an awkward employee. One tries to reason with him or to help him, but if he continues to be awkward, one must get rid of him.

Some employees have milked the system—particularly the employment tribunals—time and again, and it sometimes takes time to find that out. No sensible employer wants bad working practices. A good product requires a contented work force.

Legislation is an extremely crude instrument. It cannot deal with all the different types of companies, whether they are services or industrial firms. It cannot deal with companies of different size and ethos. It can, however, impose onerous regulations and rules on companies that cost money and, consequently, jobs.

In law in general, acting in a reasonable manner is a satisfactory defence, and it would be sensible to translate that principle into employment law. First, that would overcome the crudity of exercising the law alone. Secondly, it would provide flexibility to deal with different types and sizes of company. Thirdly, it would provide a defence against a bloody-minded or awkward employee who has to be got rid of.

I can tell the House how much it costs to get rid of an awkward employee. The minimum is likely to be between £12,000 and £15,000. Preparing the case will take at least

two days of senior management time. For two more days—often longer—senior managers will have to leave the workplace to present the case.

Mr. Boswell: Does my hon. Friend agree that the normal and rational reaction of a management faced with that kind of cost is to settle out of court for almost any lower sum?

7.45 pm

Mr. Sayeed: My hon. Friend has shot my fox. In addition to preparation time, the business may require to hire legal counsel. An appearance in person is also required. I have asked the Secretary of State whether it would be possible for small businesses to put their cases to tribunals in writing, but he said no. I have seen the problems from the employers' side. With a minimum cost of £12,000 to £15,000, one realises that one has a better job to do—actually running the company. Often, therefore, the employer gives in and pays up.

That encourages the awkward employee. I have come across multiple-claim employees who make a nice little living by doing just enough to ensure that they are entitled to take an employer to tribunal for unfair dismissal or whatever, whereupon they rake it in.

Mr. Ian Stewart: The hon. Gentleman paints a picture of an aberrant worker who puts in multiple claims. Is he aware, from all his experience, that there is a two-year time limit on making a claim for unfair dismissal to an industrial tribunal? Is he aware that the average award amounts to hundreds of pounds, not thousands?

Mr. Sayeed: I agree. I do not say that the problem I have outlined is common or normal. Most employees work hard, want their companies to do well and want themselves to do well as a result. The Bill seeks to reduce the time limit referred to by the hon. Gentleman from two years to one.

I recall the case of an employee who had had maternity leave and sick leave and a whole variety of other things, in a very small company in which her job was so critical that another person had to be hired to do it. The employee could not physically manage a return to the specific job and would not do any other job. She claimed unfair dismissal. I do not say that that case is normal. The point is that there are sometimes abuses of the system. Companies should have a defence of acting reasonably.

Mr. Stewart: The hon. Gentleman makes a case for a new provision, but, under existing provisions, an industrial tribunal may hold a pre-hearing assessment to consider several criteria, one of which is whether there is any merit in the case or whether it is frivolous or vexatious.

Mr. Sayeed: The hon. Gentleman makes a perfectly fair point. However, before an employer gets that far, he must have done all the preparation and spent a considerable amount of management time gathering the documents and evidence together. The smaller the company, the more important the manager is to it.

I do not suggest that abuse is widespread. I do not suggest that most employees are on the fiddle: they are not. However, two things are required. First, a defence must be provided, and that can be done by creating a code of practice acceptable to and understood by employees and management. The second point, on which I am on all fours with my hon. Friend the Member for Daventry, is that there should be a code or codes. We will need codes, because they will have to cover different types and sizes of companies that operate in different ways. Once those codes are agreed, they can be adapted over time.

New clause 3 would be a valuable addition to the Bill. The House should not make unnecessary laws, because they are held in contempt and constitute a legislative and financial burden on companies that have to implement them. I endorse the points made by my hon. Friend the Member for Daventry and I hope that the Secretary of State will implement them.

Mr. Ian Bruce: It is always nice to support the Government in some small way, and I welcome the fact that Government amendment No. 57 will introduce the positive resolution procedure for the regulations proposed under the Bill. However, my understanding is that a single regulation or number of regulations made under the Bill would be discussed for only an hour and a half, and that is not enough for regulations of such complexity. I appreciate that that is not necessarily a point for the Minister, but perhaps the House authorities could address the time that is allowed to consider detailed regulations. I am concerned that the Government cannot properly do their job if they produce an unamendable regulation with only an hour and a half for discussion. Colleagues sometimes want to get away as quickly as possible and the House often does not scrutinise such regulations properly.

The Opposition would prefer not to have the regulations, because we would not wish to be so prescriptive. I pray in aid of new clause 3 the excellent speech in Committee by the Minister for Small Firms, Trade and Industry, in which he rightly pointed to the good sense of adopting codes of practice, as opposed to the letter of the law. The problem that arises when tribunals are asked to judge issues against the strict law is that the situation becomes legalistic, not one in which both sides address what is reasonable. Both the employer and employee have to be reasonable. The Opposition do not condone bad business practice or bad practices by employees: we simply say that the best solution is often to use a code of practice, so that if a small business is taken to a tribunal, it can claim that it acted reasonably and be judged on that basis.

The Minister for Small Firms—who is unpaid and likes me to remind the House of that, so that someone will hear and ensure that he is eventually paid for his excellent work—made a very good speech about age discrimination and the difficulty that one has in nailing down any discrimination in a strict law. I shall paraphrase parts of his speech. He said that the Government were taking a measured approach and intended to use the lessons learned from the initiatives to form future plans. He said that we needed to change the attitudes of employers and that the results of consultation published last year pointed to a non-statutory code of practice as the best way to encourage this process of change. He added that if we did not change the culture, we would not solve the problems. What good common sense from the Minister! It was almost his last speech in Committee and he was beginning to understand what the Conservatives were saying. Unfortunately, the Liberal Democrats were not saying the same things, because they wanted even more regulation.

[Mr. Ian Bruce]

The Minister continued by saying that the code would bring real benefits in promoting good recruitment and employment practices. That is a sensible approach. The Government went further and said that they would monitor this code's effectiveness, but that they would not evaluate it until February 2001. It will be too late for them to legislate by then and they have, therefore, made it certain that legislation on age discrimination has been kicked into the long grass.

New clause 3 reminds the Government that codes of practice and reasonableness are the way forward. The Conservative party has a proud record. For years, Governments of all colours tried to solve the problem of strikes. I remember the wonderful document, "In Place of Strife" produced by Barbara Castle, now Lady Castle. That became a reality under Conservative legislation. We are proud of that record and willing to pass it on, as part of our golden legacy, to the Labour Government. They have said the right things when talking to business audiences, but unfortunately, the Bill does not deliver. New clause 3 would give the Government a chance to add reasonableness to the Bill and it would be better for it.

Mr. Byers: As Opposition Members have pointed out, Government amendment No. 57 requires the Government to subject the code of practice on part-time work to the affirmative resolution procedure. I understand that it fulfils a commitment given in Committee and I am pleased to honour it this evening. I shall, however, ask the House to resist new clause 3. In so doing, I should add that there is not much that divides the comments made by the hon. Member for Daventry (Mr. Boswell) and the approach that the Government intend to take to the issue.

The debate about regulation versus codes of good practice reflects the points made in discussion of new clauses 1 and 2. The Government are considering carefully in which areas a code would be more appropriate than the introduction of a raft of regulations. Many of the comments by Opposition Members were well made and, when we talk about reducing the burden of regulation on business, it may be that the adoption of codes will be a better approach, especially if those codes are discussed and the business community—and employee representatives—are consulted. We can then bring the proposals before the House and discuss them, even if only for an hour and a half—I understand the reservations that have been expressed on that point. That would represent a new approach and an attempt to create a consensus on these important issues.

Mr. Bruce: I have tried to demonstrate the Conservative Government's experience of such legislation and I urge the Secretary of State to be very careful. Two of his colleagues have already fallen foul of the employment law, although I am sure that they have dealt with the situation honourably. The hon. Member for Corby (Mr. Hope) will have to appear in front of a tribunal and the Lord Chancellor has lost before a tribunal. I am sure that both of them have a reasonable case, but they have had to go to the trouble and expense of trying to defend themselves, their honour and their political reputations.

Mr. Byers: The hon. Gentleman makes a case for the issues to be dealt with by codes rather than by detailed regulation. Our difficulty with new clause 3 is that it would give an umbrella right to the Secretary of State to introduce codes wherever he or she felt that that was appropriate. The Government prefer a more targeted approach. We acknowledge that codes will be more appropriate in some cases, but a power already exists, under sections 199 and 203 of the Trade Union and Labour Relations (Consolidation) Act 1992, that enables the Advisory, Conciliation and Arbitration Service or the Secretary of State to issue codes of practice containing practical guidance for the purpose of promoting the improvement of industrial relations, much as the hon. Member for Daventry suggested.

Such codes must first be published in draft for consultation, after which they may be modified before being submitted to Parliament for approval by affirmative resolution of both Houses. Where we consider it necessary, we will use the powers to issue codes of practice on certain aspects of this Bill. I have already said that we intend to do so in relation to part-time work. We feel that that would be welcome.

8 pm

We also intend to draw up a code on grievance and disciplinary procedures to complement the Bill's provisions, especially in relation to the right to be accompanied at grievance and disciplinary proceedings. Some hon. Members may have thought that we would introduce a raft of regulations to do that. We feel that a code would be more appropriate.

We will also produce a code of practice on access to the work force in relation to our proposals on statutory trade union recognition. Again, we feel that that area is far better dealt with by code than detailed regulation. The important thing to remember, as with all statutory industrial relations codes, is that the new codes will make recommendations on good practice and prescribe the law to which they relate. Most importantly, they can be taken into account by tribunals and courts, particularly when they have to decide whether the behaviour of either party, the employer or the employee, is reasonable in the circumstances.

Mr. Sayeed: The Secretary of State has said that the codes "can" be taken into account. Could he be more robust and say "should"? When a company has demonstrated that it acted reasonably, the ability to take that into account is important.

Mr. Byers: Tribunals generally take codes into account. That is why the codes are there.

I hope that the hon. Member for Daventry will seek leave to withdraw new clause 3, but, if the measure is pushed to a Division, I ask the House to resist it because it could make all tribunal rights subject to a code of practice as it would introduce an overriding power. I have reservations about that which reflect our previous debate. The new clause could introduce a raft of quasi-regulation in the form of codes. It could be very wide-ranging. There is a strong argument for being focused about the areas that we subject to code of practice procedures.

I fear that if there are minor transgressions by either party, the code of practice under the new clause could be used against their interests. An employee or employer who failed to comply with the code's details could be in

some difficulty. The better approach is to have a focused code of good practice which will come before the House to be debated and consulted upon. We can then move forward and hon. Members will know exactly which codes we intend to introduce, rather than going down the route of prescriptive regulation.

As we look forward to creating a climate in which regulation is not automatically the first option for Ministers, I hope that they will consider codes of practice as a better avenue down which to go. We shall then be able to make progress using the powers that we already have under the Trade Union and Labour Relations (Consolidation) Act 1992 rather than the wider-ranging powers that new clause 3 would give the Secretary of State. For those reasons, I hope that the House will accept Government amendment No. 57 and that the hon. Member for Daventry will seek leave to withdraw his new clause in the light of my comments.

Mr. Boswell: This has been an unusually thoughtful and fruitful debate. I am grateful to my hon. Friend the Member for Mid-Bedfordshire (Mr. Sayeed), who did well to remind the House of the practical problems of employers in compiling and defending cases at employment tribunals. The considerable costs may lead them to make decisions that are not in their best interests, or that they might have chosen not to make, but found to be the least bad alternative in the circumstances. It is important to put that on record to give the lie to the assumption that things are always all right under the umbrella of reasonableness at employment tribunals. As the Secretary of State intuited, the difficulty is that once regulation is in place, it can be something of an unguided missile. It is not always possible to produce a result that is felt to be just while being legally coherent.

I am grateful to my hon. Friend the Member for South Dorset (Mr. Bruce) for his remarks and for reminding us of the comments of the Minister for Small Firms, Trade and Industry in Committee on what is rapidly becoming in this respect—perhaps we should pass on hastily—something of a consensus about the approach. That characterised the Secretary of State's response to my suggestions. He might even have mentioned that the Trade Union and Labour Relations (Consolidation) Act dates from 1992 and reflects the wisdom of his Conservative predecessors and, in fairness, the considerable custom and practice that has built up around ACAS and its ability to advise on such matters.

It was refreshing to hear a widening in the Secretary of State's remarks of the concept, in clause 19, of the part-time work code to other areas, including grievance and disciplinary procedures and access to the work force. I had not wholly anticipated those points, not least because they are not set out in the Bill, whereas the code in clause 19 is explicit. Those announcements were welcome, as was his general approach. I understand what he was driving at. Targeting is interesting, and we might debate it in the context of social security legislation, but not tonight. The exact balance of rights and responsibilities that can be carried by codes or by other means is difficult to follow.

I see the hon. Member for Wentworth (Mr. Healey) across the Chamber. We are all striving to find ways, as he did with his Employment Rights (Dispute Resolution) Bill last year, of alternative dispute resolution. We do not want disputes to go to the wall if it is possible to avoid that by good practice and common sense. I recognise the interest of all parties, including the trade unions, in that matter. Let us work on the presumption that the Secretary of State is driving in the right direction. We need to see more; we will need to see the codes. It would help him if, instead of having them thrown at us in the confrontational atmosphere of a 90-minute debate, we could have a pre-draft hearing, or a look at a draft, so that we could talk about it and see whether we could contribute ideas, as I am sure that my hon. Friends would wish. I do not ask him to respond to that now. On that note of qualified consensus, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 4

DISCRIMINATION IN THE WORK-PLACE ON GROUNDS OF AGE

'—(1) The Secretary of State may make regulations for the purpose of prohibiting, in relation to any employment matter, discrimination by an employer against another person on grounds of that person's age.

(2) In subsection (1) "employment matter" includes—

(a) the offer or refusal of employment;

(b) the termination of employment;

(c) terms and conditions of employment;

(d) the provision of training or skills development opportunities;

(e) promotion and career progression.

(3) Regulations under subsection (1) may—

(a) specify the types of action, or failure to take action, which are to be taken to constitute discrimination for the purpose of this section;

(b) confer jurisdiction (including exclusive jurisdiction) on employment tribunals and on the Employment Appeal Tribunal in relation to cases brought under this section;

(c) provide for penalties to be imposed or, as the case may be, compensation to be awarded in respect of offences committed under paragraph (a) above;

(d) specify exceptional circumstances in which, in any proceedings arising under this section, it would be a defence for an employer to show, having regard to the nature and commercial viability of the business or undertaking in question, that—

(i) it was reasonable for him, in deciding to treat one employee differently from another in relation to an employment matter, to take account of the respective ages of the relevant employees, or

(ii) age was not a significant factor in any decision to treat one employee differently from another in relation to an employment matter.

(4) No regulations shall be made under this section unless a draft has been laid before, and approved by resolution of, each House of Parliament.'.—*[Mr. Chidgey.]*

Brought up, and read the First time.

Mr. David Chidgey (Eastleigh): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this, it will be convenient to discuss the following: New clause 5—*Discrimination in the work-place on grounds of sexual orientation*—

'—(1) The Secretary of State may make regulations for the purpose of prohibiting, in relation to any employment matter, discrimination by an employer against another person on grounds of that person's sexual orientation.

(2) In subsection (1) "employment matter" includes—

(a) the offer or refusal of employment;

(b) the termination of employment;

(c) terms and conditions of employment;

(d) the provision of training or skills development opportunities;

(e) promotion and career progression.

(3) Regulations under subsection (1) may—

(a) specify the types of action, or failure to take action, which are to be taken to constitute discrimination for the purpose of this section;

(b) confer jurisdiction (including exclusive jurisdiction) on employment tribunals and on the Employment Appeal Tribunal in relation to cases brought under this section;

(c) provide for penalties to be imposed or, as the case may be, compensation to be awarded in respect of offences committed under paragraph (a) above.

(4) No regulations shall be made under this section unless a draft has been laid before, and approved by resolution of, each House of Parliament.'.

New clause 6—*Discrimination in the work-place (general prohibition)*—

'—(1) The Secretary of State may make regulations for the purpose of prohibiting, in relation to any employment matter, discrimination by an employer against another person on any grounds specified in the regulations.

(2) In subsection (1) "employment matter" includes—

(a) the offer or refusal of employment;

(b) the termination of employment;

(c) terms and conditions of employment;

(d) the provision of training or skills development opportunities;

(e) promotion and career progression.

(3) Regulations under subsection (1) may—

(a) specify the types of action, or failure to take action, which are to be taken to constitute discrimination for the purpose of this section;

(b) confer jurisdiction (including exclusive jurisdiction) on employment tribunals and on the Employment Appeal Tribunal in relation to cases brought under this section;

(c) provide for penalties to be imposed or, as the case may be, compensation to be awarded in respect of offences committed under paragraph (a) above.

(4) No regulations shall be made under this section unless a draft has been laid before, and approved by resolution of, each House of Parliament.'.

Mr. Chidgey: The new clauses deal primarily with discrimination in employment. New clause 4 would prohibit discrimination on the ground of age, new clause 5 on the ground of sexual orientation, and new clause 6 on any grounds that the Secretary of State may from his experience see fit to specify.

The new clauses expose a glaring omission in the Bill. The Government failed to grasp the opportunity to end discrimination in the workplace. They also expose a basic breach of a pledge made by the Government during the general election. Having made such a blatant remark, if Labour Members doubt me I refer them to their manifesto, which I happen to have in my hand. I am sure that we all remember it. Page 35 talks in glowing terms of equal rights for the citizen. It says:

"We will seek to end unjustifiable discrimination wherever it exists."

That is a sound sentiment, and it is one that I am happy to endorse.

Mr. Fabricant: Will the hon. Gentleman give way?

Mr. Chidgey: I shall make a little progress and then I shall be happy to give way. It should be a fundamental right that no person should suffer discrimination on the grounds of race, creed, gender, age or sexual orientation. I hope that that is a view shared by every hon. Member, regardless of party. I give way to the hon. Member for Lichfield (Mr. Fabricant).

Mr. Fabricant: I wished to make a comment that was appropriate to the point that the hon. Gentleman was making, but he has moved on and I do not want to break his flow.

Mr. Chidgey: The hon. Gentleman is so kind. Sadly, the moment comes and then it goes.

It surely must be the view of each and every Labour Member who campaigned throughout the general election on the basis of new Labour's manifesto pledges that no person should suffer discrimination. Discrimination on the grounds of age and sexual orientation is not prohibited by law, yet it is just as prevalent and pernicious in the workplace as any other form of discrimination.

New clause 4 would prohibit discrimination on the ground of age. I want to take a few salient examples of areas in which such discrimination is rife. The teaching profession is one. We are told that there is a crisis in teacher supply, but it could be that schools are guilty of ageism. Whenever we have reports of shortages of teachers, a few days later there is a flurry of letters in the broadsheets from older teachers who complain that they cannot get jobs even in maths and science, which are areas of scarcity.

I raised this matter in Committee, and it is worth emphasising the work of Alan Smithers, a professor of education at Liverpool university. He cites many examples of discrimination on the ground of age. A gentleman referred to as Bob has a degree in chemistry and 22 years of experience in industry. He trained as a teacher in 1997 as a second career. He applied for more than 50 jobs and received just six interviews, but each time the post went to a younger person. All that he can get is part-time supply work.

The second case is a woman called Melissa, a teacher of secondary maths—another area of shortage. She broke off to do educational research and she has come back with a PhD in education, but she is unable to get a post as a teacher. A gentleman called John happens to live, and previously worked, in my constituency in Eastleigh. He has a 2.1 honours degree and a PhD in modern languages—supposedly very much a shortage subject. He qualified as a teacher 27 years ago and at that time had no problem getting a job. Since then, he has worked for many years as a teacher, three as a head of a modern languages department. He then spent eight years training

teachers as a senior lecturer in a local college of higher education, but following a change in the college's curriculum his post was declared redundant when the language teaching area was closed down. That was three years ago.

In the past three years, John has applied for more than 160 teaching posts. Not one has resulted in a job offer, even though he has kept his teaching experience up to date and modern by working continually as a supply teacher. On the rare occasions on which he has reached the shortlist for a job, he has been told, "You were the best candidate, but we chose someone less well qualified because we thought they would fit in better with a younger team." Or he was told, "We are under a lot of pressure these days to appoint bright young people." John is an extremely successful teacher. His referees confirm that he delivers considerable value for money, but his problem is that he is 47.

Mr. Brady: Many of the cases that the hon. Gentleman cites are worthy. Will he comment on the situation that I know frequently to be the case in the employment of teachers? The reason why an older teacher is not engaged is not simply age but the fact that he would be more expensive to recruit because he is more experienced. I wonder how the hon. Gentleman's new clause would apply in those circumstances.

8.15 pm

Mr. Chidgey: The hon. Gentleman makes a good point. If he will allow me, I will come to that and explain the position. Interestingly enough, John has gone through just those hoops. If the hon. Gentleman will be patient for a moment, I will come to the point that he makes.

John is told by the Association of Teachers Against Ageism that his case is typical. The statistics show that teachers of 45 or over are twice as likely to be unemployed six months after completing their training as new teachers in their 20s.

Ageism is by no means confined to teaching. John wrote to me in August last year and to the Department for Education and Employment at the same time. The DFEE replied sympathetically. It said:

"Ministers believe that schools recognise that more experienced teachers have much to offer . . . They are also aware that experienced teachers entitled to a higher salary felt they could be at a disadvantage. They have, therefore, introduced"—

not are taking, but have introduced—

"a measure to assist schools who employ teachers with an entitlement to a higher salary."

That was last September. I went to see John in Eastleigh at the weekend. His job applications tally has now risen to 185 and he still has no offer of a post.

Ageism is by no means confined to teaching; it can be found in many professions. It is certainly present in the mercantile marine—an area of employment that is, or at least used to be, prevalent in Southampton, with its shipping interests. I know of many examples of ageism. One is of a chief engineer with 30 years of experience, 10 years as chief officer. He applied for a job on an oil tanker, but was told that the company did not employ chief engineers over 45.

A deck officer qualified as a pilot and went on deep sea duties to acquire the experience that he needed at sea to apply for the senior positions for which he was qualified, but by the time that he had acquired a suitable certificate, he was 39. He was refused the post as a pilot because he was too old. He had to go to sea to get the experience, and that took time, but by the time he got back he was too old to get to the job.

There is a wealth of experience to show that age discrimination is prevalent. The over-40s find themselves bypassed for promotion. The over-45s have less opportunity for job-related training—a matter that we should look into. The over-50s find it difficult even to get an interview—John is in that situation, although he is younger. The over-55s are more likely to be long-term unemployed. Age discrimination in the workplace curtails individual opportunity. It wastes resources by forcing many older people into early retirement. Negative and inaccurate assumptions about the capabilities and abilities of older people are reinforced in many organisations.

The Secretary of State talked a few months ago about changing the culture. Well, here is where he could start. Many organisations have pay and conditions structures that make it financially more attractive to replace older people with younger people. The experience and skills of older workers are often undervalued and unrecognised by employers and older workers can be regarded as less capable and adaptable than younger people. Studies show that older workers may give better service, have lower rates of absenteeism and stay in the post longer than younger people. Older people have staying power, and I say that from the heart.

Mr. Brady: I confess that I am guilty of the age discrimination that the hon. Gentleman highlights, in that I tend to favour employing older people because I find that they have greater staying power and more commitment to their job. Surely, under the proposed new clause that practice would be illegal.

Mr. Chidgey: The hon. Gentleman usually looks through Bills with forensic skill, so I am surprised at his comment. Perhaps he was half asleep, because if he had read the new clause carefully he would know that it refers to "age", not to a particular age. The clause covers age discrimination, whether the person is young or old; it applies—although not perhaps equally—to many age groups.

Mr. Brady: I am grateful to the hon. Gentleman for giving way again, because I want to clear up this point. I fear that I have been the subject of an unjust calumny. I do not necessarily claim to be forensic, but I think that the hon. Gentleman is making my point. The fact that the new clause would outlaw discrimination on the ground of age, whether old or young, is precisely my point: there may be extremely good reasons for choosing to employ an older person, but that would be outlawed under the new clause.

Mr. Chidgey: I thank the hon. Gentleman for making the point a little clearer. My point is that people's employment should be based on their ability; the only discrimination that should exist in the workplace is over a person's competence to do the job. That is what the new clause is about.

[Mr. Chidgey]

I readily accept that anti-age discrimination legislation would not in itself change the underlying negative attitudes that exist, but it would be an important step towards ensuring that employers change their practices. There is strong support from industry.

Mr. Brian Cotter (Weston-super-Mare): My hon. Friend refers to the possibility that legislation might not change attitudes. That was also true of the Late Payment of Commercial Debts (Interest) Bill 1998, which was adopted by the Government on the understanding that we needed a stick, but that we also needed to change the culture.

Mr. Chidgey: I am grateful to my hon. Friend for that intervention. Time and again, the Government have told us that the legislation that they wanted to have the power to enact through enabling Bills was merely a background to the problems that they hoped to solve through discussion and consultation. I accept that, but I do not see why we should not have the necessary sticks to back up the consultation that the Government hope will be successful.

There is strong support for legislation to tackle age discrimination. In a recent survey, the Institute of Management found that about 60 per cent. of managers favoured legislation to restrict the use of age limits in job advertisements and about 65 per cent. favour comprehensive employment protection legislation. Some organisations will argue that a voluntary code and the promotion of the advantages of older workers is enough and that legislation is not necessary. From its briefing notes, the Confederation of British Industry appears to be a case in point. The CBI argues that age discrimination is extremely difficult to define; so are many elements of the Bill, but that has not prevented the Government from introducing legislation. The CBI asks:

"What should be the comparator age?"

I dealt with that point earlier. The CBI argues that not all differential treatment on the ground of age is unreasonable, giving the example that older workers do not have comparable training needs to younger workers—what an admission. Throughout industry and commerce, firms are suffering from severe skills shortages, yet according to the CBI it is okay to discriminate against older workers in investment and training. No wonder the highest levels of unemployment are among those aged 45 or older, whose skills have not been kept up to date and who find themselves with obsolete techniques in industries that also deserve to be obsolete.

Mr. Boswell: I hold no particular brief for the CBI, but I think that the point its members were making is that older workers might not need training because they were already fully trained. Although some of them might need training, their entitlement to training might be somewhat different from that of other workers.

Mr. Chidgey: I should very much like to agree with the sentiments expressed by the hon. Gentleman, but the CBI briefing refers to

"older members nearing retirement age".

The CBI completely missed the point of the clause; its briefing refers only to older workers. As I have pointed out, younger workers are often stifled and prevented from getting promotion on their ability because they happen to be too young according to the practices of the firm for which they work. I disagree with the CBI. Apparently, the Government disagree with the CBI too—or at least they did disagree.

In 1996, the Minister of State, the right hon. Member for Makerfield (Mr. McCartney), spoke in a debate on the Employment (Upper Age Limits in Advertisements) Bill. Incidentally, I am sad that the right hon. Gentleman is not able to be in the Chamber today; I know that he has been unwell and I wish him a speedy recovery. I mean no disrespect to the Minister on the Treasury Bench when I say that I would have been pleased to see the Minister of State at the Dispatch Box; I know that he would have wanted to be here to defend what he said when he was in opposition. He stated:

"The Labour party's position is quite clear . . . an incoming Labour Government will introduce comprehensive legislation to make age discrimination in employment illegal. We shall consult on the legislation. We want to ensure that not only will workers have a remedy in law against discrimination, but the appropriate legal framework will be put in place to enable employers to change their workplace practices, with co-operation between management and workplace representatives.—[*Official Report*, 9 February 1996; Vol. 271, c. 618.]

A well-made speech. I can hear the right hon. Gentleman saying those words in ringing tones. I agree; those are my sentiments exactly.

The CBI has made a range of "what if" objections to the clause; they are not dissimilar to the probing amendments to the Bill introduced in Committee. However, in each case the Government responded to those amendments by saying—more or less—that the carrot of voluntary codes is not sufficient, and that that carrot needs to backed up by a legislative stick, as my hon. Friend the Member for Weston-super-Mare (Mr. Cotter) pointed out. In every case, the Government made the point that the Bill provides for the Secretary of State to make regulations should he see the need to do so and only after consultation. However, the power to make such regulations will be in force in law.

With new clause 4, I am not asking for any more than that. If the Government accept the new clause, they will have grasped the opportunity to ensure that, in employment relations, discrimination in the work force on the basis of age will be prohibited, with the force of law to back up that prohibition.

New clause 5 would, in relation to employment, prohibit discrimination by an employer against another person on the ground of sexual orientation. The issue first came to my notice when I was first elected in 1994, because in my Eastleigh constituency a case involving such discrimination came to light and subsequently became internationally known. The case involved two women—Lisa Grant and her partner Jill Pearcey—who happened to live not far from my offices in Eastleigh. Lisa told me that, as an employee of South West Trains, she was entitled to privileged rail travel; and that, if she had been married, that privilege would have extended to her husband, or, in these enlightened times, to her common law spouse if she had had one. However, because her partner is the same sex as her, she has been denied those travel rights, even though the policy document issued by

the previous employer and kept in place—British Rail's employment policy document—stated that such discrimination is unacceptable.

Many hon. Members will recall the case because Lisa and Jill took their case to an industrial tribunal, which in due course referred it to the European Court of Justice. Their case was presented for them by an eminent and, I believe, very able Queen's Counsel—none other than Cherie Booth, QC. The outcome was that although the European Parliament has declared that it deplores all forms of discrimination based on an individual's sexual orientation, the European Union itself has not yet adopted rules to provide for such equality.

In most member states, a stable relationship between two people of the same sex is treated as equivalent to a stable relationship between a heterosexual couple who do not happen to be married. It is important, because that is not true in Britain. As a consequence, the European Court of Justice found that although in principle the European Parliament and the European Union deplore discrimination on the grounds of sexual orientation, no EC law currently exists to cover such circumstances; and, as no such law exists in the UK either, the court had no option but to find against Lisa and Jill. However, at the same time, the court called on the British Parliament to close the loophole that allowed the discrimination to continue.

8.30 pm

Mr. Wilkinson: Although I have no truck with the European Union arrogating to itself a function that rightly appertains to member states—namely, to decide social policy within them—is it not true that, had that action been successful, it might have opened the floodgates to all sorts of spurious claims, with people purporting to be partners when they were only friends and individuals and thereby gaining rights and entitlements that were not rightfully theirs?

Mr. Chidgey: I can respond only by saying that the ECJ's point was that no such law or regulation exists in the UK, although it does in many other European countries; and that because of that, the ECJ was not able to try or come to a conclusion on the case—it was outside the court's jurisdiction.

Mr. Fabricant: Is the hon. Gentleman aware that some companies have overcome the problem of determining what is or is not a spurious claim? For example, the John Lewis Partnership offers discounts to partners and to the partners of partners, entitlement being based on the number of years the partners have lived together. There are ways of getting around the problem.

Mr. Chidgey: The hon. Gentleman makes an important point. The key word in the description is that it is a "stable" relationship—a phrase which could apply equally to a heterosexual couple who do not happen to be married and to a same-sex couple, the key test being whether the relationship is long term and stable. Many of Britain's top 100 companies have policies ensuring that they do not discriminate against people on the ground of their sexual orientation.

The new clause provides an opportunity for the UK to introduce laws that match those of our neighbouring European countries—an opportunity to end that type of discrimination. The case of Lisa and Jill is by no means unique: recent surveys among gay men and lesbians show that 16 per cent. have faced discrimination at work and another 21 per cent. suspect that they have suffered discrimination on the ground of their sexuality; and 48 per cent. have faced harassment, including ostracism, threats and even physical violence. In 1995, Social and Community Planning Research undertook an independent survey of employees of all sexual orientations. It found that one in three heterosexuals is less likely to hire an applicant if they know the applicant to be gay or lesbian—a telling fact. In 1998, the Equal Opportunities Commission, in its publication "Equality in the 21st Century", included a recommendation that:

> "There should be legal protection against discrimination for lesbians and gay men.

In another place, the Sexual Orientation Discrimination Bill was passed, but there was insufficient parliamentary time for it to become law by passing through this House.

As the law stands, it is not unlawful to refuse to appoint someone because of their sexuality. Treating someone less favourably because of their sexuality is not unlawful; harassing someone because of their sexuality is not unlawful; and dismissing someone because of their sexuality is not generally unlawful. New clause 5 would give the Secretary of State the power to extend protection.

Mr. Healey: This is a useful rehearsal of the problems of discrimination on the basis of sexual orientation and age and reinforces the argument for some action in that area. However, does the hon. Gentleman concede that the Department for Education and Employment is currently receiving representations from various agencies, including the Equal Opportunities Commission, about the need to consolidate and update discrimination legislation across the board? Might it not be better to deal with those issues in consolidated discrimination legislation rather than in this Bill?

Mr. Chidgey: I am grateful for that intervention. I am aware that the Department for Education and Employment is panicking about the problem as it affects teachers. However, I imagine that its legislation will cover only the teaching profession. I contend that the problem of discrimination is endemic in all of industry and commerce.

Mr. Healey *rose—*

Mr. Chidgey: The hon. Gentleman is eager to contribute—he must have been briefed about this issue. I have followed the Bill through the Committee stage, and I do not accept the Government's "wait and see" approach. During consideration of the Bill, the Government said time and again that they wanted the power to make regulations in case they were needed. What is so different about my proposed new clause? I shall give way for the last time.

Mr. Healey: I have also followed the Bill through every stage, I have attended every Committee sitting so far, and I have not been briefed by the Government. The hon. Gentleman misunderstands me. I am talking not about teachers but about responsibility. The Department

[Mr. Healey]

for Education and Employment is responsible for anti-discrimination legislation. It holds that brief, not the Department of Trade and Industry.

Mr. Chidgey: I am grateful to the hon. Gentleman for that clarification. However, I do not foresee any problems if such legislation were to be on the statute book. I do not think there would necessarily be a clash of responsibilities. I do not profess to be a legal or a parliamentary clerk, but that is the sort of excuse we tend to hear when Governments do not want to do what most people think they should.

New clause 5 would give the Secretary of State the power to extend protection from discrimination in employment to lesbians and gay men. Like so many others in the Bill, it is an enabling clause. It would give the Government the opportunity at last to prohibit discrimination against sexual orientation in the workplace. The Government are on record in another place as expressing reservations about only the scope and timing of the Sexual Orientation Discrimination Bill, not its good intentions. This new clause is specific in its scope. Its intentions are clear and precise, and I urge the Minister to grasp this opportunity to convert the Government's rhetoric into law.

In Standing Committee, the Minister acknowledged:

"a gap exists in the protection that we offer some individuals. The Government deplore discrimination on the basis of sexual orientation."

The Minister then admitted that the Government had no clear plans to deal with the issue in the foreseeable future, and said:

"it is too early to be clear whether a legislative measure would be the appropriate way to proceed."—[*Official Report, Standing Committee E*, 23 March 1999; c. 580.]

That is not good enough. The Government have made much of codes of practice on ageism and have commissioned research to test their effectiveness. However, they are silent about discrimination on the ground of sexual orientation. At the very least, they should make a commitment tonight to draw up a code of practice on sexual orientation rather than simply promising to consult.

New clause 4 refers to the general prohibition of discrimination in employment, as the Secretary of State may specify from time to time in the regulations. Time and again, the Bill gives the Secretary of State powers to make regulations as he thinks fit—and when we probe the Government on the detailed applications of the Bill, they reply that it is an enabling Bill and that detailed regulations will be introduced after consultation and as appropriate.

If the Secretary of State finds new clauses 4 and 5 too specific and rigid, perhaps he will accept new clause 6, which would provide a general power following precisely the line that the Government have taken throughout our debates on the Bill. New clause 6 would, in the words of the right hon. Member for Makerfield—now the Minister of State, Department of Trade and Industry—enable the Government

"to ensure that not only will workers have a remedy in law against discrimination, but the appropriate legal framework will be put in place".—[*Official Report*, 9 February 1996; Vol. 271, c. 618.]

It would also allow the Government to keep their election manifesto promise to

"seek to end unjustifiable discrimination wherever it exists".

I look forward to the Minister accepting new clause 6 and demonstrating that that is one promise that the Government will keep.

Mr. Gordon Marsden (Blackpool, South): I have great sympathy with the hon. Member for Eastleigh (Mr. Chidgey) about new clauses 4 and 5. I pay tribute to him for bringing this important issue to the attention of the House. As he said, it is nonsense that the rulings that have been made in our courts—although they must abide by existing legislation—clearly discriminate against lesbians and gay men in partnership arrangements.

I sympathise with the hon. Gentleman's objectives in tabling new clause 4 because, like other hon. Members, I have had constituency cases involving people who were clearly victims of age discrimination. Teachers, in particular, experience such problems.

It is absurd that, as the Court of Appeal held in Smith *v.* Gardner Merchant in 1998, the proper comparison for a claim under the Sex Discrimination Act 1975 is between a male and female homosexual, and where an employer can show that a lesbian and a gay man are treated equally badly, there is no case for sex discrimination. What we have, according to the present law of the land, is equality of misery or injustice, and clearly a Government who are intent on equality of opportunity and equal rights should not be prepared to countenance that for longer than is necessary. I therefore have enormous sympathy with the aims of the new clauses tabled by the hon. Member for Eastleigh.

The question is: what is the appropriate mechanism within government for remedying that problem? It is well known—we should be cheerful about this fact—that increasing numbers of employers in the private and public sectors have introduced equal opportunity policies that include anti-discrimination terms for lesbians and gay men. That is to be applauded, but there will always be those who fall through the gaps. The survey to which the hon. Member for Eastleigh referred underlines the need for us to introduce legislation to deal with that problem.

My hon. Friend the Member for Wentworth (Mr. Healey) referred to the Department for Education and Employment. In certain circumstances, it would be most appropriate for that Department to introduce legislation on this matter.

Equally, it is important that, whatever the House decides, we send out a very strong message that hon. Members and the Government will not tolerate discrimination in employment on the ground of sexual orientation for longer than necessary. I shall therefore be looking to the Minister to comment in his reply on what he believes is appropriate. In Committee, he said that it was too early to be clear whether a legislative measure would be the appropriate way to proceed. I am in no doubt that the time for some legislative measure to proceed is well past. It is extremely important that this injustice is remedied.

If we are to remedy an injustice, it is important that we have evidence on which to proceed. I shall look to the Minister to comment on what can be done in his Department to produce evidence that shows an awareness of this problem and therefore underlines the need for legislative activity.

8.45 pm

Mr. Gerald Bermingham (St. Helens, South): Does my hon. Friend agree that we must consider this matter not just in the employed sector, but in the professional sectors—whether it be in medicine or dentistry, at the Bar or in the Law Society—where discrimination on the ground of gender, as well as on other grounds, often occurs?

Mr. Marsden: I thank my hon. Friend for that intervention. I am particularly grateful to him for highlighting that point. That was precisely why I particularly approved of the intention behind new clauses 4 and 5. A range of issues in this area—not least ageism—should be addressed. I do not wish this debate to be seen as taking place in a ghetto. I agree absolutely that the professions have a particular responsibility in this area, which, in some respects, has been indifferently discharged. It is important that we ventilate this issue. I shall be looking for some assurances from the Minister on it.

Mr. Fabricant: I align myself with the comments of the hon. Member for Blackpool, South (Mr. Marsden), although I shall mainly address my remarks to new clause 4, which concerns ageism. I suppose that I ought to declare an interest. My ex-bank manager, Ken Stevens of Lloyds bank in Brighton, said when I was 33 years old that I was a young whiz kid. Now, at the age of 48, I am just an old has-been. Nevertheless, this matter needs to be taken seriously; things cannot continue as at present, for three reasons.

First, ageism is fundamentally unfair and immoral. It is the very issue that the House is here—and has been here for hundreds of years—to address. Ageism is quite simply wrong. The second reason is that older people have a lot to offer new companies—companies with fewer than 50 employees, about which we heard earlier, and large corporations, too. Mature people have not only staying power, but experience and solidity. I shall say more about that later.

The real reason why I say that the present situation cannot be sustained is that we are facing a demographic time bomb. I shall cite a couple of statistics. It is estimated that, by 2000, one person in three in employment will be over 40 years of age. More worryingly, by 2025, if present trends continue, less than 20 per cent. of the population will be working. All the rest will be unemployed, enjoying leisure or students, so 20 per cent. of the population will be paying the tax and the benefits for themselves and 80 per cent. of the population. That is unsustainable, and we should think twice before we reject the new clause.

In opposition, Labour Members also took the view that the position was unsustainable. I, too, am sorry that the Minister of State, Department of Trade and Industry, the right hon. Member for Makerfield (Mr. McCartney), is not here today, and I hope that he will soon recover; but, back in 1995, when he was Labour's employment spokesman, he promised to introduce legislation, when a Labour Government were elected, to make age discrimination illegal. That has not happened.

Mr. Bermingham *rose—*

Mr. Fabricant: I will give way in a moment, but, in case the hon. Gentleman—my good friend in the corner—thinks that that remark was a fluke, I shall quote the Minister of State again. Before the 1997 general election, the Conservative Government blocked a private Member's Bill to make ageism illegal. The right hon. Gentleman said that the Government had made a serious miscalculation in opposing that Bill and that a generation that either had lost its jobs or feared unemployment expected Parliament to act. So here we are, two years on. The right hon. Gentleman is a member of the Government, but what do we see? Unless there is a change of heart, the Minister will oppose the new clause tabled by the hon. Member for Eastleigh (Mr. Chidgey).

Mr. Bermingham: I agree that all those comments were made in the previous Parliament; I was there.

Does the hon. Gentleman agree that any society that says that people who reach 50, 55 or 60—I notice some of my hon. Friends nodding sagely—are therefore barred from applying for jobs is a society that loses and wastes talent?

Mr. Fabricant: The hon. Gentleman is absolutely right, and he does not speak only for people aged 50 or 55; he speaks for the nation. It is in the nation's interest to make ageism a thing of the past.

Sally Greengross, the director general of Age Concern, said,

"Age discrimination"—

this echoes what the hon. Member for St. Helens, South (Mr. Bermingham) said—

"is a national shame and should be outlawed. Action to eliminate it is essential. The Government must introduce legislation and not hide behind rhetoric."

I hope that the Minister will do just that and not hide behind rhetoric.

Earlier in the debate, I talked about my own experience, in which I, too, have found that older people offer not only maturity, but a calming influence. When my mother wants to irritate me, she comes up with German proverbs. I do not know why, because she was born in south Wales. When I went into business with a friend of mine, whom I have known since I was 16, she said, "Freundschaft und Brüderschaft machen keine Handelschaft." I think that that means, "Friendship and brotherhood make no businesshood." I do not think that there is a translation for "Handelschaft", but colleagues will know what I mean. Friendship and brotherhood do not necessarily make for a good business partnership.

Mr. Bercow: My hon. Friend is developing a powerful case. Does he agree that it would be helpful if businesses followed the example of our institutions of further and higher education, which, on the whole, practise sound policies in relation to this matter? They do not discriminate against, for example, older people—a fact to which, I hope my hon. Friend recognises, I can testify by virtue of my own experience. My mother, who is a lady of mature years, graduated last summer with an honours degree in English.

Mr. Fabricant: I am delighted to hear that. It was the previous Government's policy to ensure that people could be educated throughout all the ages of their lives.

I thought that I was going to have to disagree with my hon. Friend because I thought, as other hon. Members might have done, that he was about to say that institutions

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of primary, secondary and higher education did not discriminate when employing teachers. My hon. Friend did not say that, but they do. The new clause would stop that.

To carry on with my story of Freundschaft and Brüderschaft, my fellow director, a friend whom I had known since the age of 16, and I squabbled like two cats in a bag. Our small company expanded into a much larger company, employing several hundred people, and indirectly more than 1,000—if this Bill had been in place, we would have been strangled at birth and gone bust, never growing at all. I realised that some members of the company felt a little uneasy when, on one occasion only, my fellow director and I had fisticuffs in a corridor. We brought in John Ball—with whom I went out last night for a drink—then aged 64, who brought calmness, stability, wisdom, insight and maturity to the company. Had I been ageist, my company probably would not have survived. Certainly my partner, Mel, and I would not have survived, because we would have beaten hell out of each other, and most of our employees would probably have left. Older people have a lot to offer.

In principle, the new clause is good. However, two matters bother me. I am not exactly sure how the new clause would be implemented. I note that it would require secondary legislation. I am not convinced that secondary legislation is a good thing. More and more legislation goes Upstairs and is passed almost on the nod. Journalists say that the House is being supplanted by Whitehall, and I believe that the Chamber is being supplanted by secondary legislation. I am a little concerned that, if the new clause were passed, it might leave a number of options open.

My other concern relates simply to promotion and promotion prospects. If the new clause were law, could an employee who could not obtain promotion claim that that was due to ageism? That needs clarification.

I must tell my Whip that, in the event of a Division, because of my concerns I will not vote for the new clause, but I shall abstain. I hope that the Minister for Small Firms, Trade and Industry, who has listened carefully, recognises that there is demographic time bomb, that the status quo is not an option and that, as the right hon. Member for Makerfield made promises two, three or four times immediately before the general election, the Minister has a moral obligation to support the new clause. He also has an obligation to support the new clause for the sake of British industry and the greater benefit of the nation.

9 pm

Mr. David Borrow (South Ribble): The issues raised by the hon. Member for Eastleigh (Mr. Chidgey), particularly on new clauses 4 and 5, fit fully into the Government's policy. They are, and should be, the Government's objectives. It is unfortunate that these areas of discrimination are not the responsibility of the Department of Trade and Industry, which sponsors the Bill. I shall be seeking some undertakings from Ministers.

I want to deal particularly with discrimination in employment on the ground of sexual orientation. There have been major changes in the past 10 or 15 years. My judgment is that, if members of the public were asked whether people should be discriminated against in employment on the basis of sexual orientation, the overwhelming majority would say that it was wrong to discriminate.

I remember the arguments that were advanced when organisations introduced equal opportunity policies. For a number of years, I was a member of Preston borough council, and, as chair of the equal opportunities committee, I was involved in the introduction of equal opportunities employment policy, which included provisions against discrimination on the ground of sexual orientation. When we discussed that issue 10 years ago, it caused a major row, and there was a big fuss about it. A few years later, when I was the chief officer of a tribunal, I drew up an equal opportunities policy, which included provisions on sexual orientation. It went through the annual meeting of the tribunal on the nod, and was accepted as what a good employer should do.

We must recognise the fact that, in the past 10 or 15 years, many organisations in the public and private sectors have introduced policies to outlaw discrimination on the ground of sexual orientation. In that area, therefore, we are clearly moving with the grain.

The hon. Member for Eastleigh mentioned the case of the two women who worked for the railways and the discrimination in that organisation. I am sure that he is aware that similar discrimination exists in the House. We cannot say that we have good employment policies in those respects.

If it is not possible to use the Bill as the vehicle for the Government's policy objectives, I shall seek from Ministers an undertaking to use their powers to influence the public sector. It is wrong for any employee in the public sector to face discrimination on the ground of age or sexual orientation. They are employed and paid to do a job for the public, and they should not face any discrimination.

I realise that legislation may be required to introduce regulations for the private sector, but I would look to the Government to introduce a code of best practice before doing so.

Mr. Bermingham: Does my hon. Friend agree that the Government should set an example? In their employment practices, they must ensure that there is no discrimination on the ground of age or sexual orientation, and that no one in a profession is, by the nature of his or her employment, precluded from applying for promotion or advancement within that profession because of such discrimination.

Mr. Borrow: I agree with my hon. Friend that the Government should set an example.

If there is a message that I want to convey to the House, it is with respect to new clause 5. The majority of homosexual men and women in employment do not need to bring their sexuality to the notice of their employers when they are taken on as employees. It gives some comfort to homosexual men and women to know that the organisation that employs them has a policy that will not discriminate against them, and that will give them some safeguards against bullying and discrimination in their employment. That is the most important aspect of new clause 5.

I realise that Ministers have a problem with this, but I hope that the Minister's winding-up speech will be positive, and that, if the Government are not able to

incorporate the new clauses at this stage, they will undertake to tackle the issues seriously between now and the next general election.

Mr. Brady: This has been an interesting debate, to which I shall contribute briefly, concentrating on new clause 4.

I congratulate the hon. Member for Eastleigh (Mr. Chidgey) on the way in which he has presented his arguments, tonight and in Committee. I especially congratulate him on his avoidance tonight of one of the great traps, into which I fear my hon. Friend the Member for Lichfield (Mr. Fabricant) fell. I refer to the "demographic time bomb" argument. There is no danger of a falling out between my hon. Friend and me in that regard, although I did rather lose track of the German proverbs.

Mr. Fabricant: So did *Hansard*.

Mr. Brady: No doubt, but I am sure that my hon. Friend's mother will provide any guidance that is necessary.

I think that arguments based on demographic time bombs, skill shortages and the supposed need to tackle the issues because of perceived constraints on the labour market are entirely spurious. If companies cannot find employees, from whatever age group, they will naturally look elsewhere. That is one of the reasons why it is unnecessary to legislate in this regard. As the constraints on the labour market increase, along with shortages of labour and of skills among certain groups that may currently be benefiting in employment terms, companies will have no option but to look to older workers.

Mr. Fabricant: I thank my hon. Friend—I say "hon. Friend" advisedly—for giving way to me.

I, too, am a great believer in market forces, and I hate to intervene, not on my hon. Friend but in the free market. I fear, however, that the position is simply not as my hon. Friend has described it. Shortages occur from time to time, in connection with not just age but skill, and, for all sorts of reasons—illogically—companies do not take up the opportunities that are available. There is a lag. Although I think that by 2035 or 2040 the situation may be forced to rectify itself, I do not entirely share my hon. Friend's belief in the free market: I think that it will need a gentle nudge to overcome human prejudice.

Mr. Brady: My hon. Friend makes his point well. I could agree with a gentle nudge, but I fear that the new clause may constitute rather more than that. I fear that it may cause significant problems for employers and, potentially, for employees.

Let me return briefly to a point that I tried to make in an intervention on the hon. Member for Eastleigh, which I think is also relevant to what has been said by my hon. Friend the Member for Lichfield. I admitted to ageism in my practice of choosing to employ older workers, and the hon. Gentleman admitted to having done the same. According to my reading of the new clause, his conduct would be prohibited, because the new clause seeks not only to make it impossible to discriminate on the grounds of someone's being older, but to make it impossible to discriminate on grounds of age. A good example is the policy of B and Q, which for many years has voluntarily exercised a policy of employing older workers because it regards them as loyal, steadfast and reliable. That policy in itself would be prohibited if the new clause were adopted.

I strongly believe that employers should take an enlightened view. I think that they should employ people on the basis of merit, regardless of whether they consider them to be too young or too old. It is important that employers move in that direction. A gentle nudge may be required, perhaps through a code of practice—indeed, some exhortation may be appropriate—but some problems could arise from the legislative approach of the hon. Member for Eastleigh, and he needs to deal with them.

I have mentioned companies that choose to employ older workers, sometimes for good reasons in particular circumstances. There may also be instances where the age of an employee is relevant. One could imagine instances where particular physical work needed particular physical strength or resilience, which may favour younger employees. In the acting profession, it may be appropriate to employ a young actress rather than an old, although glamorous actress in a particular role. In the modelling profession—I do not wish to dwell on the issue because the hon. Member for Eastleigh will become over-excited—

Mr. Chidgey: I am not getting over-excited. It is just that I suddenly got a flash of the possible history of the acting profession. Perhaps if we had followed the views of the hon. Gentleman, women would still be prohibited by law from appearing on the stage in this country.

Mr. Brady: I am grateful to the hon. Gentleman. I think that he is leading me more into the territory of new clause 5, which I am not speaking to, and new clause 6, but he did not deal with those issues in his remarks on new clause 4. Perhaps he will return to the matter later in our proceedings.

Mr. Bercow: Does my hon. Friend agree that, if a proprietor of a fitness or health club opted for a younger rather than an older candidate when choosing between different candidates of otherwise equal merits, he should not be chastised in law for so doing?

Mr. Brady: I have not given great thought to the merits of that case. As a matter of principle, the difficulties that are thrown up by the legislative approach in new clause 4 would intrude into many areas, and that may be one of them. Equally, in retail sectors—perhaps fashion—where products are being sold to younger people, it is clearly the practice to employ younger people; frequently, people working in that sector are younger. Employers choose to take on young people in shops that seek to sell goods to young people.

Mr. Fabricant: There is a bit of stereotyping going on about not only age and sexuality, but the type of jobs that older people can do. In my speech earlier, I mentioned my partner, Mel. He subsequently left the company that I founded and collected his money. He then decided that he was getting bored and became a tennis coach; he is the same age as me: 48. He went through a course with the

[Mr. Fabricant]

Lawn Tennis Association. I hope that my hon. Friend the Member for Buckingham (Mr. Bercow) is not implying that Mel could not do something physical at the age of 48.

Mr. Brady: I am sure that there are many physical things that one could do at the age of 48; I had not sought to imply that there were not. I do not know whether my hon. Friend the Member for Buckingham (Mr. Bercow) sought to imply that, but the fact that a man of 48 can work as a tennis coach suggests that such discrimination is not happening and that legislation is unnecessary.

Mr. Bercow: My hon. Friend the Member for Lichfield (Mr. Fabricant) is probably not aware that I am a qualified tennis coach and that I received worthwhile instruction in the playing of tennis from a relatively elderly man, who was an exceptionally good coach, so I do not suggest that an older person cannot be a good coach. My point, which is a serious one, is simply that someone who runs such a club, or conducts a course in relation to which qualified people are needed, should be entitled to exercise his judgment as to what factors are material in the choice.

Mr. Brady: I am grateful to my hon. Friend for clarifying his views, and I suspect that there is not that much distance between him and my hon. Friend the Member for Lichfield on the point.

It is important to deal with situations where someone might be a good candidate—apart from the fact that he or she is approaching retirement age and there would be insufficient time for training. I have no difficulty with the spirit of the new clause, but the hon. Member for Eastleigh has not addressed those factors.

In the City, certain types of employment are appropriate to younger, rather than older, people. In such situations, I would be regarded as too old for many jobs.

Miss Kirkbride: Surely not.

Mr. Brady: I am grateful for my hon. Friend's expression of disbelief, but in some City occupations it is considered that someone aged 30 is too old and ought to move on to other occupations in the financial sector. In addition, there may be difficulties with military and police recruitment, where age limits are regularly imposed.

Even the Government's own minimum wage regulations accept the principle of different pay according to different ages. I can understand the embarrassment of Ministers at the possibility that they will be invited to agree to new clause 4, which may be in accordance with their manifesto pledge but which will directly contradict earlier legislation implemented by the Department. With good will on both sides, some arrangement could be made to remove the Government from a difficult situation of their own making.

I endorse the spirit behind the new clause introduced by the hon. Member for Eastleigh, but I fear that the direct approach that he is advocating is not entirely appropriate and will cause difficulties. However, I commend him for his efforts.

9.15 pm

Mr. Cotter: I support the new clause moved by my hon. Friend the Member for Eastleigh (Mr. Chidgey). Discrimination must be outlawed firmly; surely no one could disagree with that contention. In Committee, it became clear that many accepted that unfairness was intolerable. However, on age discrimination—as my hon. Friend the Member for Eastleigh has mentioned—we have had an about-turn from the Government.

Instead of having legislation—as they promised before the election—the Government have backed away with the weaker alternative of a code of practice; something that many, including John Monks, the general secretary of the Trades Union Congress, believe will not be effective.

Legislative difficulty is no excuse in such a matter. On that premise, we would still have slavery in this country. Equally, we would not have passed race and sex discrimination legislation. These matters are difficult to address, but we have proved that they can be addressed. In this case, they must be addressed. The issue will not go away, and action will have to be taken sooner or later.

I do not wish to be accused of supporting the hon. Member for Lichfield (Mr. Fabricant); it would damage my reputation with the Liberal Democrats. However, reference has been made to the demographic time bomb. By 2000, 35 per cent. of the labour force will be 45 or over. By 2010, it will be 40 per cent. A recent survey in *The Sunday Telegraph* found that, 20 years ago, the employment rate among 55 to 64-year-olds was 84 per cent; it is now down to 58 per cent. The situation is scandalous, and in general people accept that there is a problem.

It is the qualifications and suitability for a job that matter, whether a person is young or old. There have been two recent examples of attempts to legislate on the subject, the first of which was the Employment (Age Discrimination in Advertisements) Bill, introduced by the hon. Member for Ilford, North (Ms Perham). It was not adopted.

More recently, last week, my right hon. Friend the Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan) promoted a short Bill entitled the Age (Prevention of Discrimination) Bill. In presenting it, my right hon. Friend said:

"Costly training, acquired skills and valuable experience are all being wasted."

He was talking about older people who have been trained and yet are still not employed.

There is an Act in place in the United States. As my right hon. Friend said:

"job losses in the United States from the delayering of businesses"

in factories that would be called redundancy—

Mr. Bermingham: Downsizing.

Mr. Cotter: I thank the hon. Gentleman.

My right hon. Friend said that

"job losses in the United States from the delayering of businesses—as it was called in the 1980s—were more evenly spread across age groups than in this country." —[*Official Report*, 23 March 1999; Vol. 328, c. 175-76.]

In Britain, however, downsizing usually involved older people.

Age discrimination gives rise to tremendous costs. The Employers Forum on Age estimates that it costs this country £26 billion a year.

In *The Guardian* of 18 March, Barbara Nemeth described what happened last year when she was put out to grass by a social work organisation that prided itself on its human resources. She had been involved in child protection, in which accumulated experience is surely of value; yet, despite being an experienced occupational therapist and family therapist, she was turned out of work. Barbara Nemeth wrote that her manager had wanted to keep her, but higher management insisted she had to go on the grounds of her age.

Canada provides another example, which covers all the—

Mr. Bermingham: It is estimated that, in 40 or 50 years, people will live to 130. Indeed, my son told me the other day that he was looking forward to his 140th birthday, which gave me a heart attack on the spot. Does the hon. Gentleman agree that with such projected longevity, it is time that we rethought all our employment policies so as not to waste the experience and knowledge that comes with age?

Mr. Cotter: I more than agree.

In some Canadian provinces, one's date of birth is classed as personal and private information. Similarly, one's religion, ethnicity and sexual orientation are not considered relevant to employability. In the interests of brevity, I shall say no more about that aspect, but I must tell the Government that the issue will not be lost, but will be brought up more and more. The Liberal Democrats will certainly want to draw attention to it.

New clause 5 is about sexual orientation. This is not the first time that such a clause has come before Parliament. In June 1998, Baroness Turner introduced a Bill in the other place, and Baroness Blackstone, on behalf of the Government, said that they supported the principle but were waiting for a report from the Equal Opportunities Commission. The EOC reported more than four months ago, recommending that

"there should be legal protection against discrimination for lesbians and gay men."

The Government were waiting for that report, it is now in front of them.

The Government have clarified the position. In Standing Committee, the Minister for Small Firms, Trade and Industry said that they were committed to considering the report's recommendations, and added that it was too early to be clear whether legislation would be appropriate. Several other statements made in Committee would support my case.

Let me turn to sexual orientation. A recent Stonewall survey found that 48 per cent. of respondents had experienced harassment at work from which they had no legal protection. That is a sorry tale. A survey in 1995 found that one employer in three was less likely to employ an individual whom he knew to be lesbian or gay. Official tolerance of such discrimination is an affront to civilised values. I was shocked when, in preparing for debate on this issue, I learned for the first time that such discrimination existed.

The Government must not tiptoe around the sensibilities of bigoted employers. They must recognise that hard working and talented individuals are open to discrimination. They should not have to wait further for long-overdue employment protection. The legal situation is a ludicrous mess which should be cleared up. The Government have ratified the International Labour Organisation's convention 111 on discrimination. They have therefore undertaken to

"declare and pursue a national policy designed to promote . . . equality of opportunity and treatment . . . with a view to eliminating discrimination."

The Government commendably included provisions on this matter in the Scotland Act 1998 and the Northern Ireland Act 1998. However, they have done nothing to create employment rights for lesbians and gay men in England. I could say much more and give many more examples, but as it is late, I simply urge the Government to accept our new clause. There is absolutely no reason why they should not.

Dr. Evan Harris (Oxford, West and Abingdon): The new clause would outlaw discrimination on the grounds of sexual orientation. I was proud to sponsor Baroness Turner's Bill when it came to the House of Commons during the previous session of Parliament, although the pressure on private Members' time meant that it was not afforded a Second Reading. I pay tribute to my hon. Friend the Member for Eastleigh (Mr. Chidgey) for the way in which he introduced the new clause, and to others who have spoken tonight and in Committee, including Labour Members.

A lot of work has been done by Lesbian and Gay Employment Rights—LAGER—to battle against the vacuum of legal protection for lesbians and gays. In addition, Stonewall has been active, and I pay tribute to that organisation and thank it for its briefing on this matter.

People's lives are being destroyed all the time. I read recently of the teacher, Shirley Pearce, who took her case to an employment tribunal. Having taught for 20 years in a school, she was outed as a lesbian and was harassed by her pupils. She was not given adequate protection by the school, but the employment tribunal was unable to rule because it was deemed that a lack of protection against harassment on the grounds of sexual orientation did not constitute sexual discrimination.

Time and again there is a problem when people seek to use sex discrimination laws for protection but find that the courts cannot provide it. There is a legal argument for plugging the gap. The cases that come to court require courage from those concerned, as their cases are dealt with very publicly. I am sure that the cases that we know about are only the tip of the iceberg.

I see no difference in terms of human rights, and little practical difference, between discrimination against someone on the grounds of sexual orientation and discrimination against someone on the grounds of gender or race. We see things happening in employment every week that would be deemed intolerant if they were directed against people who were Jewish or black. This Government and previous Governments have acted in such cases, and I can see no reason why they cannot act now.

9.30 pm

Stonewall has launched an Equality 2000 campaign. It requires various campaign objectives to be met in order

[Dr. Evan Harris]

that lesbians and gay men enter the new millennium as free and equal citizens. One of those objectives was equal protection from discrimination in the work place. In December 1997 I was privileged to attend a Stonewall lecture given by the eminent human rights barrister, Peter Duffy QC, who tragically died some weeks ago. He pioneered the promotion of lesbian and gay rights in the European courts. In a superb lecture, he was optimistic that the European courts would find a way to provide equal rights for lesbians and gay men in employment law in this country, with especial regard to the Grant case and the Perkins case. He lived to see those hopes dashed, but there was cause for optimism at the time of his death that this Parliament will provide employment rights for lesbians and gay men. It is incumbent on the Government to ensure that such rights are available in this Parliament, because in that way they could deliver their manifesto commitment to end unjustifiable discrimination wherever it exists. That should happen before the next general election.

In Committee, the Minister rightly said that the Government have consulted on the issue of age discrimination and that they have made proposals for codes of practice. However, it is hard to see that any progress has been made in the first two years of this Government on the possibly more significant case—it is difficult to rank such things—of discrimination against people on the grounds of sexual orientation. I have seen nothing from the Department for Education and Employment, which could take the lead in such matters, and the outside world is moving ahead of the Government. Before I was elected to Parliament, I steered through the council of the British Medical Association a wide-ranging equality provision that would outlaw discrimination in the medical profession on the grounds of sexual orientation. It is a model for others. The public and private sectors are now waiting for the Government to act; they have an excellent opportunity to do so tonight.

During consideration of the Sexual Orientation Discrimination Bill in June 1998, Baroness Blackstone reminded the other place that the White Paper "Fairness at Work" proposed

"reducing to one year the length of time which an employee must be in work before gaining protection from unfair dismissal. It is hard to imagine circumstances in which an industrial tribunal would find sexual orientation fair grounds for dismissal".

That is not the case. People are still being sacked on the basis of their sexual orientation in cases in which, if the dismissal was based on grounds of gender, it would clearly be sexual discrimination; and if the dismissal was on grounds other than sexual orientation, there would be a case for unfair dismissal. Baroness Blackstone added that the Government were committed to giving serious consideration to the issues raised by the Bill.

Consideration is all very well, but people are anxious to see action and the new clause provides an opportunity for the Government to act. Baroness Blackstone added that she looked forward—as my hon. Friend the Member for Weston-super-Mare (Mr. Cotter) said—to the report of the Equal Opportunities Commission, and that she hoped that Baroness Turner would accept that it was reasonable to await the final views of the specialist equal opportunities body. It reported four months ago that there is a need for protection in the law—which could be achieved if the Government were to accept new clause 5. She also said:

"the Government are committed to looking seriously at the issues raised in the context of the wider review of equality legislation". [*Official Report, House of Lords*, 5 June 1998; Vol. 590, c. 655-57.]

Nearly a year later, we have still to find out what those sentiments mean. We hear much about thinking seriously and consideration but there is no legislative action.

It is not only a question of unfair dismissal. Under the Bill, if one has been employed for more than a year, one can claim that dismissal is unlawful, but there is also discrimination in recruitment and promotion. That is not illegal if based on the grounds of sexual orientation and difficult to bring to court because it is difficult to prove why one has not been employed.

There is also the problem of harassment on the ground of sexual orientation and the failure to deal with it. The Minister may know the case of Burman *v.* Trevor Page, in which the employer dismissed the victim of the harassment, not the perpetrators. That was thought fair. He will know of other cases that I do not have time to expound. I hope that he recognises that the Government's record leaves a lot to be desired.

In passing another Act that dealt with equal rights, the Human Rights Act 1998, the Government rejected an amendment to put sexual orientation specifically into the provision relating to article 14 for British courts to use. No action has been taken on discrimination in the armed forces, other than an open-ended review. The time is now right. I hope that the Government will accept the amendment and deliver equal rights tonight.

Mr. Bermingham: I will not be long. I have listened to repetitive speeches that have all missed the point. No hon. Member would discriminate, or permit or support discrimination, on the basis of sexual orientation. We have said that time and again. Let us say loud and clear that we do not tolerate such behaviour. The Government seek to emphasise that point in the legislation. Why come back to it time and again unless we want to make fallacious points?

Mr. Mike Hancock (Portsmouth, South): What?

Mr. Bermingham: Fallacious points. I can spell it for the hon. Gentleman if he wants.

Should we not make an advance? We live in a continually ageing population. I am one of them, being not far short of 60. I do not want to be put on the scrap heap when I am 60, 65 or 70. If I retain my faculties, I hope that I will still have something to offer. Ageism is a matter of concern not only to me but to the thousands of my constituents who lost their jobs when they were 45 under the Thatcher Government, who told them that they were no use to society and put them on the scrap heap. They are now 65 and still have 20 years to go but have no pensions, support or anything else. They were destroyed by a philosophy that said people were good if they were young. The flash boys in the City grabbed their money.

As the hon. Member for Altrincham and Sale, West (Mr. Brady) said, at 37 he is too old for the City. He is not prepared to do 24 hours a day, drink champagne and

cream off everyone. That is what the City of London did in the 18 years during which we had to tolerate the destruction of our industrial society.

We have to face up to the reality of society and where we are going. The hon. Member for Buckingham (Mr. Bercow) may laugh, but in days yet to come, there is a chance, regrettably, that he might make 110, according to the medical evidence now available. Members of Parliament could serve for 80 years.

Mr. Bercow: Do not tempt me.

Mr. Bermingham: Please God.

Our society must face the fact that people are living longer. To support that society, we must find useful employment for those who pass the age of 65 and still want to work. There is a vast number of people in that category. In considering discrimination, let us think not only about sexual orientation, but about ageism and the restrictive practices that still deny, in certain professions, the right of promotion to people in particular sectors. That happens in government and elsewhere.

This is a far more serious problem than people realise. If we are to have a society that is worth while, every person must have a right to contribute, regardless of age, sex or colour. That is what we should aim for. That is where I think that the Bill is heading, but I warn Ministers that they are not going far enough yet.

Mr. Boswell: I shall be brief. This has been an interesting and eloquent debate, very well introduced by the hon. Member for Eastleigh (Mr. Chidgey). It reflected a number of views. I made a speech on the matter in Standing Committee and I have little to add except for some brief comments.

All hon. Members who have spoken are in principle in favour of selection for employment on the basis that the person is the most suitable to do the job. That was well expressed by the hon. Member for St. Helens, South (Mr. Bermingham). It is perhaps a more positive way of looking at the matter than in terms of discrimination against people. The difficulty with which this Government and succe sive Governments have wrestled is finding the best way of meeting the general aspiration, whether by codes of practice, legislation or a mixture of the two. It is not always easy.

To return to my exchange with the hon. Member for Eastleigh on the criteria that he set out in introducing the new clause, I still have some concerns, as does the CBI, about the practical possibilities of preventing ageism, especially in promotions. There may be a perfectly good reason for not advancing the employment of a young person of 25, such as experience, ability to cope under pressure and so forth. It is not always easy to articulate such reasons in a formal policy, especially for a smaller business that does not have a sophisticated human resources department. It may be very easy, if we go down the legislative route, to promote, as the CBI warned, continual trouble with definitions and litigation.

As for discrimination on the basis of sexual orientation, I draw to the attention of the House the distinction between discrimination in employment on the grounds of sexual orientation and concerns that hon. Members clearly have about, for example, certain practices and the age of consent for them. Those things should be clearly distinguished. I am conscious that on the latter matter there are widely held and intensely felt differences of view which should not be allowed to intrude into the debate about employment policy.

I remind the House that, as some people feel strongly on the issue of homosexuality and homosexual practice, that is likely to affect their attitude to employment, perhaps irrationally, in a way that would not necessarily apply to some other forms of discrimination. However, that is, in a sense, speculative.

It is for the Government to decide what they need to do about the matter. I have given some little study to the Under-Secretary's response to our debate in Standing Committee. Having reflected on it, it is clear to me that he will have to grasp a few nettles. The ghost of Sir Humphrey has been stalking the Standing Committee. On ageism, he said:

"That is why the Government are taking a measured approach, taking forward a range of initiatives that will help older people and bring cultural change, and using the lessons learned from those initiatives to inform future plans."

I think that that is an elegant piece of Whitehall-speak for, "It is all rather painful." In exactly the same context, and taking up a quotation that has already been given to the House, the Under-Secretary said of the Equal Opportunities Commission, which had proposed specific legal protection for lesbians and gay men:

"We remain committed to considering that, and the EOC's other recommendations, carefully. However, it is too early to be clear whether a legislative measure would be the appropriate way to proceed."—[*Official Report, Standing Committee E*, 23 March 1999; c. 578-80.]

We know from lobbying material presented to us that there is some concern that the Government are making haste not slowly but imperceptibly. It would be helpful to the House if the Minister told us what the Government proposed to do in these difficult areas of discrimination and gave us a sense that they were coming to grips with these difficult problems.

9.45 pm

The Parliamentary Under-Secretary of State for Trade and Industry (Mr. Michael Wills): We have had an important debate. Hon. Members on both sides of the House have made important points and articulated powerfully held views. I am wholly sympathetic to the concerns that prompted the hon. Member for Eastleigh (Mr. Chidgey) to table the new clauses. He outlined them cogently and gave some poignant examples.

Our manifesto commitment has been referred to many times this evening. I am happy to stand by it and to remind the House that we pledged:

"We will seek to end unjustifiable discrimination wherever it exists."

That remains our position. It is precisely because we share the concerns expressed by the hon. Gentleman and because we are committed to tackling discrimination that my right hon. Friend the Minister for Employment, Welfare to Work and Equal Opportunities is taking action to combat unfair age discrimination.

The Government are committed to promoting age diversity, and tackling age discrimination in employment is an essential element in our strategy of building a country in which everyone—young and old alike—can play their full part, as my hon. Friend the Member for

[Mr. Michael Wills]

St. Helens, South (Mr. Bermingham) pointed out so eloquently. From an extensive consultation exercise carried out by my right hon. Friend the Minister for Employment, Welfare to Work and Equal Opportunities, however, it was clear that effective legislation to tackle age discrimination raised complex issues. For example, is the retirement age itself discriminatory? Some hon. Members spoke of the value and commitment that older workers can bring to the workplace, and I can only endorse that. However, an insistence on maturity of approach and experience might be seen as at least indirectly discriminatory. Those are not straightforward questions; they need to be tackled in a measured way, and I make no apology for saying that.

Changing the culture is the key point that we must address. As the hon. Member for South Dorset (Mr. Bruce) has already reminded the House, I said that in Committee and I stand by it. Employers need to believe in the value of people whatever their age. Employers need to recognise that unjustified age discrimination is unjust; it is irrational and damaging, not only to the individuals who are discriminated against, but to the businesses in which they work. The culture needs to be changed. The only question is how, as my hon. Friend the Member for Blackpool, South (Mr. Marsden) pointed out.

Mr. Fabricant: The Minister says that the culture needs to be changed. Would he be surprised to learn that, in the previous Parliament, my right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) said just that, and would he be equally surprised to learn that, in opposition, his colleagues—including the present Minister of State, Department of Trade and Industry, the right hon. Member for Makerfield (Mr. McCartney)—argued that my right hon. Friend was wrong and that a Labour Government would introduce age legislation?

Mr. Wills: I should not be altogether surprised by anything said by the hon. Gentleman. The fact remains that we have to change the culture, and we are setting out to do so.

We realise that legislation is not always a solution. That point has already been made, but I want to make it clear: legislation is not always a solution, but sometimes it can be. Sometimes it must be a solution, but not always. In this case, the evidence is mixed. The French and Spanish already have legislation against ageism, but their older worker employment rate is lower than ours. The Canadians have age discrimination legislation too—

Mr. Chidgey *rose—*

Mr. Wills: If I can finish the point, perhaps it will be clear to the hon. Gentleman.

The Canadians also have such legislation, but the economic inactivity rate among Canadians aged between 55 and 64 is higher than in this country. It is a complex matter and the lessons are not clear. The results of the year-long consultation exercise carried out by my right hon. Friend the Minister for Employment, Welfare to Work and Equal Opportunities point to a non-statutory code of practice as the best immediate way to bring about that change in culture. That is why we shall launch such a code in May, backed up by detailed guidance and illustrative case studies. The code has been drawn up with the involvement of many key players from both sides of industry and from voluntary bodies active in the field, such as Age Concern.

We believe that the code will command widespread support. To help the evaluation process and to ensure a fully informed debate, we are already carrying out a baseline survey of employers and older people. In addition, we shall publish, every June, key indicators showing the position of older workers in the labour market. We shall also carry out a full evaluation of the effectiveness of the code by February 2001, which will help to inform our plans for future legislation. I hope that that will reassure those hon. Members who need reassurance on that subject.

New clause 5 deals with discrimination based on sexual orientation. As I acknowledged in Committee, there is a gap in the protection we offer some individuals compared with the law on sex, race and disability discrimination. We are appalled by the discrimination that is experienced by some gay men and lesbians; it is a disgrace to any decent and civilised society. I have some personal experience of that: a good colleague and friend with whom I worked in the 1970s was driven out of his profession in the 1980s because he was gay. The employer lost a talented, skilled and motivated employee and my friend lost a profession he loved. Such discrimination is disgraceful and the DTI takes the issue extremely seriously. Last Friday, my right hon. Friend the Secretary of State had a meeting with Stonewall to discuss such issues; the meeting was constructive and we intend to continue that positive dialogue.

However, it has already been pointed out several times this evening that my right hon. Friend the Secretary of State for Education and Employment has primary responsibility for tackling discrimination in employment. In November last year, the Equal Opportunities Commission presented several recommendations to my right hon. Friend, following a review of sex discrimination legislation. I know that my right hon. Friend is studying the EOC's recommendations carefully, and I do not want to pre-empt those conclusions today. At this stage, I simply remind the House of our manifesto commitment:

"We will seek to end unjustifiable discrimination wherever it exists."

Sir Robert Smith (West Aberdeenshire and Kincardine): Does the Minister not realise that earlier today, there was a statement, accompanied by a glossy brochure, all about joined-up government? If a legislative opportunity presents itself to do something about a problem, the fact that another Department has the lead should not prevent Ministers from taking advantage of that opportunity.

Mr. Wills: We have made our attitude toward unjustifiable discrimination extremely clear; ending such discrimination is a manifesto commitment and we shall deliver on that, just as we deliver on all our manifesto commitments.

In new clause 6, the hon. Member for Eastleigh urges on the Government a power to prohibit discrimination on whatever basis the Secretary of State may specify in

regulations. Although I sympathise with the instincts that led the hon. Gentleman to table that proposal, it is puzzling to have such a broad and unfocused power proposed, especially when attempts were made in Committee to criticise the Government for taking far more specific powers where we were clear about what they would be used for.

As I said, discrimination in employment is largely a matter for my right hon. Friend the Secretary of State for Education and Employment; however, the Department of Trade and Industry has responsibility for some aspects of that—for example, discrimination on grounds of trade union membership or non-membership. If Opposition Members have in mind some further specific problems that are not already under consideration and in respect of which there is clear evidence that individuals are suffering unjustified discrimination in employment, my right hon. Friend the Secretary of State for Trade and Industry and I would be happy to consider them. However, we do not want to have the sort of sweeping powers proposed in new clause 6.

If there are specific problems of discrimination, such as those addressed by new clauses 4 and 5 or relating to protections for whistleblowers, the proper approach is that we should debate them, consider the policy options and then decide whether to act and, if we decide to do so, how to act. Legislation is not the only option, as we have shown in respect of age discrimination, although it might be appropriate, as we believe it is in respect of whistleblowers.

Dr. Harris: Does the Minister understand that, every time he talks about how appalling and disgraceful discrimination on the grounds of sexual orientation is, it brings into sharp relief his Department's refusal to take this legislative opportunity to tackle it? The Minister has not said what is wrong with this legislation compared with future legislation that may emanate from another Department. There is an opportunity tonight to remedy the situation. Why will he not take it?

Mr. Wills: The Equal Opportunities Commission has provided detailed recommendations on precisely those issues. We owe it to that body and to the Secretary of State for Education and Employment, who has primary responsibility for these matters—

Mr. Borrow *rose—*

Mr. Wills: I shall address the comments of the hon. Member for Oxford, West and Abingdon (Dr. Harris) and then I will be happy to give way to my hon. Friend. My right hon. Friend the Secretary of State is addressing these matters, and I do not intend to pre-empt his conclusions tonight. I am sorry, but I have made my position clear.

Mr. Borrow: I recognise my hon. Friend's difficulty in giving assurances on behalf of the Secretary of State for Education and Employment. Will my hon. Friend ensure that he conveys to the Secretary of State the strong feeling expressed in the Chamber this evening that the matter must not be allowed to drag on? Many Labour Members will expect the Department for Education and Employment to move on the issue very quickly.

Mr. Wills: I am grateful to my hon. Friend for making that point so passionately and so well. I assure him that I will pass on to my right hon. Friend the Secretary of State for Education and Employment the views that hon. Members have expressed so powerfully tonight. I shall also convey the real sense of urgency that has been communicated.

As to new clause 6, we believe that it would be wrong to adopt such sweeping and draconian powers without the slightest idea of how they might be used. That would not set a good precedent. Discrimination is a serious matter which we take seriously, but I have already said, with genuine regret, that we cannot support new clauses 4 and 5 because we have announced our policy on the former and the latter needs further consideration. While I sympathise with the good intentions that undoubtedly lie behind its tabling, I am afraid that I cannot support new clause 6 for the reasons that I have given.

Mr. Chidgey: This has been a good debate to which many hon. Members have made valuable and thoughtful contributions. Sadly, the end was not as good as the middle—or perhaps even the beginning. The Government are in a fix; they have been caught out. The Government promised the electorate that they would provide employment rights through legislation, but they have not even begun to consult in some areas. The Government have not begun to consider the issues, let alone produce a famous code of practice.

The Minister's contribution has left me feeling rather depressed and sad. He went on at length about the importance of commitment. He professed to be very upset, and almost cried as he addressed us. However, he must understand that saying something is not the same as doing it. I have yet to see any sign that this Government—

Mr. Andrew Miller (Ellesmere Port and Neston) *rose—*

Mr. Chidgey: I will not give way. I have had just about enough.

I have listened to the debate for five hours, and the Government have made no promises that even faintly resemble the commitments that they set out in their election manifesto—let alone the comments that they made in opposition. It is a disgrace that Labour Members should change their position so rapidly after coming to power. They wonder why, having done nothing in this area for two years, there is so much anger on these Benches and throughout the community that they are supposed to represent. I shall press the new clause to a vote.

Question put, That the clause be read a Second time:—

The House divided: Ayes 29, Noes 318.

Division No. 134] **[9.59 pm**

AYES

Allan, Richard	George, Andrew *(St Ives)*
Baker, Norman	Hancock, Mike
Beggs, Roy	Harris, Dr Evan
Beith, Rt Hon A J	Heath, David *(Somerton & Frome)*
Bell, Martin *(Tatton)*	Jones, Nigel *(Cheltenham)*
Breed, Colin	Kirkwood, Archy
Bruce, Malcolm *(Gordon)*	Livsey, Richard
Chidgey, David	Llwyd, Elfyn
Dafis, Cynog	Moore, Michael
Ewing, Mrs Margaret	Rendel, David
Fearn, Ronnie	Russell, Bob *(Colchester)*

Sanders, Adrian
Stunell, Andrew
Tonge, Dr Jenny
Tyler, Paul
Wallace, James
Welsh, Andrew
Willis, Phil

Tellers for the Ayes:
Mr. Brian Cotter and
Sir Robert Smith.

NOES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Stuart *(Middlesbrough)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Rt Hon Stephen
Cabom, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Canavan, Dennis
Cann, Jamie
Caplin, Ivor
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Dowd, Jim
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kingham, Ms Tess
Ladyman, Dr Stephen
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McLeish, Henry
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morris, Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Neill, Martin
Osborne, Ms Sandra
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Rogers, Allan
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Sarwar, Mohammad
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Stringer, Graham
Sutcliffe, Gerry

Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Worthington, Tony
Wray, James
Wright, Dr Tony *(Cannock)*

Tellers for the Noes:
Mr. David Hanson and Mrs. Anne McGuire.

Question accordingly negatived.

It being after Ten o'clock, further consideration of the Bill stood adjourned.

Motion made, and Question put forthwith, pursuant to Standing Order No. 15 (Exempted business),

That, at this day's sitting, the Employment Relations Bill may be proceeded with, though opposed, until any hour.—*[Mr. Mike Hall.]*

Question agreed to.

As amended in the Standing Committee, again considered.

New Clause 5

DISCRIMINATION IN THE WORK-PLACE ON GROUNDS OF SEXUAL ORIENTATION

'—(1) The Secretary of State may make regulations for the purpose of prohibiting, in relation to any employment matter, discrimination by an employer against another person on grounds of that person's sexual orientation.

(2) In subsection (1) "employment matter" includes—

(a) the offer or refusal of employment;

(b) the termination of employment;

(c) terms and conditions of employment;

(d) the provision of training or skills development opportunities;

(e) promotion and career progression.

(3) Regulations under subsection (1) may—

(a) specify the types of action, or failure to take action, which are to be taken to constitute discrimination for the purpose of this section;

(b) confer jurisdiction (including exclusive jurisdiction) on employment tribunals and on the Employment Appeal Tribunal in relation to cases brought under this section;

(c) provide for penalties to be imposed or, as the case may be, compensation to be awarded in respect of offences committed under paragraph (a) above.

(4) No regulations shall be made under this section unless a draft has been laid before, and approved by resolution of, each House of Parliament.'—*[Mr. Chidgey.]*

Brought up, and read the First time.

Motion made, and Question put, That the clause be read a Second time:—

The House divided: Ayes 28, Noes 313.

Division No. 135] **[10.12 pm**

AYES

Allan, Richard
Baker, Norman
Beggs, Roy
Beith, Rt Hon A J
Breed, Colin
Bruce, Malcolm *(Gordon)*
Chidgey, David
Cotter, Brian
Dafis, Cynog
Ewing, Mrs Margaret
Fearn, Ronnie
George, Andrew *(St Ives)*
Hancock, Mike
Heath, David *(Somerton & Frome)*
Jones, Nigel *(Cheltenham)*
Kirkwood, Archy
Livsey, Richard
Llwyd, Elfyn
Moore, Michael
Rendel, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Stunell, Andrew
Tonge, Dr Jenny
Tyler, Paul
Wallace, James
Welsh, Andrew
Willis, Phil

Tellers for the Ayes:
Dr. Evan Harris and Sir Robert Smith.

NOES

Abbott, Ms Diane
Ainger, Nick
Allen, Graham
Anderson, Donald *(Swansea E)*
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Martin *(Tatton)*
Bell, Stuart *(Middlesbrough)*
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Rt Hon Stephen
Caborn, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Canavan, Dennis
Cann, Jamie
Caplin, Ivor
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Dowd, Jim
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Flint, Caroline
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen

Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kingham, Ms Tess
Ladyman, Dr Stephen
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Livingstone, Ken
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McLeish, Henry
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morris, Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Neill, Martin
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Rogers, Allan
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Sarwar, Mohammad
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Stringer, Graham
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Worthington, Tony
Wray, James
Wright, Dr Tony *(Cannock)*

Tellers for the Noes:
Mr. David Hanson and
Mr. Robert Ainsworth.

Question accordingly negatived.

New Clause 7

STRIKES TO ACHIEVE COLLECTIVE BARGAINING RIGHTS NOT PROTECTED FROM LEGAL ACTION

'After section 225 of the Trade Union and Labour Relations (Consolidation) Act 1992 insert—

"225A. An act is not protected if the reason, or one of the main reasons, for which it is done is that an employer has refused to recognise to any extent a trade union for the purposes of collective bargaining.".'.—*[Mr. Boswell.]*

Brought up, and read the First time.

Mr. Boswell: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Mr. Michael Lord): With this, it will be convenient to discuss new clause 10—*Assessment of working days lost as a result of Act*—

'.—The Secretary of State shall prepare and present to Parliament annually an assessment of the total number of working days lost owing to industrial action in the previous calendar year, with particular reference to action arising in connection with recognition disputes between employers and trade unions.

(2) If at any time it appears to him that the number of days lost in industrial disputes has exceeded five million in any one year, or is likely to do so in the current year, he may make an Order suspending all or part of the provisions of this Act.

(3) No Order under subsection (2) shall be made unless a draft of it has been laid before and approved by a Resolution of each House of Parliament.'.

Mr. Boswell: It may be for the convenience of the House if I explain that I am moving new clause 7 and my right hon. Friend the Member for Wokingham (Mr. Redwood), if he is lucky enough to catch your eye, Mr. Deputy Speaker, will thereafter speak to new clause 10. We are co-signatories to both new clauses.

New clause 7 is a small provision, but there is an important point of principle that has exercised, among others, the Engineering Employers Federation, which has written to us on the matter. The new clause would remove the immunity available to actions in tort from trade unions if they sought to take industrial action to secure collective bargaining rights.

Ministers and others who are experts in this area will be familiar with the concepts of part V of the Trade Union and Labour Relations (Consolidation) Act 1992. Acts in contemplation or furtherance of a trade dispute are broadly protected under section 219, but there are a number of exclusions from protection beginning at section 222. New clause 7 would insert a further exclusion.

The argument for this measure is simple. If the Government are bent on bestowing collective bargaining rights or a procedure to secure collective bargaining rights through statute, we fail to see why there is a need for a parallel protection for trade unions seeking to achieve collective bargaining rights by taking industrial action. Why should both routes be open? That could only be an invitation for industrial action to continue, when the right course would be negotiation—ideally—or, if necessary, for the Government to avail themselves of their own proposals in schedule 1.

I see only one defence, or lacuna. Interestingly and irrationally, in view of the Secretary of State's earlier suggestion that the legislation constituted a seamless web, the Government have provided that in a firm employing 20 or fewer people there should be no collective bargaining rights. I suppose that the right hon. Gentleman could tell the House that it would be all right for members of a labour force that size to strike to secure their rights, whereas employees of a firm employing more people could adopt the statutory route; but I think that the essential principle remains. We do not want to encourage people to strike when they already have recourse to the law.

Mr. Redwood: I urge the Government to think again about disrupting industrial relations in our country. Many hon. Members who are present tonight will recall the bitter disputes that characterised the 1960s and 70s. They will remember that such disputes took place during periods of Conservative, Labour and Labour-Liberal government, and that the Labour-Liberal coalition elected in the 1970s to control strikes presided over some of the worst years of strike and turmoil in our country's history. They will agree that the last thing that we wish to do is return to any of that.

I remind the Government that it took Conservative Administrations led by my right hon. and noble Friend Lady Thatcher many years to introduce enough changes to the inherited industrial relations legislation to solve the problem. The strike record of the early 1980s was better than that of the worst years of the 1970s, but it was not nearly good enough, and it in turn was marred by the year of the miners' dispute.

After 1985, when the main part of the reforms finally materialised, we transformed ourselves into a country with relatively few strikes and relatively few days lost. Indeed, in the 1990s, under the Conservative Administration of my right hon. Friend the Member for Huntingdon (Mr. Major), we achieved a record second to none in Europe—a proud record compared with that of any of our major competitors in the world. I well remember businesses around the world saying some years earlier that they had no intention of coming to the United Kingdom because its strike record was so bad.

Mr. Fabricant: Not only did businesses not invest in the United Kingdom, there was a brain drain in the 1970s. *[Interruption.]* It is all very well for Labour Members who have suddenly appeared from the Kremlin Bar to comment. They are old Labour. They cannot be expected to understand, especially as they have had a few drinks too many

Mr. Bermingham: On a point of order, Mr. Deputy Speaker. That remark should be withdrawn forthwith. It is not within the remit of the House for any hon. Member to suggest that another is participating other than with good—

Mr. Deputy Speaker: Order. I think that it would be wise of the hon. Member for Lichfield (Mr. Fabricant) to withdraw his remark.

Mr. Fabricant: I abide by your ruling, Mr. Deputy Speaker, and withdraw the remark.

10.30 pm

Mr. Redwood: As I was saying—and as I think my hon. Friend the Member for Lichfield (Mr. Fabricant) was trying to say in his intervention—we were in a parlous situation in the 1970s. Other countries and companies did not rate our industrial relations highly, and they had plenty of evidence for that from the number of days lost. It took time. Indeed, if a criticism can be levelled at the Conservative Administration who were first elected in 1979, it is that it took time for that Administration to realise how much reform was needed in industrial relations legislation to achieve the desired result of better employer-employee relations.

That Administration were cautious in the early days. I wish only that the present Government were similarly cautious when setting about reversing Conservative policies. They should have gone much more steadily and carefully. I understand the pressure that they are under from the trade unions, but would it not have been better to introduce a more modest measure to test whether the successful industrial relations record that had finally been established by 1990 under the new Conservative settlement would be damaged? Instead, the Government are blundering in. They are reversing many of the important elements of our hard-won trade union settlement. All they do is assert that there is no danger of a return to the bad old days and bad old ways of the 1960s and 1970s.

The Secretary of State assures us in every way, apart from firmly on the record, that there will be no increase—or a very small increase—in strikes, that this country will not go back to the bad old ways, that it will still be one of the best locations in which to invest, that he will be able to say to visiting companies that our industrial relations record is still good and a reason why they should come here, rather than go elsewhere—*[Interruption.]* There are a number of sedentary interventions. As the hon. Member for Workington (Mr. Campbell-Savours) will know, I am happy to take a proper intervention if he wants to make one.

Mr. Bermingham: Does the right hon. Gentleman agree that it is mathematically simple that, if one decreases the

[Mr. Bermingham]

number of manufacturing jobs, one decreases the number of strikes? That was the approach that was adopted by Baroness Thatcher, from which we are seeking to recover.

Mr. Redwood: That is a futile intervention. As the hon. Gentleman knows, it is possible for there to be strikes in service sectors and in public services. Indeed, some of the worst strikes under Labour Administrations have been in the public services. As he should also know, it is the present Government who are shrinking manufacturing at an awful pace. We keep warning them not to do so, but they do not listen. Every day another factory is closed and there are more job losses.

Mr. Soames: I urge my right hon. Friend to ignore the words of a cocky little barrack-room lawyer about strikes.

Mr. Deputy Speaker: Order. The hon. Gentleman should know that we should use temperate language in the House. It always helps with our proceedings. Perhaps we can leave it at that.

Mr. Soames: I withdraw the remark, "a little barrack-room lawyer".

What does my right hon. Friend think is the likely contribution of the new clause to the improved competitiveness of the British economy?

Mr. Redwood: The new clause, as I am about to explain to an impatient House of Commons, would provide some protection—not sufficient, but some—in the event of things getting out of control. I am trying to explain to the Government that their legacy is a very good one, that their experience and that of other Governments in office in the 1960s and 1970s should warn them that it is easy to lose control and to have damaging and bad strikes, and that, if they are wrong about their legislation, they will rue the day.

The strikes will become most intense in the run-up to the general election. That will be extremely damaging. It will bring back memories of how Labour lost control in the past. Therefore, in a spirit of generosity, for which I am renowned, through the new clause I offer the Government the chance to back off and to ensure that not all the legislation will apply if they start to lose control of industrial relations.

Given the lateness of the hour and the generous nature of my offer, one would have thought that the Secretary of State would leap to his feet, say that he was happy to accept the new clause, that he did not believe that more than 5 million days a year would be lost in strikes—which is the threshold in the new clause—and was happy to accept it to reassure all the listeners and viewers out there who may hear about the matter in due course, if the media allow. The Secretary of State is resolutely sitting in his seat, implying that he wishes to vote down this generous offer.

The new clause proposes that should the Secretary of State be wrong and should the number of days lost through strikes go back up to 5 million—massively higher than anything that we have experienced in the 1990s so far—it would be within his rights, without the need for new primary legislation, to suspend the parts of the legislation that were causing difficulties in industrial relations in this country.

Five million is a high threshold. My right hon. and hon. Friends and I had a good debate about how high it should go. Our generosity overcame us and we set it at 5 million. We have not seen 5 million days or more lost to strikes in this country since 1985. It was, of course, regular in the 1970s under the Labour Administration; in four of the five years from 1975 to 1979 more than 5 million days were lost to strikes. From 1980 to 1996 inclusive, there were only three years when more than 5 million days were lost to strikes—and that was three years too many.

I am pleased that there have been no such occasions for more than a decade as a result of the settlement that Conservative Administrations finally achieved in the 1980s, against the advice and bitter opposition of the Labour party, which thought that industrial relations should remain poor and that the legislation that it had left to the incoming Conservative Government in 1979 was perfectly reasonable.

Why does the Bill represent a threat? Hon. Members who have read schedule 1 will have seen the incredibly complicated machinery that is being put in place to put through the Government's proposals on union recognition where there has not been agreement between the two parties in the normal way. These powers, given to the Central Arbitration Committee, are many and rather vague.

We could face disputes in which unions were squabbling over who was entitled to seek to represent the work force. We could have several unions trying to enrol sufficient members to get to the threshold to demand a ballot. There might be some difficulty in deciding which of the competing unions would be entitled, and we could get action between unions as they move to try to get control of that bargaining unit.

We could have considerable disagreements between management and the work force over what is the bargaining unit; something that is left rather vague in the Bill, giving plenty of scope for further trade disputes and for resort to expensive lawyers and court actions. The proposal for the derecognition of so-called sweetheart unions could cause difficulties in deciding whether a union qualified for such a term, and whether it was right to go ahead with its derecognition if the employers felt that it was a good union. Many of the members of the union may take the view that that was a reasonable way of proceeding for representation—*[Interruption.]*

If the hon. Member for Workington wishes to contribute to the debate, would he like to make an intervention? He should either make an intervention or keep quiet and listen to an important debate. He may think that it is amusing that we are facing more strikes and industrial relations disruption in this country. We do not.

Mr. Deputy Speaker: Order. There are two hon. Gentlemen who should be behaving themselves. It is unfair. The right hon. Member for Wokingham (Mr. Redwood) should be heard.

Mr. Redwood: I am grateful for your courtesy, Mr. Deputy Speaker.

The House should recognise that good industrial relations are crucial to jobs and prosperity in our country. Have we not been through enough in the 1960s and 1970s? Did we learn nothing from that bitter experience? Did we learn nothing from the disputes in the 1980s to establish better trade union law?

Before the election, the Secretary of State and his friends in the Labour leadership were seeking to reassure people that they accepted the Conservative trade union settlement. They were even prepared to say that they thought that it was one of the better things that the Conservative Administration had done.

Mr. Dale Campbell-Savours (Workington): Rubbish.

Mr. Redwood: The Labour leadership agreed that too much power had gone to the shop stewards and to disruptive forces in the 1970s, and that it was important to have a new settlement. Why are the Government now backing away from that, having won the election?

Mr. Bercow: I do not know whether my right hon. Friend heard the hon. Member for Workington (Mr. Campbell-Savours) saying "Rubbish." Does my right hon. Friend agree that the reason why the hon. Gentleman is opposed to the new clause is presumably that he was a keen supporter of the Government under which the streets went unswept, the sick went untended, and the dead went unburied?

Mr. Redwood: Perhaps the hon. Gentleman was talking about rubbish in the streets, rather than rubbish in my speech. That would have been wise of him, but as I have offered him the opportunity to intervene, it is a pity that he could not have made such a contribution in open debate.

Mr. Mike Hall (Weaver Vale): Get on with it.

Mr. Redwood: I am getting on with it—and it would be easier to get on with it if Labour Members behaved themselves instead of trying to disrupt the progress of their own legislation. They have made a good job of disrupting the Bill so far, despite the considerable help that we have given in trying to get it through. I am beginning to wonder whether we have been too generous on that score tonight, in view of the way in which the parliamentary Labour party is now behaving.

The new clause would provide an important safeguard. If the Secretary of State is right and no increase in strikes results from his legislation, he has nothing to fear from it. If he is wrong, and there is a danger of the number of strikes getting out of control, the new clause would be a welcome salvation, whereby he could avoid the delay and difficulty involved in coming back to the House to amend primary legislation. It would give him the scope to suspend the complicated and difficult features of the Bill that are likely to become a cause of trade disputes and strikes in themselves.

If hon. Members consider some of the complex detail in schedule 1, which runs from page 19 to page 56 of the Bill, they will see how much scope there is for dispute, and how much power rests in the hands of the Central Arbitration Committee. For example, paragraph 21(5) tells us:

"In deciding how the ballot is to be conducted the CAC must take into account—

(a) the likelihood of the ballot being affected by unfairness or malpractice if it were conducted at a workplace or workplaces;

(b) costs and practicality;

(c) such other matters as the CAC considers appropriate."

In other words, the CAC can do whatever it likes without reference to Parliament. The House is being asked to approve legislation so loose, general and vague that it provides enormous scope for disputes, rows and strikes over its interpretation.

Similarly, paragraph 18 is very vague about how the "appropriate bargaining unit" should be defined. That gives plenty of scope for argument and dispute. Under paragraph 17, considerable judgment will have to be exercised in deciding how many workers would have to vote for compulsory negotiation by the trade union—a judgment that could easily be made badly by the CAC, and could easily be disputed. That, too, could lead to strikes and court action.

Given the lateness of the hour, I shall not pursue all the flaws and holes both in the schedule and in the other parts of the Bill that introduce it. I rest the Opposition case and plead again with the Minister for Small Firms, Trade and Industry, a junior Minister who has now been left on his own on the Treasury Bench—

Mrs. Maria Fyfe (Glasgow, Maryhill): I notice that the right hon. Gentleman and a few of his right hon. and hon. Friends have registered an interest with regard to the new clauses. It would be interesting for the House to know what those interests are.

Mr. Redwood: Had the hon. Lady been present at the beginning of our proceedings, she would have heard my hon. Friend the Member for Daventry (Mr. Boswell) and myself explain that we had interests in companies—[HON. MEMBERS: "Ah."]. Companies would be affected by all the measures in the new clauses—*[Interruption.]* Neither my hon. Friend nor I spoke on behalf of a particular company, nor did we table our new clauses at the request of particular companies. We are being extremely careful by saying, "Yes, we are practical people with knowledge of the business world"—*[Interruption.]*

Mr. Deputy Speaker: Order. Mr. Sedgemore and Mr. Campbell-Savours should know better. It is not good for the House to behave in that manner.

Mr. Redwood: Thank you, Mr. Deputy Speaker.

If the hon. Lady reads the record of our proceedings tomorrow, she will see that what I have said is true. We have behaved very carefully, although we have no specific interests to declare in connection with the new clauses.

I sum up by urging the Government to recognise the fact that damaging the settlement that they inherited could prove more dangerous than they realise. There could be a further increase in strikes; there is already some increase in strike activity at the moment, for a variety of reasons. Damaging that settlement could put off investors, affect jobs and lead to all sorts of trouble. We are offering the Government a way out, and I hope that they will accept it.

10.45 pm

Mr. Sayeed: When two parties enter into a contract, it is beholden on both to keep to it. New clause 7 would get rid of one of the most damaging parts of the Bill. At present, an employee who violates the terms of his contract can be dismissed. Under the Bill, that protection of the employer will go, because the employee will have the right to sue the employer and, possibly, to be

[Mr. Sayeed]

reinstated and compensated. When a contract is broken by one side, the employer should have the right to dismiss the employee. The Bill will not permit that to happen.

In relation to new clause 10, it is worth remembering that 29 million days were lost to strikes in 1979. In 1996, the number had fallen to 1.3 million days, a testament to the step-by-step approach towards industrial relations taken by the then Conservative Governments. Despite the fact that the number of people in employment increased, the number of people striking, and the frequency with which they did it, fell dramatically.

New clause 10 would set a limit much higher than 1.3 million days at which, if the number of days lost in strikes were so great as to be deeply damaging to this country, some of the Bill's more expensive proposals could be cut away, at least for a time. It is a fairly modest proposal, and any sensible Government would adopt it.

Mr. Fabricant: New clause 7 is mainly concerned with collective bargaining. The Bill is flawed. Adair Turner, writing in the *Financial Times* on 18 March, said:

"Good employee relations should be built on trust and it is not best fostered if collective bargaining has been imposed on an employer by a trade union. Collective bargaining can work where it has two willing partners, but not when there is only one. No real improvements in industrial relations occurred the last time we had compulsion in the 1970s and, indeed, the legislation proved to be unworkable."

I need not remind the House that Adair Turner is director general of the Confederation of British Industry.

The Bill is outrageous. It will bring about disruption in industrial harmony. To make matters worse, employers will be expected to meet 50 per cent. of the cost of each ballot. That is money that most small firms can ill afford, if I may echo our earlier debates on exemptions for businesses that employ fewer than 51 people.

What estimate has the Minister made of the total cost of arranging ballots and the accounts that are to be made by third parties? I appreciate that he may not have the figures to hand, but I hope that he will answer the question in his summing up.

My hon. Friend the Member for Mid-Bedfordshire (Mr. Sayeed) mentioned that 29 million working days were lost in 1979. However, the numbers of strike days in other years between 1974 and 1979 were also high. In 1974, almost 15 million working days were lost; in 1975, the figure dropped to 6 million; and, in 1976, a relatively good year, it dropped to only 3 million. However, in 1977, the figure went back up to 10 million; in 1978, it was 9 million; and, in 1979, it was 29.5 million. I shall give the figure for 1990 after I have given way to the hon. Member for Brent, North (Mr. Gardiner).

Mr. Barry Gardiner (Brent, North): The hon. Gentleman referred to the figures for 1974, but they were conditioned by the fact that we had just had a Conservative Administration who presided over one of the most bitter strikes ever. We still remember the power failures during the miners' strike, when three working days a week were lost. The figures that the hon. Gentleman mentioned may have been affected by that fact.

Mr. Fabricant: The hon. Gentleman only amplifies my point that the Bill would return us to those days. Even if we discount 1974—I shall not repeat the figures for the later years, because they will be in *Hansard*—the figures are high. How do they compare with this decade? In 1990, almost 2 million days were lost in strikes—2 million days too many. In 1991, 761,000 days were lost; in 1992, 528,000; in 1993, 649,000; in 1994, 278,000; in 1995, 415,000; in 1996, 1.3 million; and, in 1997, 207,000. Those figures are a long way short of the 5 million figure that appears in new clause 10.

What are the Government worried about? Do they believe that 5 million working days will be lost at some time in the future, or are they aware that people such as Rupert Murdoch, whom they so confidently hope will be on their side at the next election, realise that the saving of *The Times* in the 1980s would have been impossible if the Bill had been in force? Does the Minister accept that? *The Times* was bankrupt and its workers had been on strike for six months when Rupert Murdoch took it over. He could not have done that under the Bill's provisions. This legislation is not for the future; it is going back to the past. For that reason, I support new clauses 7 and 10.

Mr. Wills: As we have heard graphically from Opposition Members, the new clauses would evoke the spectre of times past and of irresponsible trade unions. That might have worked in 1979, but it will not work now. Times have changed. People know that trade unions have changed and that industrial action is now genuinely used only as a last resort.

New clause 7 seeks to remove immunity from trade unions if they call industrial action in recognition disputes. That is a one-sided measure, and the Opposition clearly intend it to be so. It would leave employers holding all the cards. The Bill's provisions are carefully designed at every stage to provide incentives for employers and trade unions to agree sensible arrangements. We are confident that, in the vast majority of cases, they will do so, but we cannot force people to agree. Therefore, in the last resort, the possibility of industrial action must remain. The statutory procedure will provide an alternative that will lead to almost all disputes being resolved without industrial action. That, and the other measures in the Bill—notably, the right to be accompanied in disciplinary and grievance hearings, and some of the other changes which we propose on industrial action ballots—will reduce the risk of industrial action, but the right to strike is a fundamental and internationally recognised freedom.

The previous Government restricted the ability of unions to organise industrial action, especially through the complicated ballots and notice requirements, while doing nothing to protect workers once their unions had complied with those requirements. That is the reason for clause 15. It would be unfair and wrong to limit further the right to organise industrial action in the way proposed by the new clause. It is already more tightly constrained in this country than in most comparable ones. Further tightening lacks any justification. I am confident that the House will reject that tonight.

New clause 10 is a little highly flavoured, coming from the Conservatives. I, too, have some figures. The average number of working days lost each year through industrial action in the 1980s, when they were in power, was 7.2 million, nearly 50 per cent. above the level that they propose as the trigger for special action. The average number of working days lost over the past two years under

this Government is 256,000, less than 4 per cent. of the average for the 1980s. As the figures are published each month by the Office for National Statistics, with annual analysis and international comparisons, an annual report to Parliament would be redundant.

Mr. Redwood: Will the Minister complete his mathematics by telling us the Conservative average in the 1990s and the Labour average between 1974 and 1979?

Mr. Wills: I was merely pointing out the ulterior motive behind new clause 10. The Opposition are not really concerned to propose anything that will make a substantive difference; they are interested only in the misleading innuendo contained in new clause 10. It implies that the Bill, as they have actively stated this evening, will lead to increased industrial action. In fact, the opposite is true: the Bill will help to resolve industrial disputes without industrial action. It will promote a partnership approach. It works with the grain of industrial relations.

Mr. Bercow: In the light of what the Minister said about the Bill's likely beneficial effect on the industrial relations climate, will he confidently predict that, in each remaining year of this Parliament after its passage, there will be a reduction in the number of days lost through strikes?

Mr. Wills: The hon. Gentleman well knows that that is an intellectually bogus proposition, and I do not intend to engage with it. He proves my point that the new clause is a debating point that seeks to promote a spurious innuendo without basis in fact. He sat through the Committee, during which at every point it was driven home to him that the Bill was based on a partnership approach. He still has not got the message, but, no doubt, in time he will.

Mr. Fabricant: Will the Minister give way?

Mr. Wills: I would like to make some progress, as it is nearly 11 pm.

It is interesting that none of the seven pieces of employment legislation that the Conservative party passed while in power contained provisions such as those proposed by the new clause. If they believed in the need for such measures, why did they not use one of those pieces of legislation to propose them? That makes my point. The new clauses are futile attempts to resurrect ghosts from the past. The world has moved on, but the Conservatives have not noticed. If they insist on pressing the new clauses, those of us who live in the real world will go happily into the Lobby to oppose them.

Mr. Redwood: Will the Bill lead to a fall or a rise in the number of strikes in the remaining years of this Parliament?

Mr. Wills: I had finished, but I am happy to answer that point. I confidently predict that the Bill will underpin a spirit of partnership through legislation in the workplace. I encourage the Conservative party to vote in support of that.

Mr. Boswell: My right hon. Friend the Member for Wokingham (Mr. Redwood) asked the Minister an unanswerable question and, inevitably, he failed to answer it. He could not explain to the House why he was not prepared to avail himself of our modest proposal in new clause 10. He said that he did not need it, but it would have provided an insurance for him. He was asked another unanswerable question about whether the number of strikes would increase. He demurred on that as well, although he had already asserted that the number of strikes would fall as a result of the beneficial effects of his measures.

The reason why no Conservative Government found it necessary to include a clause of the type that my right hon. Friend and I have tabled was simple. We did not decide to legislate with a 37-page schedule 1 to give collective bargaining rights in the way that the Labour Government have done. With the greatest possible respect, I remind the Minister that he argued in Committee that the main flaw in the Employment Protection Act 1975 was that it contained only six clauses. I agree that the Minister has done better than that in terms of productivity. He has given us 37 pages, but I have news for him: instead of the lawyers scrapping and going to judicial review on six clauses, they will have 37 pages to go at. I make a counter-prediction to the Minister that the Bill will be not in place of strife, but a case for strife. It will cause more trouble and more dissent. We are in the business of trying to protect Ministers from their own folly.

In that context, I will give one piece of good news to the Minister. Although I am tempted to do so, I will not press new clause 7, but we wish to press new clause 10. I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 10

ASSESSMENT OF WORKING DAYS LOST AS A RESULT OF ACT

'.—The Secretary of State shall prepare and present to Parliament annually an assessment of the total number of working days lost owing to industrial action in the previous calendar year, with particular reference to action arising in connection with recognition disputes between employers and trade unions.

(2) If at any time it appears to him that the number of days lost in industrial disputes has exceeded five million in any one year, or is likely to do so in the current year, he may make an Order suspending all or part of the provisions of this Act.

(3) No Order under subsection (2) shall be made unless a draft of it has been laid before and approved by a Resolution of each House of Parliament.'.—*[Mr. Boswell.]*

Brought up, and read the First time.

Motion made, and Question put, That the clause be read a Second time:—

The House divided: Ayes 123, Noes 320.

Division No. 136] **[11.2 pm**

AYES

Ainsworth, Peter *(E Surrey)*	Boswell, Tim
Amess, David	Bottomley, Peter *(Worthing W)*
Ancram, Rt Hon Michael	Bottomley, Rt Hon Mrs Virginia
Arbuthnot, Rt Hon James	Brady, Graham
Baldry, Tony	Brazier, Julian
Beggs, Roy	Brooke, Rt Hon Peter
Bercow, John	Browning, Mrs Angela
Beresford, Sir Paul	Bruce, Ian *(S Dorset)*
Blunt, Crispin	Burns, Simon
Body, Sir Richard	Butterfill, John

Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clifton–Brown, Geoffrey
Colvin, Michael
Cormack, Sir Patrick
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice & Howden)*
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Gale, Roger
Gibb, Nick
Gill, Christopher
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Hogg, Rt Hon Douglas
Horam, John
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Maude, Rt Hon Francis
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Ottaway, Richard
Page, Richard
Paice, James
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Robertson, Laurence *(Tewk'b'ry)*
Rowe, Andrew *(Faversham)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid–Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Townend, John
Tredinnick, David
Trend, Michael
Tyne, Andrew
Viggers, Peter
Wardle, Charles
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Tim Collins and Mrs. Eleanor Laing.

NOES

Abbott, Ms Diane
Ainger, Nick
Allan, Richard
Allen, Graham
Anderson, Donald *(Swansea E)*
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Baker, Norman
Banks, Tony
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beckett, Rt Hon Mrs Margaret
Bell, Martin *(Tatton)*
Bell, Stuart *(Middlesbrough)*
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Breed, Colin
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Rt Hon Stephen
Cabom, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Canavan, Dennis
Cann, Jamie
Caplin, Ivor
Chapman, Ben *(Wirral S)*
Chidgey, David
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Corbett, Robin
Corbyn, Jeremy
Cotter, Brian
Cousins, Jim
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Dalyell, Tam
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Dowd, Jim
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Ewing, Mrs Margaret
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Home Robertson, John
Hood, Jimmy
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kingham, Ms Tess
Ladyman, Dr Stephen
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Linton, Martin
Livingstone, Ken
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Lock, David
Love, Andrew
McAllion, John

McAvoy, Thomas
McCabe, Steve
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morris, Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Neill, Martin
Osborne, Ms Sandra
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L.
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Rogers, Allan
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Sanders, Adrian
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stott, Roger
Stringer, Graham
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth R. *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N.
Watts, David
Welsh, Andrew
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W. *(E Carmarthen)*
Willis, Phil
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Worthington, Tony
Wray, James
Wright, Dr Tony *(Cannock)*

Tellers for the Noes:
Mr. Robert Ainsworth and Mr. David Hanson.

Question accordingly negatived.

New Clause 12

DUTY TO AVOID CONFLICTS OF INTEREST IN EMPLOYMENT

—'(1) The Secretary of State may make regulations prohibiting employers from knowingly engaging an employee in a position where a conflict of interest could arise which might expose the employee to criminal, civil or regulatory proceedings.

(2) Regulations under this section may provide for the imposition of a fine, not exceeding level 6 on the standard scale, on a person convicted of an offence under subsection (1).

(3) Regulations under this section shall not be made unless a draft thereof has been laid before, and approved by a Resolution of, each House of Parliament.'—*[Mr. Brady.]*

Brought up, and read the First time.

11.15 pm

Mr. Brady: I beg to move, That the clause be read a Second time.

I am pleased to have this opportunity to explore some of the Government's views on this matter. In Standing Committee, some Labour Members suggested that Conservative Members adopted a Scrooge-like tendency when it came to matters of industrial relations and employment rights. However, I was heartened to see the Government's seeking to assume that Scrooge mantle this evening by opposing the new clauses regarding discrimination on the basis of age and sexual orientation.

To complete the process, I thought that I would experiment by proposing a new individual employment right and employee protection in new clause 12, which would impose a duty of care on an employer not knowingly to engage a person in circumstances where he may put that person in a position of conflicted interest, particularly when some civil, criminal or regulatory proceedings could arise.

Such circumstances could arise in numerous ways. For example, a former police officer might have personal knowledge or information of a private nature about certain individuals. A person employed in the City might have prior knowledge that is relevant to his duties in managing a fund. A new employer who is familiar with the financial circumstances of a particular company might be charged with the disposal of shares in that company.

I do not seek to introduce an onerous burden in such situations. New clause 12 would give Ministers the power to bring an order into effect. I hope that it would impose the lightest possible burden because it would prohibit employment only when that would knowingly put an employee in a difficult and potentially dangerous position. My new clause recognises what many Labour Members know: there are sometimes imbalances in employment relationships. For example, an employee might be pressured—financially or by some other means—to accept a position.

Following on from the statement earlier today, as we move into an age of electronic government, an increasing amount of knowledge, information and private data may be held by Government bodies, Departments and agencies. That might cause difficulties if a person were to move into another sector of employment. For example, somebody who owns or runs a building firm might be put in charge of a public building project and of awarding contracts in that connection.

The importance of this measure in public sector terms has been thrown into sharp relief by recent events in the European Commission, where we have seen clear

[Mr. Brady]

evidence of fraud, corruption and nepotism. There are real pitfalls. For example, employees might be put in control of public funds and of decisions that might seriously compromise them. Another relevant instance in the context of this new clause may be the power to take action that may influence markets to the advantage of a particular individual. In that context, one might consider appointments to the Bank of England, the European central bank or other agencies that handle market-sensitive information or statements.

Mr. Fabricant: My hon. Friend will remember that there was a little conflict between us earlier on ageism, when he argued that self-regulation was more important than legislation. Does he believe, as I do, that in the past our financial institutions have been particularly effective at self-regulation? Why does he now think that it is necessary to impose additional regulations on those financial institutions?

Mr. Brady: As always, my hon. Friend makes a valid point. I have already mentioned the example that has been set by the European Commission, but clearly the Government, particularly the Department of Trade and Industry, have been setting an appalling example. It sends out signals that conflicts of interest are not only tolerable but perhaps positively to be encouraged, and there are now reasons why the Government might consider correcting those messages. I hope that my reply reassures my hon. Friend that I have not gone soft on self-regulation or other aspects of market control.

The Prime Minister has appointed one DTI Minister to oversee genetically modified food and science who has large shareholdings in GM food companies, while another Minister appointed to control the offshore oil industry still held £2 million-worth of British Petroleum shares. If the former Secretary of State, the right hon. Member for Hartlepool (Mr. Mandelson), had been responsible for controlling or regulating the financial services industry while engaging in creative mortgage practices, he might also have been put in a difficult position by the Prime Minister. *[Interruption.]*

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. We cannot have noise from hon. Members on the Government Benches—it is wrong. *[Interruption.]* Order. We must have more order in the House.

Mr. Brady: I seek to be brief, and I am grateful for your assistance, Mr. Deputy Speaker, in bringing the House to order.

Given the worrying signals and mixed messages that the Government have sent out by allowing conflicts of interest at the very highest level of public service, it is now appropriate that they consider ways in which they may redress that balance. They should send out a new message that conflicts of interest are not to be tolerated and certainly not to be encouraged. Even if Ministers are not inclined to accept new clause 12, at least I have given them an opportunity to send out that message, to suggest ways in which they want to put their house in order and achieve better standards and to set out their views on containing and preventing conflicts of interest.

Mr. Ian Bruce: I must admit that I had difficulty in understanding new clause 12, to which my hon. Friend the Member for Altrincham and Sale, West (Mr. Brady) ably spoke, until he got towards the end of his speech and stated exactly what he was driving at. I understand that right hon. and hon. Members on the Treasury Bench may feel somewhat embarrassed because the issue goes to the heart of the cronyism within the Government.

My hon. Friend was a little remiss in not describing the problems that the Government or any employer would face in taking on a person with a large number of interests. He made a strange decision to leave out of his speech any mention of the hon. Member for Coventry, North-West (Mr. Robinson), whose case clearly goes to the heart of the problems—

Mr. Deputy Speaker: Order. Personal remarks against other hon. Members are uncalled for. *[Interruption.]* Order. Hon. Members should realise that it is best to let me deal with the chairmanship of these proceedings. I urge the hon. Gentleman to consider what he is saying.

Mr. Bruce: I am most grateful, Mr. Deputy Speaker. I am certainly not intending to be personal in my remarks. The difficulties that any Government—any employer—might have in taking on people and thereby putting them into a difficult position go to the heart of this new clause.

It is important when we are legislating for the rest of country that we put such issues into contexts that we can understand as small employers and as people involved in the nature of government—we did so regularly in Committee. Time and again, the Government have totally ignored their own provisions. The unpaid Minister for Small Firms, Trade and Industry has made speeches about ensuring that people's employment rights are preserved, yet he is simply a volunteer in the Government. I hope that somebody, somewhere is providing him with additional remuneration, which he obviously deserves. If so, we should be careful about whether that poses a conflict of interest. I do not make any accusation; that is not a personal comment. I sure that he is as honourable as any Labour Member—in fact, more honourable.

Mr. Fabricant *rose—*

Mr. Deputy Speaker: Order. Before the hon. Member intervenes, may I ask what the remarks directed at the Minister by the hon. Member for South Dorset (Mr. Bruce) have to do with new clause 12? I am at a loss to understand.

Mr. Bruce: I shall relate my remarks directly to the new clause. The new clause would help to address the problem that arises when somebody who accepts a job in good faith and works with the very best of intentions is then criticised for having to resign—as has happened with two hon. Members, and could happen in industry as well—

Mr. Desmond Swayne (New Forest, West) *rose—*

Mr. Bercow *rose—*

Mr. Bruce: If I may, I shall finish the sentence. The new clause would address the problem of people who have to resign, who then lose financially and have their careers cut short—in the case to which I referred, the employers were

the Government and the decision was taken by the Prime Minister—even though that was the fault of the employer. That goes to the centre of the new clause.

Mr. Swayne: My hon. Friend the Member for Altrincham and Sale, West (Mr. Brady) drew parallels with recent events in the European Commission. Is it my hon. Friend's estimate that, had Edith Cresson's dentist had the good fortune to have been an Englishman, he might have benefited from the protection of a clause such as this?

Mr. Deputy Speaker: Order. That is nothing to do with the new clause.

Mr. Bruce: Edith Cresson's dentist was not an Englishman and, therefore, unfortunately, would not be protected by the new clause.

Mr. Bercow: I am not sure that I entirely agree with my hon. Friend's most recent remarks. Does he agree that to meet the requirements of new clause 12, it would often be necessary for employees or potential employees to divulge to the employer past, present or potential conflicts of interest?

Mr. Bruce: That would be very important. It is interesting that, under the provisions of clause 28, which are about to be amended by new schedule 2, employment agencies alone must make proper checks on individuals entering employment. If we accepted the new clause, such checks would have to apply to all employers and employees. That is the important issue.

We are probing to find out how Ministers intend to stop employees being put in an embarrassing situation and my hon. Friend the Member for Altrincham and Sale, West rightly wants to know how the Government believe that this matter should be dealt with.

We have tried to put those serious points into context, not because we want to embarrass individual Members of the House, but simply so that people can understand them. I invite the Minister to enlighten us.

11.30 pm

Mr. Wills: I, too, was baffled when I read the new clause, but I was reassured when the hon. Member for Altrincham and Sale, West (Mr. Brady) told me that it was an experiment. I hope that he keeps practising, because he has a lot of work to do, but I shall pay him the respect of treating the new clause as a serious experiment and will address it as it has been tabled.

Throughout our debates on the Bill, the Opposition have fought our proposals for underpinning in law basic, decent standards of employment practice. They appear to have been motivated by a doctrinaire dislike of the necessary legislation, so I was rather surprised to see in the new clause a proposal for new regulation-making powers, giving the Government powers to intervene where we see no need to do so. Indeed, those powers are backed by such draconian penalties that they reach level 6 on the standard scale—past the standard 5-level fine.

Why is it proposed that the Government should intervene in this area? What employer in his right mind would choose to employ people in positions where they are likely to finish up on the receiving end of criminal, civil or regulatory charges? What benefit would an employer derive from having a person in their employment in such a situation? Of course employees, like others, may find themselves in a position where conflicts of interest arise, but the new clause assumes that employers are likely deliberately to employ people in such positions where serious conflicts could arise.

Sensible employers would do no such thing, and I suspect that the hon. Member for Altrincham and Sale, West knows that. If conflicts arise, they will have every incentive to make sensible arrangements to sort them out. In the circumstances in which conflicts of interest are most likely to arise—for example, in local government—there are rules requiring interests to be declared and for councillors to take no part in proceedings in which they have a financial interest. In other such areas, there are similar ways of dealing with those matters, but the onus to act with propriety must be on the employee—who knows when a conflict of interest is likely to arise—and not on the employer.

The hon. Gentleman has once again produced a solution for a non-existent problem and there is no case for his experimental new clause. I very much hope that he will withdraw it and not waste any more of the House's time.

Mr. Brady: I am most grateful to the Minister for his typically courteous response. I shall not detain the House for long, but it was well worth flushing out the Government's position on this important issue.

My only real disappointment was the Minister's suggestion that the Prime Minister, by engaging people who were then subject to a conflict of interest, was behaving as no employer in his right mind would behave. From the Minister's point of view, that was an unfortunate suggestion, however, as my hon. Friend the Member for South Dorset (Mr. Bruce) will doubtless point out, he is unsalaried already, so perhaps he has less to lose than other Ministers.

It is unfortunate that the Minister did not stress the seriousness with which the Government take these matters and did not send out a message that they wish to put behind them some of their own difficulties with conflicts of interest. It would have been nice if a stronger message had been sent out to the private sector that it is possible for higher standards to be observed than some of those in the public sector.

Mr. Redwood: Does my hon. Friend find it curious that the Minister should take our line against more regulation in the only matter where he fears that the Prime Minister and other senior Ministers might be caught by the legislation?

Mr. Brady: I do not find that curious at all; I find it entirely predictable and typical of the conduct of the Government. It is disappointing that there was not a more convincing condemnation of those practices, and a more convincing attempt to show that the Government have turned over a new leaf. However, having made my point, and having heard the Minister's rather disappointing response, I have no desire to press the matter to a vote, so I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Clause 3

BLACKLISTS

Mr. Boswell: I beg to move amendment No. 11, in page 1, line 19, leave out 'compilation' and insert 'use'.

Mr. Deputy Speaker: With this, it will be convenient to discuss amendment No. 12, in page 1, line 21, leave out from 'unions' to end of line 4 on page 2.

Mr. Boswell: We move from the consideration of general issues to a more pointillist analysis of the Bill, and if we receive satisfactory responses from the Government, it may be possible to accelerate the pace slightly.

Clause 3 and amendments Nos. 11 and 12 relate to blacklists. We are far from certain that it is necessary to legislate on blacklists, but we are not reopening the issue of principle. However, a point in this regard arose in Committee which is embodied in the amendments.

If the amendments were agreed to, one of the two possible offences in connection with blacklists would be removed. As the Minister will no doubt wish to say when he replies, the clause is subject to the affirmative resolution procedure. We have not seen the details of what is to be proposed and they have not been consulted upon. However, the amendments allow me to outline some of our concerns.

The amendments would confine an offence to the use of blacklists by employers or employment agencies for the purposes of recruitment. They would remove the offence of compilation of blacklists, for which there are at least three reasons.

First, as I said in Committee—in our haste to make progress, the Minister did not respond—it is possible for the compilation to take place outwith the jurisdiction altogether. For example, an agency in, for example, the United States, where the practice of union busting is a little more prevalent, might compile the list and post it on the internet. It is unclear whether an offence would then take place in the United Kingdom. Where that might take place is one of my concerns. On the other hand, the use of the blacklist in relation to UK legislation would be an offence which was tied to UK employees and would take place in the UK.

Secondly, lists could be compiled for a number of reasons, which may or may not, within the Government's terms, be malicious. One could compile a list at random. One could compile a list of trade unionists because one liked them or even wished to give preference to them rather than to discriminate against them. *[Interruption.]*

I am interested in the comments made from a sedentary position by the hon. Member for Workington (Mr. Campbell-Savours). I am sorry that he is not addressing himself to the details of the point. It is important that we get the matter right. We are not contesting the principle; we are concerned that the legislation should be viable.

My third consideration relates to what might be termed the possession of a list. There is no provision in the Bill for the mere possession of a list to be an offence, nor am I canvassing for that. But the point at which the compilation is complete is a matter of interest. I can understand that a list which has been compiled with the intention of being used to bust a union might be of concern to the Government, but what would happen if the list was in the process of compilation? When would we know whether it had been completed? When would we be able to say that it was definitely a list for the purposes of being used by employers or employment agencies for the purposes of recruitment? Those are legalistic points, but they have some merit.

Mr. Campbell-Savours: Why does the hon. Gentleman not simply tell the truth? The truth is that the Tories favour blacklists.

Mr. Boswell: I hope that the hon. Gentleman is not suggesting—because if he is I am sure he will want to reconsider—

Mr. Campbell-Savours: Why is the hon. Gentleman arguing for them?

Mr. Boswell: The argument is simply about whether the offence that the Government are proposing should be confined to the use of blacklists.

Mr. Ian Bruce: My hon. Friend will remember the debate we had in Committee. The Bill does not ban blacklists: it bans lists of trade unionists. Clause 22 requires the Secretary of State to have a list of trade unionists to appoint to the Central Arbitration Committee.

Mr. Boswell: I am grateful to my hon. Friend for reminding me of that. The essential point is that, if the Government want to go down that road, they can probably insist on banning lists or blacklists, but it may be speculative to create a separate offence of compilation, however well secured by preparation of regulations and consultation on them and by the affirmative resolution procedure; and I cannot see that it is necessary. If there is a problem, it consists in the use of those lists for the purposes of employment, and I think that that is what the offence should be.

Mrs. Fyfe: I am puzzled about what the Conservatives are contriving to do, because on three separate occasions in the past 10 years I have tried to make blacklisting an offence and on each of those occasions the Conservative Government used their majority to defeat those aims. Now we hear that the Conservatives do not support blacklisting: they merely want to ensure that the Bill is amended to prohibit the use of a list instead of the compilation of a list. That is an extraordinary proposition. Those of us who are against blacklisting—the Tories apparently include themselves in that—want such lists to be neither compiled nor used. They cannot be used if they are not compiled.

If a group of people in another country compile a list and put it on the net, that is obviously not within our jurisdiction. However, we can deal with offences within our jurisdiction and take action against those who compile or use such lists in this country.

Amendment No. 12 is plain silly, because it would prevent trade unions from making a list of members to ask them if they want insurance on loans, credit cards or holiday bargains. What is the sense in that?

I am glad to see this clause in the Bill. I have been campaigning on the issue for many years. In 1989, when I proposed this measure for inclusion in an Employment Bill, the Tories rejected it. That night, 170 hon. Members supported it, including my right hon. Friends the Prime Minister and the Member for Makerfield (Mr. McCartney). I am pleased that this measure will go through the House on this occasion.

Mr. Fabricant: I support the amendments because I believe that the days of the Economic League in the 1980s are past. I also believe that the Bill, as it stands, is unenforceable. I suspect that the Minister believes that too. Clause 3(2) says:

"The Secretary of State may make regulations".

It says not "will" make, but "may" make regulations. The Secretary of State knows that, if he were to make such regulations, they would be unenforceable.

As my hon. Friend the Member for Daventry (Mr. Boswell) said, when is a list a list? When is a list compiled, and when it is merely half completed or fully completed? There is no clarity in the law. Is a series of post-it notes a list?

Mr. Ian Stewart: Will the hon. Gentleman give way?

Mr. Fabricant: I shall not give way, because it is in the interests of the House that I finish my speech relatively quickly, and interventions take time. *[Interruption.]* If the hon. Gentleman wants to keep the House up, far be it from me to prevent him.

11.45 pm

Mr. Stewart: I thank the hon. Gentleman for giving way.

My point is very clear and very simple. There is a dissuasive element in the Bill in relation to the compilation of blacklists, but the hon. Gentleman is right that a decision on whether a list is just a list or a blacklist must come after the list has been compiled. That dissuasive element must clearly be in place, so that people know that it is not right to do it in the first place.

Mr. Fabricant: I do not think that the purpose of law is to influence opinion; I think that it is to legislate. I am saying that clause 3 is a bad clause because it is unenforceable in many ways. I think that it will be challenged in the courts, and I do not think that the question of when a list is a list is at all clear.

In fact, the whole clause is unnecessary in any case. The hon. Member for Glasgow, Maryhill (Mrs. Fyfe) was right to claim that she had consistently argued against blacklists. She may remember that on 12 April 1988 she presented a ten-minute Bill

"to give persons a right of access to any information held by any organisation for the purpose of blacklisting."

I think that that was an excellent idea.

We expected today, when a statement was made on the modernisation of government, to hear when there would be a freedom of information Bill, but nothing was said. Such a Bill would have given further access not only to blacklists held by individuals, but to blacklists that may well be held by the Government in relation to certain people. Why is there no such thing as a freedom of information Bill? What are the Government frightened of?

I believe that clause 3 is impossible in terms of legislation, and impossible to maintain in a court of law. I think that the amendment, which simply suggests that use of a blacklist should be deterred, is far more useful and sensible than the provisions in the Bill; and, as I have said, it is clear from the words "may make regulations" that the Secretary of State accepts my argument.

Mr. Byers: For the record, the hon. Member for Lichfield (Mr. Fabricant) is right to say that clause 3(2) gives the Secretary of State a power which he may exercise, and I certainly intend to exercise that power if I stay in my post long enough. To be blacklisted from employment—to be unable to work in one's profession or trade—simply because of trade union membership or activity is entirely unacceptable, and many of my hon. Friends have fought and campaigned for years for the day when, through legislation, we can ensure that such blacklisting is no more. That is exactly what clause 3 does, but we have to do this by way of regulation. I look forward to the time when we can debate in the House regulations that will, in detail, introduce the prohibition. There can be no place, in the last year of the century, for people being blacklisted for trade union membership.

The hon. Member for Lichfield spoke of points of law. There is a legal position underpinning the legislation, but we also believe that there is a responsibility in legislation to reflect public opinion. The message is simple. We do not believe that we should tolerate the keeping, the compiling or the use of lists that can be used to deny people work and the opportunity to earn their living, which is what blacklisting effectively does.

Mr. Fabricant: Will the Secretary of State give way?

Mr. Byers: No. We have heard many exchanges this evening; some have been significant, many trivial in the extreme, but the time has now come to make some progress.

Amendments Nos 11 and 12 would ensure that it would no longer be a criminal offence to compile a list of people relating to their trade union activities. We believe that that should be a criminal offence. We also believe that it should be a criminal offence to use such a list for the purpose of blacklisting individuals.

With respect to the hon. Member for Daventry (Mr. Boswell), there is no earthly reason why compilation should not be an offence. I agree with some of my hon. Friends that it is more of a wrecking amendment than one that seeks to deal with the issue of individuals being blacklisted from work. That is why I will invite the House to resist the two amendments.

On the specific points raised by the hon. Member for Daventry, it is true that compilation outside the UK will not be subject to our legislation; it is like any other area of law. It is a loophole, but one which it is not within our power to control. I regret that, but that is the reality. However, it is no reason not to move forward with clause 3.

The hon. Member for Daventry says that lists could be held for a number of reasons, but then fails to outline what those reasons might be in the context of clause 3.

Mr. Ian Bruce: Will the right hon. Gentleman give way?

Mr. Byers: No; I am not giving way.

[Mr. Byers]

Our view is that it is inappropriate to give people a power to compile a list for the purposes that are outlined in clause 3. One must ask why people need to possess such a list if they are not going to use it for purposes that we believe are wholly unacceptable.

I had hoped that even the Conservative party in 1999 would support measures to stop blacklisting. I regret that it is unable to do that and that its two amendments seek to water down clause 3. I hope that the hon. Member for Daventry, the Conservative Front-Bench spokesman, will reconsider the matter, look carefully at the effects of his amendments and agree that it is far better to keep the robust approach in clause 3 than to water it down.

Mr. Boswell: I suppose that the Secretary of State might expect me to defer to his superior legal knowledge in the matter, but with respect, I do not think that he has entirely addressed himself to the legal difficulties that I sought to outline, other than to concede that some of them were valid because we could not control the compilation of lists outside our jurisdiction.

I also noticed that the Secretary of State inserted into the various tests what he described at one point as keeping a list and at another point as possessing a list; it is not clear whether he has taken the relevant powers under the clause, or whether keeping or possessing a list is subsumed under the use of a list. It will be a matter of some concern if people who have a list in their possession—however they have come by it; perhaps they have inherited it from a parent—are guilty of a criminal offence even if they have never used it or intended to use it.

Nevertheless, having raised those points and invited the Secretary of State to reconsider them in preparing his regulations, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 4

NOTICE RELATING TO INDUSTRIAL ACTION

Mr. Byers: I beg to move amendment No. 51, in page 2, leave out from beginning of line 22 to end of line 17 on page 3 and insert—

'. Schedule (*Ballots and notices*) shall have effect.'.

Mr. Deputy Speaker: With this, it will be convenient to discuss the following: Amendment No. 13, in clause 5, page 3, line 17, after 'union', insert

'(or, if acting together, unions)'.

Government new schedule 1.

Government amendment No. 52.

Mr. Byers: I invite the House to resist amendment No. 13.

I will be brief but, obviously, in reply to the debate, I will try to answer any questions that might be raised. However, I hope that we can make progress because some important groups of amendments are coming up, on which hon. Members want to speak.

The Government have made it clear that they intend to retain the key elements of the law on industrial action. Nothing in the Bill or in the amendments infringes that principle. For example, ballots will still be held, notices must still be given and secondary action will remain unlawful. However, by common consent, current law on industrial action and, in particular, on balloting is extremely complex. In some cases, the burdens arising from the present procedures serve no useful purpose in extending democratic accountability within unions; nor do they always help employers to resolve a dispute or to mitigate the consequences of action.

Our amendments seek to make the situation easier for trade unions and employers. Our approach will ensure that both parties can concentrate on resolving a dispute, rather than being bogged down in detailed discussions about whether the complexity of the present procedures has been followed in all its forms. A number of proposals achieve those ends. They are relatively technical, and I hope that the House will be able to agree with them in that spirit. However, I will reply to any questions that hon. Members may have.

I invite the House to resist amendment No. 13. I believe that the hon. Member for Daventry (Mr. Boswell) tabled it in a genuine spirit to try to foster good industrial relations. However, there are difficulties. The existing procedures, and those in new schedule 1, require trade unions to ballot independently. It is important that that should be continued. However, there is nothing to prevent trade unions from voluntarily doing that in a concerted way, so that ballots can be held at roughly the same time, and so that results can be declared and employers informed. There is much merit in that joint and co-operative approach, which we commend as good practice. However, we are not convinced that adopting the rather restrictive approach suggested in amendment No. 13 would be in the best interests of good industrial relations.

Following that brief explanation, I hope that the hon. Member for Daventry will feel able to withdraw amendment No. 13, and agree that our proposals will address some of the present complexities and ensure that we can make good progress in supporting good industrial relations.

Mr. Boswell: The Secretary of State correctly interpreted my intentions in relation to amendment No. 13, which I will not press in light of what he has said. However, I re-emphasise that it is important for unions to work together whenever possible. It will look odd if one union has not applied the four-weeks rule and another has. Circumstances could arise where that was the case.

New schedule 1 appears to be broadly acceptable. In certain respects—particularly the notice provisions—it seems positively sensible to enable unions to comply with a court order or an agreement with the employers to suspend the period. I wish to refer to proposed paragraph (2)(bb) because I simply do not understand what it means. Perhaps the Secretary of State could drop me a line about that.

Could the Secretary of State confirm that the intention is that, on the voting paper,

"action short of a strike"

should include an overtime ban and a call-out ban? Reference has been made to consideration in due course to a proposal to reduce the period of protection to four weeks. We would not wish to concede that at this stage.

On inducement, the new schedule does not make clear the circumstances that are envisaged. I am not sure whether a member of a union who does not join in a ballot would be protected. I think that he would be for the protected period, but not thereafter. Perhaps the Secretary of State can look into that and respond in due course. Like the rest of the schedule, it may well be better addressed by those who brief us, and they may need a little more time to look at the implications. If they do, further amendments could be considered in another place.

12 midnight

Mr. Byers: I shall try to respond briefly to the specific issues that have been raised. The hon. Gentleman is right about overtime and call-out bans; they are included in action short of strike action. He also mentioned the health warning on the ballot paper, and I can confirm that we shall ensure that the attention of individual members is drawn to the effects of the measures—a point that was raised in Committee by the hon. Member for Altrincham and Sale, West (Mr. Brady).

As for non-balloted members being invited to take industrial action, the alteration is designed to deal with individuals who may have changed jobs in the period between the ballot and the taking of the action.

I think that those were the three main issues raised by the hon. Member for Daventry. If there are any others, I shall respond to them in writing.

Amendment agreed to.

Clause 11

RIGHT TO BE ACCOMPANIED

Mr. Brady: I beg to move amendment No. 40, in page 5, line 38, at end insert—

'(1A) This section shall not apply to an employer who shows that to comply with it would conflict with his religious beliefs.

Mr. Deputy Speaker: With this, it will be convenient to discuss the following amendments: No. 41, in clause 12, page 6, line 33, at end insert

'but such a complaint shall not succeed if the employer can show that he was unable to comply as a consequence of his religious conscience.'.

No. 39, in schedule 1, page 26, line 23, after ''22'', insert

'except for reasons of religious conscience.

Mr. Brady: In view of the lateness of the hour, I shall endeavour to be brief. However, I would not wish any hon. Member to draw an inference from that that the matter was any the less serious. I tabled the amendment with particular regard to the rights of some of my constituents who are members of the Plymouth Brethren. Many other hon. Members also represent communities of Plymouth Brethren in different parts of the country.

In Committee, my hon. Friend the Member for Buckingham (Mr. Bercow) and I spoke in support of amendments that would have protected the freedom of members of the Plymouth Brethren to practise their religion in the way that they believe is appropriate and right, and which they have followed for some 150 years in this country.

During that time, members of the brethren have benefited from the religious freedom and tolerance of which many of us are proud. They are a decent, God-fearing group of people who seek to live their lives strictly according to holy scripture. I note that some Labour Members seem to find that amusing. I find that rather disappointing; I regard the matter as having the gravest significance. Members of the Plymouth Brethren and other religious communities will be disappointed by the reaction of the Labour Members who find what I am saying amusing.

Mr. John Maxton (Glasgow, Cathcart): It will not make the slightest difference to any Member of the House of Commons what the Plymouth Brethren thinks of us, because its members never vote in general elections.

Mr. Brady: I thank the hon. Gentleman for making that point. It is important, because to some hon. Members, it matters what people in our country are free to do, regardless of their ability to reward either individual Members or political parties with their votes. I take pride in the fact that I am speaking for a group of people who do not participate directly in the political process. That is all the more reason why they need Members of Parliament who are prepared to speak for their interests.

I do not share the brethren's religious beliefs—and I do not wish to be diverted by Labour Members who clearly do not take religious freedom and tolerance seriously. It is disappointing, and embarrassing for the House, that some Members take that stance. However, I shall return to my main point.

The Plymouth Brethren is a fairly small community, but its members run 1,200 businesses, mainly small ones, which employ 6,500 people, all but 2,000 of whom are members of the brethren. In general, they are among the best of employers, and I have heard no one question that assertion. In the conduct of their businesses, and in the relations between employer and employee, they are beyond reproach.

The Plymouth Brethren's interpretation of scripture is that the master-servant relationship is God-given. It is not appropriate, therefore, for any organisation to intervene in that relationship.

Mr. Fabricant: Does my hon. Friend fear that some people may claim to be members of the Plymouth Brethren in order to extricate themselves from the Bill's provisions?

Mr. Brady: No. Members of the Plymouth Brethren live a particular type of life. My hon. Friend's point could be made on virtually any aspect of the Bill. Every other part of it can be established before an industrial tribunal, and I cannot see why the validity of someone's claim to be a member of a particular religious community cannot come into the same category.

The Plymouth Brethren's religious beliefs mean that its members do not think it appropriate for trade unions or trade or employers associations to intervene in the relationship between master and servant. That has important implications for the recognition aspects of the Bill and for representation in grievance hearings.

The hon. Member for Glasgow, Cathcart (Mr. Maxton) has pointed out that the Plymouth Brethren does not participate in the political process. That is no reason why

[Mr. Brady]

we should not seek to defend its freedom. This is not a party political matter. When it was debated in Standing Committee, Labour Members gave a more mature response than some of them have tonight. This is a fundamental matter of religious freedom and tolerance. Earlier debates have related to tolerance for other groups, and I cannot see why the Plymouth Brethren should be treated with any less respect, though others clearly take a different view.

The Minister of State, Department of Trade and Industry, the right hon. Member for Makerfield (Mr. McCartney), said in Committee that the Plymouth Brethren, of which he has had some experience in his constituency, is

"a religious community beyond reproach".—[*Official Report, Standing Committee E*, 25 February 1999; c. 164.]

He said that he had some difficulty understanding the community's position, and that difficulty goes to the heart of the matter. Many of us, on both sides, may find it difficult to understand the position adopted by the Plymouth Brethren. Perhaps none of us chooses to live as its members do. However, that does not make their choices any less valid, and it does not constitute a reason not to tolerate their religious views, or not to give them the freedom that we enjoy.

The Minister of State also said that the accompanying person in a grievance procedure would be there to advise and support, not to intervene or answer questions. However, the Bill says, in clause 11(2)(b) and (c) that the person is

"permitted to address the hearing"

and

"is to be permitted to confer"

during the hearing.

The Bill clearly intervenes in the relationship between master and servant, and between employer and employee. The amendment is of the utmost importance because it goes to the heart of the religious freedom and tolerance for which our country is known and in which we—at least, the Conservatives—believe. I hope for a constructive response from the Minister.

Mr. Bercow: I am pleased to rise in support of my hon. Friend the Member for Altrincham and Sale, West (Mr. Brady). In so doing, I say at the outset that I am genuinely saddened and shocked by the reaction of a number of Labour Members. In particular, it is a source of regret to me and—I suspect—several others that the hon. Member for Glasgow, Cathcart (Mr. Maxton), who is a long- serving Member of Parliament and someone who sits on the Chairmen's Panel on behalf of Members of this House, should behave with such gross disrespect to a community of people who wish to defend and uphold their right to live their lives in the way that they think fit. If the hon. Gentleman does not have the nous to appreciate that he has behaved contemptibly, that says more about him than it does about the Conservative Opposition or members of the Plymouth Brethren. The same goes for other Labour Members, many of whom are in a tired and emotional state tonight. If they think such behaviour is funny or clever, or that it elevates them to a higher plane than the people on whom they sit in judgment, it is lamentable. Tolerance is not about putting up with people of whom or activities of which one approves: it is about putting up with activities one dislikes and people of whom one disapproves or whom one does not understand. If right hon. and hon. Members are not open to that blindingly obvious point, it is very regrettable.

Members of the Plymouth Brethren, as my hon. Friend the Member for Altrincham and Sale, West pointed out, are God-fearing people. There are members of the Plymouth Brethren in many constituencies and at least 50 in my constituency. I know that the Minister of State, Department of Trade and Industry, to whom we wish a speedy recovery, has had several meetings with members of the brethren over many months. He was good enough to say in Committee that they had always made their case effectively and courteously to him.

Mr. Byers *indicated assent.*

Mr. Bercow: I am grateful for the Secretary of State's assent to that point. The Minister of State added in Committee that he wished that other people who had come to see him had been as courteous. They had not, and the fact that a member of the Chairmen's Panel does not have the manners to listen to the views of the Plymouth Brethren is a sad commentary indeed.

Members of the Plymouth Brethren made it clear that nothing can interfere with the sanctity of the Lord's supper in the conduct of their lives. They have no personal hostility to trade unions or to members of trade unions, but because of their religious convictions, they do not recognise trade unions and, in the running of their businesses, they are not willing to accept the presence of union officials in the circumstances provided for in the Bill. In a letter of 22 February to the Minister of State, the members of the brethren made it clear that they had no intention of derailing the Bill: they simply sought an exemption from it.

The estimable commentary on the European convention on human rights by Harris, O'Boyle and Warbrick states that it contains a strong affirmation of the power and even the duty to protect manifestations of religious belief. The Human Rights Act 1998 underlines the importance of respecting individual human rights, including the entitlement to practise one's religious beliefs. If Ministers do not accept the amendments, will they explain to the House, the brethren and the country why they do not accept them? If Ministers will not accept the amendments, by what practical means do they intend to safeguard the interests and the freedoms of the Plymouth Brethren?

At least one Labour Member, the hon. Member for Dudley, South (Mr. Pearson), said in Committee that he hoped that the Minister of State would have some kind and helpful words to meet the interests of the community. Though he endeavoured to do so, he did not offer reassurance. I hope that the Minister for Small Firms, Trade and Industry will tonight, and that he will reaffirm his respect for communities whose practices he does not share and with whose beliefs he disagrees. If he does, he will signally distinguish himself from several of his hon. Friends.

12.15 am

Mr. Wills: As hon. Members who served on the Committee, particularly the hon. Members for Altrincham and Sale, West (Mr. Brady) and for Buckingham

(Mr. Bercow) know, we discussed the Plymouth Brethren and matters of religious conscience at length. The Government made clear our respect for all those with religious consciences or who believe in religious practices.

The Department of Trade and Industry has had numerous contacts with members of the brethren. Officials met them before the Committee and again last week to discuss their concerns. I understand that many of the employees under discussion are members of the brethren and would therefore not wish to be accompanied by trade union officials at disciplinary or grievance hearings. It is therefore in practice most unlikely that one of the very few brethren businesses—I think that we are talking about some 35 in all—with more than 20 employees would face an application for membership that passes the test that we have set. In the unlikely event of such an application, the Central Arbitration Committee would no doubt take account, subject to the law, of the constraints imposed on the employer by religious conscience.

I do not doubt that the amendments are well meant, but they raise the difficult issue of whether workers' rights under law can or should be curtailed because of an employer's religious beliefs. Of course the Government respect religious freedoms, but we also respect the right to freedom of association and to form and join trade unions. Both those freedoms are enshrined in the European convention on human rights, so we face a conflict between two fundamental principles.

I have no reason to doubt that members of the brethren are good employers. We do not underestimate the sincerity of their beliefs. However, as my right hon. Friend the sadly missed Minister of State made clear in Committee on 25 February, the Government cannot accept that the religious freedom of employers, who are, after all, free to choose whether to employ others and how to arrange their affairs, should take precedence over the rights of individuals to form and join trade unions for the protection of their interests. The Government cannot agree that workers should be deprived of their statutory rights to recognition or to be accompanied at grievance and disciplinary hearings, which are fundamental human rights, because of the religious beliefs of their employers. Moreover, there must be a danger that any religious exemption would be a loophole through which unscrupulous employers would seek to exploit the Bill.

I repeat that the beliefs of the brethren are sincerely held. The Bill could pose some real problems for the members. I listened carefully to what has been said today and in Committee. I undertook then to continue to look at these issues carefully and to consider whether we can reasonably do anything to take account of the situation of the brethren without undermining the basic principles of the Bill. I undertake to continue so to consider.

Mr. Bercow: Will the Minister give way?

Mr. Wills: With respect to the hon. Gentleman, we have discussed this at great length, and I want to come to the nub of my remarks.

Unfortunately, we cannot accept the amendments for the same reasons that we could not accept them in Committee. To do so would put at risk fundamental freedoms and rights of individual workers. However, as I have said, we shall continue to think further about the matter and we will of course examine any further proposals that the brethren may care to put to us. I hope that, in the light of my remarks and reassurances, the hon. Member for Altrincham and Sale, West will seek leave to withdraw the amendment.

Mr. Brady: I thank the Under-Secretary for his courteous and thoughtful response, which was in marked contrast to the comments of some Government Members. I am grateful for his conduct on the matter, as I am for the thoughtful response from the Minister of State. However, I cannot accept the arguments that the Under-Secretary makes. Although a very small number of businesses may be affected, the sincerity of the religious principle is not any the less real.

The question of recognition procedures may affect very few employees, but for grievance procedures there is no minimum threshold for employee numbers. I do not believe that there is any genuine conflict between articles 9 and 11 of the European convention on human rights. There is no problem in the amendments and the right to free association and to membership of a trade union is not in question. It is simply that a question is posed in certain circumstances in relation to recognition proceedings. There is no contravention of the convention.

I think that I heard the Minister say that the brethren were free to employ whom they saw fit, which is perhaps an invitation to them not to employ people who are not brethren, which would be an interesting response.

I am deeply disappointed that the Minister has not felt it possible to go further on behalf of the Government and that the best that he could offer was respect for, not tolerance of, religious beliefs. That really is not good enough. Given the lateness of the hour, I reluctantly do not intend to press the matter to a vote, but I feel deeply aggrieved, as will many of my constituents, that more progress has not been made. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. Brady: I beg to move amendment No. 44, in page 6, line 6, at end insert—

'(d) is to be permitted to speak only on matters which are directly relevant to the subject of the hearing'.

Mr. Deputy Speaker (Mr. Michael Lord): With this, it will be convenient to discuss the following amendments: No. 4, in page 6, line 9, at end insert

', provided that he is a full time official.'.

No. 50, in clause 13, page 7, line 33, at end insert—

'(6) In the application of subsections (1)b and 3(b) above, where a worker seeks to accompany another worker not of the same employer, the employer of the accompanying worker shall be entitled to require that worker to take unpaid leave while absent from their place of work during the relevant period or periods.'.

Mr. Brady: The amendments relate to a tighter definition of the circumstances at a disciplinary or grievance hearing. They seek to tighten up the circumstances within which —*[Interruption.]*

Mr. Deputy Speaker: Order. These are all serious amendments and the House must listen to the debate.

Mr. Allan Rogers (Rhondda): On a point of order, Mr. Deputy Speaker. The hon. Member for Buckingham

[Mr. Allan Rogers]

(Mr. Bercow), the pompous person, called a name across to one of my hon. Friends which was quite uncalled for. He should withdraw it.

Mr. Deputy Speaker: Order. I did not hear anything called across the Chamber and I suggest that we return to the amendment in hand.

Mr. Brady: I am grateful, Mr. Deputy Speaker. I am trying to move matters forward for the benefit of the House, but with little co-operation from Labour Members, it must be noted. It is important that the circumstances in which a person accompanying someone at a disciplinary or grievance hearing can act—in what ways and on what matters that person can speak—should be properly defined. The amendments would define the principle of the matter, in a way that would not affect the nature of the Bill but would clearly limit the activities of trade unions in this context to proper disciplinary and grievance procedures.

Mr. Boswell: I rise to comment on my amendment No. 4. The concern underlying it has been expressed by the Engineering Employers Federation and others. It is that persons may be brought along to a disciplinary or grievance hearing who may be inappropriate for the case in point.

I want to confine representation outwith the firm to full-time union officials, because concern has been expressed to us that unless representation is thus tied down, it might include, for example, a shop steward from a rival firm, who might be a trade union official but whose presence might prove difficult in the circumstances. I invite the Government to consider that matter further.

Mr. Wills: In respect of amendment No. 4, it appears that despite the fact that a Conservative Government enshrined in law the right to belong to a union of one's choice, the Opposition seem unable to accept the logical consequence: that trade union representatives should be allowed to represent their members in crucial matters. We see no compelling reason why that right should be denied to union members.

Presumably, if Conservative Members had had more time, they might have argued that employers would not feel free to discuss a sensitive subject before an outsider—perhaps someone employed by a competitor. There is no force in that argument; it is highly improbable that genuine issues of commercial confidentiality would arise and such issues would have to be revealed if the event led to a tribunal. The amendment is unnecessary and unacceptable; it would limit an important right and I hope that hon. Members will withdraw it.

Amendment No. 44 would qualify and narrow the range of functions that the accompanying person may perform when fulfilling that role. We should not lose sight of the purpose of that right; it will enable vulnerable workers to have support and a helping hand in presenting their case cogently and effectively when that might otherwise be impossible. There is no reason to limit the scope of the clause in that way.

Amendment No. 50 covers situations in which the accompanying person is not employed by the same employer as the worker who is being accompanied. Conservative Members want to limit the costs incurred by the accompanying person's employer. I shall put their minds at rest: the measure will not be a burden on employers. Several options are available to them and the arrangements that we have in hand adequately deal with the issue. The Bill will involve minimal disruption to third party employers; it does not require such employers to give paid leave. I see no reason for qualifying that right further. The amendment is as unnecessary as the others in the group and I hope that they will not be pressed.

Mr. Brady: I am disappointed in that response, but given the lateness of the hour, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 12

COMPLAINT TO EMPLOYMENT TRIBUNAL

Amendment made: No. 166, in page 7, line 9, at end insert—

'( ) The limit in section 227(1) of the Employment Rights Act 1996 (maximum amount of week's pay) shall apply for the purposes of subsection (3) above.'.—*[Mr. Wills.]*

Clause 13

DETRIMENT AND DISMISSAL

Amendment made: No. 53, in page 7, line 30, at end insert—

'( ) Sections 128 to 132 of that Act (interim relief) shall apply in relation to dismissal for the reason specified in subsection (3)(a) or (b) above as they apply in relation to dismissal for a reason specified in section 128(1)(b) of that Act.'.—*[Mr. Wills.]*

Clause 17

AGREEMENT TO EXCLUDE DISMISSAL RIGHTS

Amendments made: No. 54, in page 9, line 12, leave out '(4)' and insert '(5)'.

No. 55, in page 9, leave out lines 20 and 21 and insert—

'(4) In section 23 of the National Minimum Wage Act 1998 for subsection (4) there shall be substituted—

"(4) This section does not apply where the detriment in question amounts to dismissal within the meaning of—

(a) Part X of the Employment Rights Act 1996 (unfair dismissal), or

(b) Part XI of the Employment Rights (Northern Ireland) Order 1996 (corresponding provision for Northern Ireland),

except where in relation to Northern Ireland the person in question is dismissed in circumstances in which, by virtue of Article 240 of that Order (fixed term contracts), Part XI does not apply to the dismissal."

(5) In paragraph 1 of Schedule 3 to the Tax Credits Act 1999, for sub-paragraph (3) there shall be substituted—

"(3) This paragraph does not apply where the detriment in question amounts to dismissal within the meaning of—

(a) Part X of the Employment Rights Act 1996 (unfair dismissal), or

(b) Part XI of the Employment Rights (Northern Ireland) Order 1996 (corresponding provision for Northern Ireland),

except where in relation to Northern Ireland the employee is dismissed in circumstances in which, by virtue of Article 240 of that Order (fixed term contracts), Part XI does not apply to the dismissal." '.—*[Mr. Wills.]*

Clause 20

CODE OF PRACTICE: SUPPLEMENTAL

Amendment made: No. 57, in page 11, leave out lines 13 to 18 and insert—

'( ) If the draft code is approved by resolution of each House of Parliament, the Secretary of State shall issue the code in the form of the draft.'.—*[Mr. Wills.]*

Clause 23

CAC: PROCEEDINGS

Amendment made: No. 58, in page 13, line 12, leave out subsection (5) and insert—

'(5) If—

(a) a panel cannot reach a unanimous decision on a question arising before it, and

(b) a majority of the panel have the same opinion,

the question shall be decided according to that opinion.

(5A) If—

(a) a panel cannot reach a unanimous decision on a question arising before it, and

(b) a majority of the panel do not have the same opinion,

the chairman of the panel shall decide the question acting with the full powers of an umpire or, in Scotland, an overman.'—*[Mr. Wills.]*

Further consideration adjourned.—*[Mr. Pope.]*

Bill, as amended in the Standing Committee, to be further considered tomorrow.

DELEGATED LEGISLATION

Mr. Deputy Speaker (Mr. Michael Lord): With permission, I shall put together the motions relating to delegated legislation.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

LOCAL GOVERNMENT FINANCE (SCOTLAND)

That the Special Grant Report (Scotland): Grant in aid of expenditure on rural public passenger transport for 1999–2000 (HC 283), which was laid before this House on 3rd March, be approved.

LOCAL GOVERNMENT FINANCE (ENGLAND)

That the Local Government Finance (England) Special Grant Report (No. 45) (Metropolitan Railway Passenger Services Grant 1999–2000) (HC 305), which was laid before this House on 10th March, be approved.

LOCAL GOVERNMENT FINANCE (SCOTLAND)

That the Special Grant Report (Scotland): Grant in aid of expenditure on rail services in the Strathclyde Passenger Transport Area, which was laid before this House on 18th March, be approved.

BROADCASTING

That the draft Limit in Relation to Licences to Provide Radio Multiplex Services Order 1999, which was laid before this House on 8th March, be approved.

ROAD TRAFFIC

That the Traffic Areas (Reorganisation) (Wales) Order 1999, dated 9th March 1999, which was laid before this House on 10th March, be approved.

PRISONS

That the draft Northern Ireland (Sentences) Act 1998 (Specified Organisations) Order 1999, which was laid before this House on 3rd March, be approved.

NORTHERN IRELAND

That the Northern Ireland (Emergency Provisions) Act 1996 (Amendment) Order 1999 (S.I., 1999, No. 525), dated 3rd March 1999, which was laid before this House on 3rd March, be approved.

That the draft Northern Ireland (Emergency Provisions) Act 1996 (Code of Practice) Order 1999, which was laid before this House on 8th March, be approved.—*[Jane Kennedy.]*

Question agreed to.

Motor Cycling

Motion made, and Question proposed, That this House do now adjourn.—*[Jane Kennedy.]*

12.30 am

Mr. Stephen Pound (Ealing, North): I had presumed that, as I rose to my feet, most hon. Members would choose to leave the Chamber, but I have not been quite as disappointed as I feared I would be. I am grateful to you, Mr. Deputy Speaker, for allowing me to speak on the important subject of motor cycling as part of an integrated transport strategy. I hope that hon. Members will forgive me when I say that the words "motor cycle" are interchangeable with "powered two-wheelers", as I mean no prejudice against riders of scooters—or sewing machines, as we used to call them.

More than most groups in society, motor cyclists are victims of image. Many of us were brought up seeing, and have never quite escaped from, the image of Marlon Brando in "The Wild One" riding his Triumph Bonneville 750, but some us have striven to see beyond the stereotype of the biker, because we have suffered from that stereotypical view of bikers and biking. Motor cycling—the use of powered two-wheelers—is not about speed, image, or leather. It is not necessarily about laying the needle against the pin, red-lining it and getting your knee down—practices of which I know, or at least remember, little. Motor cycling is now an informed, responsible and mature choice.

Like many people in this country, I was delighted in February 1997 to read the then Labour Opposition's policy document entitled, somewhat infelicitously, "Bike to Basics". The author of that document was at that time shadow Transport Minister, and is now the Minister for Transport in London. I was delighted to read her pledge that motor cycling would be at the heart of the national transport agenda. Nothing that has happened since then has disappointed me. Like many bikers, I welcome chapter 3 of "A New Deal for Transport: Better for Everyone", published by the Department of the Environment, Transport and the Regions in July 1998, which spoke about the policies that the Government are introducing for powered two-wheelers. I and many of my colleagues welcome what has been done, but, sadly—perhaps not surprisingly—we look for more.

We look for some indication from the Government that local authorities will be persuaded, cajoled or possibly even nudged in the direction of including within the five-year transport plans a motor cycling strategy along the lines pioneered by the former Avon county council. We look for such things as secure parking at modal interchange points, in line with the transport White Paper, and for infrastructure improvements, because the riders of powered two-wheelers suffer disproportionately from problems of potholes, loose gravel, diesel spillage and poor road surfaces. Powered two-wheeler exemption from local road user charging and restrictions on bus lanes and higher occupancy vehicle lanes would also be greatly appreciated, as would permission for powered two-wheelers to use the advance stop lines that have proved so successful with pedal cyclists. Powered two-wheeler access to urban centre clear zones would also be appreciated—where that has been tested, it has not proved to be a problem.

I am not submitting a shopping list, but simply asking for recognition. There are 629,000 registered motor cycles in the United Kingdom, and motor cyclists—many of whom are in the Chamber tonight, including my hon. Friend the Member for Salford (Ms Blears)—contribute, not personally but collectively, £75 million per annum to the Exchequer through fuel and vehicle excise duty. Sadly, some people still believe that more bikes will lead to more accidents. In 1996, 440 riders of powered two-wheelers were killed and 22,604 riders were injured on British roads. However, before people gain the mistaken impression that this is a lethal mode of transport, I must inform the House that powered two-wheelers are the only group to have met the year 2000 safety target. In fact, a reduction of 62.5 per cent. against a target of minus 40 per cent. was achieved by 1997 using the 1981-85 baseline figures.

Riders and the industry are responsible. In March 1998, Honda introduced the Honda motor cycle appreciation course, and 6,000 students have been trained to date by the 75 ex-police instructors who operate that excellent course. Motor cycling is about freedom, but it is also environmentally friendly and fuel efficient, and eases congestion. Bikers may be serious, by biking is fun. Anyone who has swooped like a swallow around the A roads of our nation will know the joy of motor cycling.

I think that motor cycling's time has come. It is a mode of transport for the 21st century. I welcome the commitment to the industry that the Government have made collectively and that the Minister has made personally. I am grateful for this opportunity tonight to speak for a few moments about a subject that means a great deal to me and to many others in this country. I apologise for the discourtesy of not apprising you of this sooner, Mr. Deputy Speaker, but I shall now conclude to allow my hon. Friend the Member for Salford to make an informed contribution to the debate.

12.36 am

Ms Hazel Blears (Salford): I am delighted that my hon. Friend the Member for Ealing, North (Mr. Pound) has secured tonight's Adjournment debate, and I am very grateful to him for allowing me to contribute.

Unlike my hon. Friend, I am a relative newcomer to biking, having passed my test only two years ago as a present to myself on my 40th birthday. I have just bought my first big bike—at least, it is a very big bike to me. As my hon. Friend said, motor cycling can help to cut congestion in urban areas and reduce pollution, and it is environmentally friendly. At long last, we have a Government who are prepared to acknowledge the role that motor bikes can play in our transport system.

If we are to encourage more people to take to two wheels, we must take action to make their bikes more secure and to reduce bike theft. I know what that feels like, because it has happened to me: my motor bike was stolen. Having a motor bike stolen is like losing a best friend; it is devastating. Preventing that crime in the first place must be a top priority.

As my hon. Friend said, there are thousands of motor cycle owners in this country. In fact, 25,000 motor bikes are stolen every year, but the recovery rate is only 14 per cent.—a mere 3,500 bikes are recovered each year. In the past three years, 52,000 motor bikes have been reported stolen and not been recovered. We should contrast that

with the recovery rate for stolen cars. About 400,000 cars are stolen every year in England and Wales, but the overall recovery rate is 65 per cent. Something like 260,000 stolen cars are recovered every year, but the recovery rate for stolen bikes is much lower.

Vehicle crime costs this country about £3 billion a year in total; so, cutting motor cycle theft not only makes good economic sense, but will reduce the distress and heartache caused to many riders who lose their pride and joy. The Home Office has set a tough target of reducing vehicle crime by 30 per cent. over the next three years, and cutting motor cycle theft would assist it enormously in that endeavour.

I can offer a few suggestions for reducing motor cycle theft. First, all motor bikes are required to have engine and chassis numbers that tally with the vehicle registration documents. We must ensure that that requirement applies to off-road and racing bikes also, because a whole industry is devoted to stealing, stripping, ringing, selling and shipping bikes abroad. We must have better identification of bikes in this country. In America, the Vehicle Theft Law Enforcement Act 1984 requires manufacturers to mark 12 different components of the motor cycle with identification, which not only helps to deter theft, but enables the police to identify the owners when their property is recovered.

My second suggestion is that more motor cycles should have built-in alarm systems fitted at source. We expect that of cars in this day and age, but bike manufacturers have been appallingly slow in introducing them for motor bikes. I understand that Kawasaki have just produced two bikes with built-in alarm systems, and I want the Government to encourage manufacturers to do much more.

The third and, perhaps, the most important point is the need for secure parking. About 80 per cent. of motor cyclists say that parking is the most important issue in deciding whether to use their bikes.

Mr. Jim Fitzpatrick (Poplar and Canning Town): Does my hon. Friend agree that it is a welcome fact that a first Conservative Member, the hon. Member for New Forest, East (Dr. Lewis), has joined the debate? So far, several Labour Members and two Liberal Democrat Members have been present to support this Adjournment debate—

Mr. Deputy Speaker (Mr. Michael Lord): Order. The hon. Gentleman ought to study the nature of Adjournment debates.

Ms Blears: I am aware that the hon. Member for New Forest, East has a personal interest in motor cycling.

Provision of secure parking is important, because many bikes are stolen by being manhandled into vans. Opportunist thieves can steal a locked bike in seconds. I am delighted that, in our document "A New Deal for Transport: Better for Everyone", the Government have said that, in drawing up local transport plans, local authorities should consider specific measures to assist motor cyclists, such as secure parking at public transport interchange sites.

I know that many local authorities, with the Government's backing, are now embarking on positive measures to provide secure anchorage points at the kerbside or by using hoops and rails. Several experiments in Coventry and Bristol have provided effective low-cost schemes utilising areas of pedestrianised roads where railings have been erected to which people can lock their bikes. That costs next to nothing, but provides a tremendous degree of security.

The Motor Cycle Industry Association has produced excellent guidelines about the location, construction and value for money of various initiatives. I do not have the time to describe all of them now, but these are three particularly welcome pieces of advice. The first, which relates to location, says, "Please do not place the secure parking facilities on steep gradients." As a relatively short rider, I appreciate that.

The second piece of advice is that sites chosen should not be susceptible to environmental disadvantage such as flooding, falling tree sap or bird droppings. Most bikers would appreciate not having bird droppings on their bikes.

Thirdly, and intriguingly, secure parking should not be situated over gratings and grids where people might drop their keys when they go to move their motor bike.

It is also important that we try to involve local sponsors in those schemes. We might be able to get insurance companies, motor cycle dealers and local businesses to sponsor secure parking. Now that we have a Government who are positive about motor cycling, we can make progress on that.

On an entirely separate matter, I make a plea to the Government promptly to consider the automatic ban that applies to learner motor cyclists who do not pass their test within two years of getting their provisional licence. That can put many riders, particularly young people, off motor cycling, and they then turn to cars. That ban is viewed as unfair and discriminatory because it does not apply to car drivers. I know that there has been extensive consultation by the Driving Standards Agency and a number of options were suggested. I am delighted that the Government are reconsidering that issue, because our policies should be directed towards encouraging learner drivers to gain better road skills and training, rather than penalising them and putting them off motor cycling for ever.

Motor cycling has changed dramatically in recent years. It is becoming respectable with people of all ages and from all walks of life. Respectability will no doubt damage the reputation of my hon. Friend the Member for Ealing, North, but I, for one, am glad of that respectability. Perhaps there will always be an element of rebellion about riding a motor bike, but, for thousands of people in Britain, motor cycling is an affordable, efficient form of transport. Let us not forget that, for all of us riders, it is great fun, too.

Motor cycling is exciting; it is exhilarating; it can be done alone or in a group, but, whichever way it is done, it is the best way that I know of to blow away the cobwebs at the end of a long, hard parliamentary week. I hope that many more people will join our ranks and discover the joys of riding. When they do, I hope that they will have the support of the Government, who want to make motor cycling a real part of our transport policy, and will ensure that the voices of riders are heard loud and clear.

12.44 am

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Ms Glenda Jackson): I am most grateful to my hon. Friend the Member for Ealing, North (Mr. Pound) for raising the issue of motor cycling, for his generosity in affording the opportunity for our hon. Friend the Member for Salford (Ms Blears) to add her particularly informed contribution to the debate, and for raising the memory of Marlon Brando in virtually anything.

I am grateful to my hon. Friend the Member for Ealing, North for raising the issue of motor cycling as a component of our integrated transport policy. Even in opposition, we were actively considering the issue, resulting in "Bike to Basics", which helped us to develop informed views.

In November 1997, following the publication of "Bike to Basics", we consulted widely among motor cycle, environmental and safety groups. We continued and completed that process by publishing our White Paper "A New Deal for Transport: Better for Everyone" in July last year—the first major transport policy statement for 20 years. We believe that motor cycling does have a role to play in integrated transport. Mopeds and motor cycles are a sensible means of transport for many journeys. At the most recent count, there were 626,000 motor cycles in the country.

My hon. Friend the Member for Ealing, North referred to the undoubted reduction in motor cycling accidents, but we must still be concerned about the safety of this form of transport because, in 1997, there were 509 motor cycle fatalities. In the same year, motor bikes comprised under 1 per cent. of road traffic, but their riders suffered 14 per cent. of deaths and serious injuries on the roads. We must reduce that appalling toll. We believe that that can best be achieved through better education—a point made by my hon. Friend the Member for Salford—and, where necessary, regulation.

As long ago as 1990, the requirement was introduced for all new learner motor cyclists and moped riders to complete a course of compulsory basic training before being allowed to ride on the road. Many learner motor cyclists at that time were choosing not to take any form of professional tuition. Training has played an important part in reducing the number of casualties, which until 1997, as my hon. Friend the Member for Ealing, North pointed out, had been falling. But we must do better.

We are also addressing licensing. Currently, as my hon. Friend the Member for Salford said, a provisional licence is valid for two years. After that, if a full licence has not been gained, a year must elapse before a provisional licence can be renewed. As she said, some regard that as unfair and unnecessary. We have consulted widely on the relaxation of the rule, and are reflecting on the responses.

Safety is, of course, not just about the action of motor cyclists. Motor cyclists are vulnerable to the behaviour of other road users. We have therefore introduced more questions in the driving theory test to increase the awareness of drivers to the vulnerability of others, and from next week, such questions will be added to the theory test for learner lorry and bus drivers. From May, extra driving is being added to the practical test to allow a broader assessment of behaviour toward vulnerable road users, including motor cyclists, on a wider range of roads.

Motor cycles must be safe, too; so, after 17 June, all new models must meet the requirements of European whole vehicle type approval, as cars do already. From June 2003, that requirement will apply to all new motor cycles. That move will provide greater assurance that motor cycles that enter this country are constructed to high levels of rider safety.

My hon. Friend the Member for Salford referred to an increasing need for the security of motor cycles. Whole vehicle type approval will require all new two and three-wheel motor vehicles, except mopeds, to be fitted with a locking system for the steering mechanism, thus preventing unauthorised use of the vehicle. Vehicle identification plates must be fitted, showing such information as the manufacturer's name, a unique vehicle identification number, the whole vehicle type approval number and certain technical information relating to noise output.

At present, there is no mandatory pan-European requirement for motor cycles to be fitted with alarm systems. However, we would certainly look carefully at any future European proposal to require alarm systems to be fitted.

Despite the assertion of my hon. Friend the Member for Ealing, North that motor cycling is not about speed, speed is a road safety issue that applies to all road users and is probably the single biggest road safety problem. My noble Friend Lord Whitty launched a speed management review last October. Part of that work will be to look at ways of managing vehicle speeds to improve the safety of all road users, including motor cyclists.

My hon. Friend the Member for Ealing, North listed some of the dangers experienced by motor cyclists in respect of the state of our roads. Regrettably, we inherited a legacy of under-investment; so, to tackle the backlog of maintenance required to bring our network up to a safe and serviceable condition, we will be spending £2.3 billion on that project over the next three years. In December, we announced an increase in funding for English principal roads, from £80 million in 1998–99 to £113 million for 1999–2000. For other local authority roads, there is an increase of £46 million each year during the next three financial years in the highways maintenance standard spending assessment.

Local authorities are asked to take account of the contribution that motor cycling can make to their integrated transport plans, and we hope to see some firm proposals. A measure that we floated in the White Paper was secure parking at public transport interchange sites. We do not believe it right to require operators to provide secure parking—that is a matter for them—but local authorities can consider what they can do and we would like to help them.

Local authorities do not have the power to provide devices for securing motor bikes at the roadside, so we have agreed to support a private peer's Bill, which Lord Rotherwick introduced today in the other place, to enable local authorities to provide such facilities. If a local authority made a soundly based proposal for a pilot project allowing motor cycles to use bus lanes, we would seriously consider it. There are places where that is allowed already, but we need to be able to monitor a project—with data on conditions before and after—so that we can make an informed decision about whether the practice might be adopted as policy.

Motor cycles do not have the same implications for congestion as cars—their numbers are few in comparison and they take up less road space—but, on the other hand, we are considering encouraging high vehicle occupancy and a motor bike can carry a maximum of two persons, compared with four for a standard car.

Charging policy is also an issue. In December, we issued the consultation document "Breaking the Logjam". The consultation period ends tomorrow. We sought views on a general exemption for motor cycles from user charging and the workplace user charging levy. Our provisional view, which is set out in the consultation document, is to leave decisions to local discretion.

We have been considering the environmental benefits of motor cycles. Emission standards for new motor cycles and mopeds are due to be implemented later this year, but there is still some catching up to be done, especially on carbon monoxide and hydrocarbon emissions. Oil-burning two-stroke machines are also a concern due to particulate emissions.

Motor cycle and moped noise levels are also being reduced, and the European Commission is considering future standards for emissions and for noise as part of a scientific review being carried out with the motor cycle industry. The review will establish the technical feasibility of further controls and the costs and benefits of such measures. The proposals that the Commission may make as a result of the review are expected next year.

It is clear that there are arguments to balance before we can reach conclusions, and, as foreshadowed in the White Paper, we will be setting up an advisory group to look into some of those issues. The group will be chaired by my noble Friend Lord Whitty and we intend that it should meet soon, thereby fulfilling our commitments and our belief that motor cycling—and, indeed, motor cyclists—can be part of an integrated transport policy.

Question put and agreed to.

Adjourned accordingly at six minutes to One o'clock.

House of Commons

Wednesday 31 March 1999

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Adjournment (Easter)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Mike Hall.]*

9.33 am

Mr. Harry Barnes (North-East Derbyshire): On Tuesday 23 March, *The Mirror* ran an exclusive story on Anita Froggatt, a constituent of mine from North Wingfield, who had had a healthy breast removed. She had been wrongly identified as a cancer victim at the Chesterfield and North Derbyshire Royal hospital, where a mix-up had occurred with the slides. On reading the report in *The Mirror*, I immediately contacted Avril Toland, the unit manager at the hospital. I was informed that a consultant pathologist had been suspended. There had been a similar case the previous year, involving the same consultant pathologist, which had resulted in an internal investigation. Obviously, the results and recommendations of the investigation and the procedures that were set in motion were inadequate to deal with the problem.

The second person involved is Kuldip Sumal, who is a constituent of my hon. Friend the Member for Bolsover (Mr. Skinner). The hospital serves my constituency as well as those of my right hon. Friend the Member for Chesterfield (Mr. Benn) and my hon. Friend the Member for Bolsover.

I then contacted the office of the Secretary of State for Health and Anita's solicitor, Phil Bowen. I talked to Anita, who was at the solicitor's when I called. Also, I raised the matter on a point of order with you, Madam Speaker, and discussed the case that evening with my right hon. Friend the Secretary of State, whose concern is revealed in an answer to a parliamentary question that I tabled on 23 March and to which I received an answer yesterday.

I asked my right hon. Friend what reports he had received on errors made by the Chesterfield and North Derbyshire Royal hospital in diagnosing breast cancer and if he would make a statement. The reply states:

"We are aware of the two terrible cases which have been the subject of media attention and my right hon. Friend the Secretary of State has written to both women to express his feelings of deep regret that they have had such an awful experience.

We have asked the regional director of public health in Trent to commission a comprehensive review of the circumstances to ensure that everything possible is done to avoid this happening again. The review team will include an expert nominated by the Royal College of Pathologists. My right hon. Friend will be kept informed of progress and will be fully appraised of the conclusions and recommendations of the review team, which will be published."—[*Official Report*, 30 March 1999; Vol. 328, c. 647.]

A serious matter of confidence is involved—the shattered confidence of my constituent and women's confidence in breast cancer screening and treatment in general. Anita is reported in *The Mirror* as saying:

"It's horrific. How can I come to terms with this? My life is ruined. I've been to hell and back for nothing . . . Now I look at my wedding picture and want to turn the clock back. I was so confident and happy."

She has the close support of a loving family, including her husband Paul and 10 year-old son Dane, but she, and they, need help to rebuild the confidence that she once had. Kuldip Sumal has been through the same shattering experiences, as did Margaret Nicoll in 1992 at the Royal Alexandra hospital in Paisley, Renfrewshire.

Women in general need their confidence in breast cancer screening and treatment restored. The importance of screening was shown by statistics from the Department of Health in evidence to the Select Committee on Health in 1995. About 13,000 women die of breast cancer each year in England alone. Cases of breast cancer increased by 22 per cent. in England and Wales between 1979 and 1988. The United Kingdom is 22 out of a list of 23 nations for breast cancer mortality—23 being the nation with the highest mortality. The 1995 Select Committee report, "Breast Cancer Services", does not deal with the problem that I am raising, but contains evidence from the Radiotherapy Action Group Exposure—RAGE—on women who have suffered injury from radiotherapy treatment following breast cancer.

To ensure that such errors never happen again, we need not merely another internal inquiry at the royal hospital, but the wider inquiry detailed by the Secretary of State. Furthermore, that inquiry should go beyond the situation at that hospital. Throughout the national health service we want the best practice that operates in any trust hospital. We want that best practice established in north Derbyshire so that these problems do not occur again.

We also need a full examination of all the royal hospital's breast cancer slides because many other women in the area are worried about their treatment, or lack of treatment, if the wrong slides have been examined and related to their cases. The slides supervised by the consultant pathologist concerned must be examined as quickly as possible. I also hope that the Health Committee will revisit the 1995 investigation to cover the problems that have been revealed at the hospital. In its examination, it would find a visit to the hospital valuable.

Breast cancer screening is important. Women need to be encouraged to use the service, but to use it they need to have utter confidence in it. That confidence has been shattered in this case, especially in north Derbyshire. The sooner that the investigations take place and best practice is adopted, the better for everyone concerned.

9.41 am

Mr. Andrew Rowe (Faversham and Mid-Kent): There are three reasons why we should not rush off to our Easter break before considering them. First, before we get back, hedges all over the country will have grown by at least an inch or two if they are leylandii hedges. The matter may cause amusement when a hedge grows from 8 ft to 8 ft 2 in, but when it is from 30 ft to 30 ft 2 in many people suffer distress.

The organisation Hedgeline already has 2,200 members. The problem is growing as fast as the hedges. One in five trees planted in England is a leylandii or

[Mr. Andrew Rowe]

something very like it. We all understand that when one moves into a new plot, it is nice to get some greenery as fast as possible, but many people, either because they are genuinely malevolent or paranoid about being overlooked, plant such trees as close as they can to their boundary, regardless of the damage that it causes to their neighbours. That can mean the removal of a view, not from the ground floor but from the first and second floors of people's houses.

The problem should be controlled. That is why I had hoped to bring in a Bill, but the Government not only objected to it but are in disarray. They had a special unit examine the problem for about six months. They say that they have no idea how to deal with it, but when presented with a Bill that they could have amended as much as they liked in Committee, they refused to allow it even to proceed that far, which is a shame.

Mr. David Maclean (Penrith and The Border): They cannot see the wood for the trees.

Mr. Rowe: My right hon. Friend is right. It is a serious matter that we should consider. It is going to get a great deal worse. I was somewhat dismayed by my meeting with the Under-Secretary of State for the Environment, Transport and the Regions, the hon. Member for Mansfield (Mr. Meale). At the start, he said that he was worried about my Bill because an appeal mechanism against a local authority decision that a hedge was causing a nuisance to neighbours would mean that he would have to set up an entire department to deal with appeals because there would be so many. However, at the end he said, "I am not at all sure Andrew that you are not exaggerating this matter. It doesn't seem to me that it is as big as you think." One cannot have it both ways unless one is new Labour.

The second reason that we should not adjourn is that this is a proper moment to note on the Floor what many hon. Members on both sides of the House have already recognised in receptions and other meetings: the National Society for the Prevention of Cruelty to Children campaign to abolish cruelty to children. I acknowledge a vested interest in that I am proud to be a trustee of that organisation.

Before we return from the Easter break, at least one child under five in this country will have died following abuse and neglect. One child under five dies every week of abuse and neglect and 150,000 children are physically abused each year. Many of my colleagues who heard him speak will have been outraged when Jim Harding, the director of the NSPCC, told us that 30 years ago, one of his first cases involved a baby the end of whose little fingers had been cut off with nail scissors. Such awful cruelty not only continues but may even be on the increase. It is difficult to be sure, because, fortunately, abuse is becoming more commonly reported.

With 11 per cent. of adults saying that they were sexually abused as children and an estimated 450,000 children being bullied at school, it is appropriate that the NSPCC should have launched the largest campaign this century by a non-governmental organisation. It is comparable only to the anti-slavery campaign of Wilberforce and his friends. When they set out, the public did not believe that anything could be done about slavery or the slave trade. They were derided for even thinking that something could be done. The same is true now. However much they want the get rid of cruelty to children, a great many people believe that it is pie in the sky to imagine that a campaign can abolish it.

No one suggests that we will get rid of every incident of cruelty to children, but just as Wilberforce and his friends abolished slavery in this country, ended the slave trade and impacted enormously on slavery worldwide, so I believe that the NSPCC campaign against cruelty can be expected to have a similar impact. In 50 years' time, this country will be a kinder place for children to grow up in, and it will be much easier for children to report abuse when they are in misery.

A telling reason why children do not report cruelty is that they believe that the public services will break up their family. However bad life is for them in it, they know that it is all that they have got. If brothers and sisters are going to be separated by social services, what else have they got? This is an insensitivity in our public life that we must tackle. The ever more clamant new thrust towards listening to children is the beginning of wisdom.

I am glad to remind the House that I am chairman of a steering group of all parties and many NGOs that is trying to establish for 2000 the first sitting of a United Kingdom youth parliament. That will be part of listening to young people and allowing their voices to be heard on matters on which the Government do not listen to them. The Government introduce legislation on literacy hours, curfews or changing the nature of support for young people at universities, but they never ask young people what they think. It is time that they did.

The last reason why we should not adjourn is that in the great debate on the Metropolitan police and the Lawrence report, I did not hear anyone wonder whether we ask the police to do too much. This is an important issue. We expect our police to do all sorts of things. We expect them to look after lost property, to register every insurance claim and to police crowds going to football matches or demonstrations. Sometimes reluctantly, we expect them to enforce the law or dangerous drivers. We expect them to act as human traffic lights when the computer systems break down. When the social services are closed, the citizens advice bureau is shut, and the doctor's surgery has gone to bed, we expect them to pick up confused old women with compassion and sympathy. We expect them to find places for people with nowhere to sleep. We expect all that from a group of people who are also expected to respond to crime, assault and violence effectively, efficiently and with power.

Those qualities are difficult to find in one group of people. The Government need to consider carefully whether the young men and women who are brought into the Metropolitan or other police forces are not expected to have too wide a range of qualities because the range of jobs that they do is so diverse.

To take one small example, Ministers might consider carefully whether when I lose my wallet or credit card I should have to get a number from the police before the insurance company will pay attention to my claim. That is surely one of many tasks that could be outsourced to an organisation that would keep in touch with the police. I hope that Ministers will consider the three matters that I have raised before we adjourn.

9.50 am

Mr. Alan Hurst (Braintree): I am pleased to have the opportunity to raise a matter of concern to my constituents in the town of Witham who are residents of Bridge Learning Difficulties hospital. It was built in Victorian times, not as a hospital but as a workhouse and asylum. It has all the hallmarks of such a building. It is forbidding and depressing in character. It has been used for many years for people with learning difficulties. Although the hospital was originally on the edge of the town, close, as the name suggests, to the bridge across the river, it is now closer to the heart of the town.

An important factor for those with learning difficulties is that they are in the community. A warm regard and affection has grown up between those who live in the hospital and the residents of the town of Witham. I am sure that right hon. and hon. Members will not be surprised that there are now proposals to close that hospital and move the residents out into the community. Progress has already been made towards reaching that objective. Like many buildings erected in former times, the hospital has a considerable area of land attached to it. A large part of the land has already been sold for residential housing development. It is expected that if the balance is sold, that too will be used for residential housing. The consequences of that will be that those who have lived in the hospital—some of them effectively for all their life and many of them for many years—will be scattered away from their friends and in some cases from their families, into circumstances that will be alien to them.

I have been approached on a number of occasions by a group called the Friends of Bridge Hospital, made up of the parents of the children who are residents. When I say children, I am talking about some people who are in their middle age. Most of them are men and their parents are now in some cases becoming elderly. The children naturally go home to visit their parents at certain times during the year, but I am told that it is touching that when they leave the hospital they want their parents to assure them that they will be going back there after their holiday. That is because many of them regard the hospital as their home.

I do not defend the layout or structure of the hospital. In many ways, it is an appalling building. Some of the residents are still living in communal wards, with all the humiliation and lack of dignity that that implies. Others have their own private rooms. To their great credit, the hospital authorities have made great strides in making those rooms homes for those who live in them.

I believe that the way forward is not to cling to the ideology of care in the community. That ideology, like the ideologies of eastern Europe, is waning, and we should take a more balanced view. Every ideology, by its nature, imposes a philosophical and intellectual straitjacket on those who practise it, and care in the community has in some ways been as thoughtless as other ideologies. The tendency to care in the community is now beginning to change in other areas. I hope that the New Possibilities NHS trust will begin to consider sheltered community accommodation for people with learning difficulties so that they remain together. They could live in bungalow developments rather like those for our older people, with wardens and medical staff on hand to assist them. In such circumstances, the community would still be there, the residents would still have their relatives close at hand, they would still be bonded to the place where they had always lived, they would maintain the relationship with the wider community and they could move forward with dignity and reassurance. I hope that it is not too late for that to be achieved.

I know that the hon. Member for Colchester (Mr. Russell), whose constituency is not far from my constituency, has a similar residential home for people with learning difficulties run by the same trust. I know that he shares some of my concerns. I hope that the Minister will say that there is a way forward within which we can gain the benefits of community living, but maintain the dignity of those who spend their lives in the hospital.

9.55 am

Mr. Christopher Gill (Ludlow): I am most grateful to you, Madam Speaker, for calling me so early in the debate. The subject that I want to talk about is one that the journalist Christopher Booker has described as farming's forgotten crisis or, in other words, the plight of small abattoirs and the crisis in the pig industry. I shall explain in a moment why I believe that the House should not adjourn until these matters have been resolved.

I should preface my remarks by declaring an interest. My financial interests in the meat industry are as listed in the register. I am president of the Meat Training Council and of the British Pig Association. Both positions are unremunerated and honorary.

It is certain that Parliament will go into recess today. I invite the Minister to consider the uncertainty that currently faces the small abattoir sector. If the original plans announced by the Government were to go ahead, it would face tomorrow an astronomical increase in the charges that it has to pay for meat inspection. It will not be difficult for right hon. and hon. Members to appreciate the position of any business facing increases of the order of 23 per cent. Bishop's Castle Meat Company in my constituency faces an increase from £4,800 per month to £8,000. That is not untypical. I am told of another slaughterman in Devon, John Coles, who currently pays less than £300 per month but faces the prospect of charges increasing to £3,500 per month. The hon. Member for North Cornwall (Mr. Tyler) will acknowledge that. That is an astronomical increase by anyone's reckoning.

It is unfair to expect the industry to continue in uncertainty. Ministers have not said that the charges will not be imposed tomorrow or announced when they will come into effect.

Mr. Patrick McLoughlin (West Derbyshire): Will my hon. Friend concede that those businesses will not continue to trade? They will go out of business. There is no way in which they can take the costs. Many butchers in my constituency who butcher their own meat are in a similar position. If the proposals go forward, they will go out of business. Yet they provide an excellent service to the local community.

Mr. Gill: My hon. Friend is right. I have a lifelong experience of the meat industry, and I understand the economics of running abattoirs, both large and small. I know that the small abattoirs simply will not be able to bear the astronomical costs that are supposed to kick in from tomorrow. The effect on other parts of our economy will be serious. The House will recognise that many small

[Mr. Gill]

abattoirs are located in rural areas and provide vital wealth creation and employment prospects. They also provide an outlet for many livestock farmers, especially small farmers, who may produce a specialist product for a niche market and will be deprived of a slaughter point.

As my hon. Friend appreciates, when such a farmer cannot get his specialist product slaughtered in a small abattoir, where there is total traceability, a whole raft of economic activity is lost. We must bear it in mind that a large abattoir is not interested in doing the job. It is extremely serious that small abattoirs are closing at a time when people in the countryside are desperate to find ways of diversifying. There will also be serious implications for the welfare of animals which will have to travel much further to the point of slaughter.

On 17 March, I accompanied a small deputation of people who are involved in that sector of the meat industry to meet the Minister of Agriculture, Fisheries and Food and the Minister of State at the Ministry. The deputation included representatives of the Humane Slaughter Association, who are especially interested in welfare matters, the National Federation of Meat and Food Traders, which represents small butchers, whose work will be handicapped if small abattoirs are closed, and the chief executive of the Rare Breeds Survival Trust, who is concerned about the niche marketing that his members have established using small abattoirs.

I must give credit where it is due. It is only fair to say that the Ministers were most attentive to our case and they acknowledged the seriousness of the situation. They confessed that the proposed increase in charges will be more than many sections of the trade can bear. They acknowledged that some of the small abattoirs will have to close—as my hon. Friend the Member for West Derbyshire (Mr. McLoughlin) pointed out. They also stated that Government policy was that animals should be slaughtered as near as possible to the farm. They assured us that they were considering all possible ways of reducing the overheads of the Meat Hygiene Service and that they were doing their level best to minimise the cost increases due to take effect next month.

Ministers are on the horns of a dilemma; on one hand, they are under enormous pressure from the European Union to implement fully the meat inspection directive, but on the other, they know that if they do so, scores of small abattoirs will close and there will be a knock-on effect for other small businesses.

Mr. Paul Tyler (North Cornwall): I congratulate the hon. Gentleman on setting up the meeting to which he referred. He was kind enough to invite me and a Labour Member, which made it an all-party occasion. Does he recall that, at that meeting, the Ministers acknowledged that the meat inspections directive did not seem to be biting equally across Europe? One of the most ludicrous matters is that there seems to be a surplus of inspecting veterinary staff in most continental countries, to which we have to apply so that there are enough vets to carry out inspections in this country. There seems to be a trade imbalance in vets.

Mr. Gill: The hon. Gentleman makes a good point. In this country, inspection has to be carried out by fully qualified veterinary surgeons, but we are led to believe that in other countries it is carried out by auxiliary vets who are trained to a much lower standard. As the hon. Gentleman is aware, in this country we do not know what the charging regime is in other countries. Presumably, if we did know, the Minister would have answered the question that I tabled on 11 March. I also received a very patchy answer to an earlier question on the level of supervision and the implementation of the regulations in other countries. The matter creates difficulties for Ministers because they cannot say that we are doing as much, more than, or the same as other countries; we do not have the information. That is a powerful argument for a stay of execution on the new charges, unless and until it can be established that other countries throughout the EU are operating the same scale of charges on the same level of supervision and inspections.

Four years ago, the hon. Member for Knowsley, South (Mr. O'Hara) and I tabled an early-day motion criticising the fresh meat hygiene and inspection regulations, especially the short notice with which they were being introduced. It is somewhat ironic that in the same week, on 13 March 1995, the then Leader of the Opposition, now the Prime Minister, tabled early-day motion 778,

"praying that the Fresh Meat (Hygiene and Inspection) Regulations 1995 . . . be annulled."

Bearing that in mind, I would have thought that the Prime Minister might influence Agriculture Ministers to stay their hand until the situation is clearer and some way had been found to reduce the charges from the amount proposed.

In an earnest attempt to help, I have suggested to the Minister that the new charges should not be implemented in the United Kingdom until there has been a technical review of the whole question of meat inspection and charging for meat inspection throughout the EU. I am conscious that other countries, such as the United States of America, Australia or New Zealand, have adopted an entirely different method in which inspection and charging are related to the degree of risk, rather than the cumbersome and expensive method being imposed by the EU.

Members of the pig industry have made a number of suggestions to the Government and, on their behalf, I want to reinforce their plea that the Government should implement the recommendations of the recent report into the pig industry by the Select Committee on Agriculture. Greater efforts should be made to ensure that all pigmeat coming into this country from other countries is labelled so that the consumer can exercise an informed choice. The industry would also appreciate any influence that the Government can exert on Departments and on local authorities to ensure that they source their pigmeat from UK-produced pigs.

10.8 am

Mr. Tom Cox (Tooting): I want to raise the subject of Kashmir. I chair the all-party group on Pakistan in this House. As we all know, Kashmir is thousands of miles away from the United Kingdom, but it is not a country with which we have no involvement. When one looks back over the events of the past 50 years, one recalls the conflicts and tensions that existed—sadly, they still exist—between India and Pakistan. Wars have taken place between those two countries and one of the issues has always been the Indian occupation of Jammu Kashmir.

Sadly, last summer we saw the testing of nuclear weapons in the region; first, by India and then by Pakistan. According to the spokespeople of those two countries, one of principal reasons for that testing was the continuing conflict in Kashmir. One hears repeatedly from the Government of Pakistan—whichever party is in power—that the issue must be resolved to bring peace to that region and to improve relationships between India and Pakistan. I am sure that all Members of the House would wish to see that.

India and Pakistan are members of the Commonwealth and have close links with the United Kingdom. The last viceroy of India, Earl Mountbatten, said that the issue of Kashmir must be resolved. Sadly, it has not been and that is why the conflict continues. We know that there are thousands of Indian troops occupying part of Jammu Kashmir and that Pakistan has troops and equipment alongside Azad Kashmir. The conflict creates many problems for both India and Pakistan and tension between the two countries. The enormous military build-up in both countries, which was highlighted by last year's testing of nuclear weapons, and the huge financial cost of that military build-up prevents the development of other aspects of the two countries' economies and social structures.

In addition to all those problems, there is the on-going suffering and denial of human rights to the people of occupied Kashmir who live under the control of the Indian security forces. Without doubt, the country is occupied against the will of its people—and as we have seen many times, when a country is occupied, its people will fight for its freedom, and that is what has been happening for many years in occupied Kashmir. That has led to oppression of the people by the Indian security forces: there is vivid documentation of killings, torture, rape of women and other measures taken against the people of occupied Kashmir. It is now estimated that India has 600,000 troops in occupied Kashmir. Human rights groups have repeatedly reported the brutality of the Indian army toward the people of Jammu Kashmir.

There have been many United Nations resolutions calling for India and Pakistan to enter into discussions to resolve the conflict. The attitude of Pakistan has been made clear by successive Governments: they want such discussions to take place, with the firm commitment that the people of Kashmir must have a role in such discussions. Regrettably, India has said that that request is unacceptable, that the area of Kashmir now occupied is part of India, and that the occupation will continue. Pakistan—and, I am sure, the whole world—wants the people of Kashmir to be able to involve themselves in a constructive debate that will end the conflict and the tension between India and Pakistan.

As I said, India and Pakistan are Commonwealth countries, as is the United Kingdom, and our links to them are strong and undoubtedly respected. My right hon. Friend the Foreign Secretary has shown a clear commitment to attempting to bring about discussions between India and Pakistan, but it must be said that the Indian response to my right hon. Friend's involvement has been extremely unhelpful. I am pleased to say that, recently, a meeting took place between the Prime Ministers of India and Pakistan. Such dialogue gives our country an opportunity to offer to play a role in discussions which, although complex and difficult, might succeed if the will is there.

Recently, President Mandela of South Africa said:

"All of us remain concerned that the issue of Jammu Kashmir should be solved through peaceful negotiation and should be willing to lend all the strength we have to the resolution of this matter."

I am certain that that is the wish of many hon. Members, and it is what the Government of Pakistan and the people of Kashmir certainly want. A week ago, a major military parade took place in Islamabad, and President Rafiq Tarar of Pakistan said that the settlement of the Kashmir dispute was the only guarantee for peace in the region. We, as a fellow Commonwealth country, have a definite role to play. In September this year, the annual Commonwealth conference is to take place in Port of Spain, Trinidad, and I hope that we will work to ensure that Kashmir is on the agenda. We could seek the involvement of a fellow Commonwealth country to act as co-ordinator between India and Pakistan—I refer back to President Mandela's remarks.

The whole House acknowledges that, in my right hon. Friend the Prime Minister, we have a person who is held in the highest regard and who, as he is currently demonstrating, has a great personal commitment to the human rights of men and women. I do not doubt that, as he has done in Northern Ireland, my right hon. Friend could play a major role in bringing India and Pakistan together in discussions to resolve the continuing tragedy. That has to be done, first, for the sake of its people, so that they can lead the sort of life that they want for themselves; and, secondly, to reduce the tension and danger that the unresolved conflict has caused and continues to cause in that region of the world. I believe that the UK can play such a role, and I look to the Government to become involved in resolving the issue.

10.17 am

Mr. David Amess (Southend, West): Before the House adjourns for the Easter recess, there are several matters that I believe we should debate. As there are many hon. Members waiting to speak, I shall run though the issues rapidly and not expect the Minister to comment on more than two.

I agree with everything the hon. Member for Tooting (Mr. Cox) had to say, until he mentioned the leader of the Labour party—but never mind. My hon. Friend the Member for South Staffordshire (Sir P. Cormack) would expect me to mention the Palace theatre, Westcliff. I have to report that, unfortunately, it closed three weeks ago, but two weeks ago I presented a petition signed by 6,000 people and I am delighted to tell the House that the new chairman of the Eastern arts board has promised to be at the first performance of the Christmas pantomime, which is to open in November. However, I expect Her Majesty's Government to give the Eastern arts board decent funding, so that the Palace theatre can continue as a producing theatre.

Mr. Hurst: As a constituent of the hon. Member for Southend, West (Mr. Amess), I hope he will accept what I have to say. Does he agree that the Eastern arts board has, for many years, discriminated in favour of the Mercury theatre, Colchester and severely against the Palace theatre, Southend in matters of grant funding? It is not solely a question of the amount of funding the board has at its disposal, but of how it distributes it.

Mr. Amess: I am delighted to have given way to the hon. Gentleman. I do not want any discord between me

[Mr. Amess]

and the hon. Member for Colchester (Mr. Russell)—actually, I would not really mind if there was such discord. The hon. Member for Braintree (Mr. Hurst) is quite right about the unfair level of funding: our receiving only £48,000 is an utter disgrace, and if we had had parity with Watford, Ipswich and Colchester, the lights would not be out on the Palace theatre, Westcliff.

In my time as a Member of Parliament, I have never heard any hon. Member say anything original about crime—we all have crime in our constituencies. I realise that the Home Secretary—a former Essex lad—does not accept this point, but it is an utter disgrace that my area is to suffer underfunding after the latest announcements, because the increase of only 1.7 per cent. does not keep pace with inflation. Civilians now have to do jobs that policemen did previously, and that is not good enough. Southend has lost its four police horses and that is a disgrace.

Will the Minister find out what is meant by the response that is given whenever we submit our bid for closed circuit television funding? We are told that our bid is not good enough. Visitors to Southend will see the graffiti that is spoiling our sea front. It too is an utter disgrace. We cannot rely on Southend's struggling businesses to fund CCTV projects: we need specific funding. If cameras are installed by Chalkwell station and along Marine parade, I am sure that we will capture on film those disgusting individuals who think it is a good laugh to paint graffiti everywhere—including on the underground. Southend will open for the summer season next month, and I hope that the Minister will explain before then why our bid is not good enough.

On roads, Southend has a Liberal-Labour controlled council and the Government have cut local roads funding by £600,000. The council understands that, while the Government are not supporting extensive new road building projects—which I think is absolutely barmy—they will make additional funds available for the maintenance of existing highway infrastructure.

I do not mind the Government's having it in for me as an individual, but it is a bit tough when they have it in for Southend. Why has Southend suffered that funding cut? All other areas in the eastern region have had funding increases, but we have had a 12 per cent. reduction. When the Queen visited my constituency two weeks ago and travelled down Southbourne grove and Westbourne grove, she saw at first hand—despite her outriders—the traffic congestion in Southend, West. The A127 has been improved somewhat, but the A13 certainly has not.

The Deputy Prime Minister suggested in the education White Paper that parents should walk their children to school. The right hon. Gentleman should visit Southend, West where parental choice has vanished as a result of the Government's decision to reduce class sizes to 30 and below this September. It is an absolute disgrace. I draw the Minister's attention to what has happened to voluntary aided schools. There will be parental choice in Southend, West only if Our Lady of Lourdes school, which a number of my children attend, is allowed to expand.

I do not wish to cause trouble in the House, but two Labour Members of Parliament who represent constituencies in the London borough of Havering and I are seeking a meeting with the Minister to discuss the matter. I have a copy of all the relevant correspondence. We have not been able to secure that meeting and the House goes into recess for Easter tomorrow. The situation is completely unsatisfactory. The diocese of Brentwood has not received a clear steer from the Government. It is not a matter simply for the trustees, because Our Lady of Lourdes school is being forced to expand as a result of Government initiatives that clearly have not been thought through properly. It is all very well telling schools what to do in key stage 1, but that impacts on key stage 2. Parents in Southend, West must walk all over my constituency or travel half a mile or two miles because the sibling rule no longer applies to the allocation of school places. It is absolute chaos.

I hope to be lucky in the ballot and to initiate an Adjournment debate about assisted area status for Southend, West. However, perhaps the Minister will have a word in advance with the Secretary of State for Trade and Industry about regional selective assistance for my area. Fourteen companies in Southend wish to benefit from that initiative, which offers particular assistance to manufacturing industry. Unemployment in Southend is approximately one and half times the national average and about twice the average for the east of England. Unemployment in Southend is 2 per cent. higher than in Luton and is about the same as in Brighton and Hove. Total employment in Southend over the next decade has been forecast to decline by 6.8 per cent. I hope that the Minister will do what he can to persuade the Department of Trade and Industry to grant the area regional selective assistance.

I am sick to death of writing to the Office for the Supervision of Solicitors. Under this Government, we read about new policies in the newspapers. An article in *The Times* of 25 March entitled "Swifter justice for victims of bad lawyers" stated:

"Ombudsman will be given power to speed up complaints process".

I had absolute proof that a particular solicitor was guilty of entrapment—I will not detain the House by recounting the details. The case went before the Solicitors Complaints Bureau three times and the ombudsman found in favour of the complainant three times. Yet the Solicitors Complaints Bureau threw out the case.

A few weeks ago, hon. Members were invited to a reception in this place. We were told that our constituents would be able to call a dedicated telephone line and have their legal matters dealt with immediately. However, there is a backlog of 32,000 calls at present, and it is obvious that Government have not funded the service properly. I am not having a dig at any solicitors who are in the Chamber this morning—*[Interruption.]* Perhaps I am having a gentle dig at them. It is unfair that the adjudication panels should contain a majority of three or five solicitors.

My final point is about modernisation of the House of Commons. I do not care where we are on life's journey: everyone's life is of equal value. I am sick of all the garbage that we are being fed about modernisation. I think the House is being treated with contempt. We all know what is happening on the Floor of the House—which is why I have had to raise seven items—

Sir Patrick Cormack (South Staffordshire): Eight.

Mr. Amess: That is why I have been forced to raise eight items this morning. According to the report of the Select Committee on Modernisation, hon. Members will soon conduct debates in the Grand Committee room.

The so-called experiment on Thursday mornings is not working. I am a member of the Select Committee on Health and my colleagues are suffering withdrawal symptoms when I must attend debates in the House on Thursday mornings. They believe that the Committee process is weakened because I am not there to question witnesses, and the Committee Chairman, the hon. Member for Wakefield (Mr. Hinchliffe), is finding it impossible to rearrange meeting times. I think that the whole modernisation process is absolute garbage. Our constitution is being destroyed, and the wonderful opportunity we have to raise issues for three hours on Wednesday mornings is more valuable than the time we spend debating many other matters in the House.

10.28 am

Mr. Eric Martlew (Carlisle): I am delighted to participate in the Adjournment debate this morning. I assure the Minister that I have only one issue that requires his attention: the closure of a printing works in my constituency.

The works has been operating for 50 years and used to be known as Carlisle Web Offset. It had some problems in the 1960s, and was saved by a then Member of Parliament, Robert Maxwell—some hon. Members may remember him. All sorts of things have been said about Mr. Maxwell, but the reality is that he saved workers' jobs in my constituency and the company has been viable ever since. It became part of the British Publishing Company and was later subject to a management takeover.

Recent events, however, have proved rather disturbing. On 13 March last year, Richard Warner from Investcorp wrote to me to say that the company was making a bid for the British Publishing Company, to which the printing works in my constituency belongs. He asked me whether I would support the bid in his dealings with the Office of Fair Trading. I was not happy about it at the time and I suggested that we should meet to discuss the issue.

I met Mr. Warner in the House on 24 March last year, when he gave me assurances about job security at the Carlisle plant and future investment in the plant, which had old equipment and needed modernisation, as printing works regularly do these days. He asked me again if I would support his bid to the Office of Fair Trading. I declined to do so but assured him that I would not oppose the bid.

On 4 April, the *Financial Times* carried an article about Investcorp's promises to the Office of Fair Trading. It quoted Mr. Richard Warner as saying that there would be no more than 350 redundancies over the next four years and no more than 140 redundancies in the first year. On 16 April, *The Independent* carried a similar story saying that the only redundancies would be due to the merger of the two headquarters. I have a copy of a press release from Mr. Warner in which he gave assurances that there would be no manufacturing job losses if the takeover went ahead.

On 26 February this year, the work force received an ultimatum from the managing director of Polestar, which is a subsidiary company of Investcorp and runs the printing works in this country. The ultimatum was that the plant would close unless there was 100 per cent. acceptance by the work force of a deal that meant that there would be no future investment in the plant; 52 redundancies, leaving a work force of 169; an immediate pay reduction of 10 per cent., and a reduction in overtime rates. The company wanted the answer within a week.

To summarise, the workers were told that they had to increase productivity by 25 per cent. and take a pay cut of 10 per cent., and if they did not agree within seven days, the plant would close. The management knew that the proposals would be totally unacceptable, and the entire work force rejected it. Not one member of the work force could bring himself to vote for those proposals.

The first that I knew about that was when I was contacted by the local media—in stark contrast to the lobbying that was done when the company wanted my support for its bid to the Office of Fair Trading.

I understand that the Department of Trade and Industry approved the bid last April, but because of the serious situation at the factory, I agreed to meet a member of Polestar's senior management, Mr. Tony Rudston, at his office last week to try to negotiate a rescue package. I was told that there was no chance of the decision being reversed. He said that the printing work done at the Carlisle factory was being sent to other Polestar plants in the UK and that the redundancy package offered to the work force in Carlisle was considerably less than that offered to the workers at a similar factory in Milton Keynes which had been closed. Mr. Rudston said that that was because the Milton Keynes work force were not to blame for the redundancies.

I know that the Graphical, Paper and Media Union was anxious to negotiate with Polestar to try to save the plant, but Mr. Tony Rudston refused to negotiate. I understand that he is difficult in negotiations and that the union finds him difficult to work with. Having met him, I can understand the union's problems.

I raise this matter in the House to put on record what has happened in my constituency because of Investcorp. That is not a British company; it is an asset-stripping company and its money comes from Bahrain. Investcorp lied to me, to the work force and, I suspect, to the DTI and the Office of Fair Trading. If that is the case and the Government were misinformed, we need to know whether there is any possibility of the Government taking legal action against the company to find out if any redress can be made. The company has robbed my constituents of their livelihood and is cheating them on their redundancy money.

10.35 am

Mrs. Virginia Bottomley (South-West Surrey): I think that the House will have great difficulty adjourning at all. I endorse the remarks of my hon. Friend the Member for Faversham and Mid-Kent (Mr. Rowe) on the National Society for the Prevention of Cruelty to Children and on the problem of hedges, about which I have had any number of letters. I have also had a great deal of correspondence on the matters raised by my hon. Friend the Member for Ludlow (Mr. Gill).

I want, however, to follow the remarks of my hon. Friend the Member for Southend, West (Mr. Amess). Yesterday, we had yet another glossy document full of soundbites and the language of the business school. Frankly, its announcement was a moment of hilarity.

[Mrs. Virginia Bottomley]

There were references to "modernising government", "developing", "involving", "listening", "supporting", "helping" and "engaging". The Prime Minister said:

"The new issues are the right issues: modernising government, better government, getting government right",

and he talked of joined-up government. The statement was an all-time low for this Government.

I say that because I have a specific constituency concern that preoccupies not only me, but almost every Member of Parliament in the south, particularly my hon. Friend the Member for Chichester (Mr. Tyrie), my right hon. Friend the Member for North-East Hampshire (Mr. Arbuthnot), the hon. Members representing Portsmouth, South ampton and the hon. Member for the Isle of Wight (Dr. Brand). That concern is the Government's absolute refusal to take any responsibility for the A3 at Hindhead. In the past 18 months, I have communicated 26 times with the Government on that subject. Every response is an exercise in Sir Humphrey techniques.

Initially, we had every hope that the A3 scheme would be approved as part of the trunk roads review. The A3 at Hindhead is the most appalling spot on that road; it is the only single carriageway stretch. The A3 is a strategic route on its way to Portsmouth and the continent. A modern country needs a modern transport system. I am sure that the Government would endorse that language. They have refused to give a straight answer on this issue.

The Government's transparent stalling device was to announce a consultation exercise on whether tolls would have a part to play. No Government will ever approve tolls at Hindhead because they would lead to rat-running, and that problem is already destroying villages. In December, I wrote to the Minister of Transport and asked specific questions, and I received the following reply:

"Government Offices will shortly be consulting the Regional Planning Conferences . . . on the specific terms of reference for each study."

They will then discuss among themselves the priorities for the studies. That is Sir Humphrey language, and it is buck-passing. I had asked the Minister of Transport what the timetable for that consultation process is, who is responsible and when he will visit Hindhead. For the past three months, I have been unable to discover the answers to those questions.

I ask the Parliamentary Secretary, Privy Council Office to give a categoric assurance that his Government do not use ministerial visits and the receipt of delegations as a form of patronage. Do they use them to reward their Back Benchers for good behaviour, as it is widely said they do? It is unacceptable for Members of Parliament, who have been misled by all the undertakings given during the trunk roads review, to be unable to secure a visit from a Minister concerning a scheme as serious as that as the A3 at Hindhead.

With great difficulty I managed to get a delegation to the former Transport Minister, the right hon. Member for Edinburgh, East and Musselburgh (Dr. Strang), but only by stressing the fact that I was a Privy Councillor—when we were in government, we would never have turned down a delegation led by a Privy Councillor. However, almost all my colleagues say that they cannot get access to Ministers.

The Government proclaim the importance of modern, joined-up government, but what about accountability? Ministers are responsible for the trunk roads scheme and for the fact that motorists are now charged £33 billion to support the Chancellor of the Exchequer, although only one sixth of that sum is ploughed back into road schemes. If the Government are not prepared to act, they should at least be prepared to tell those concerned directly and straightforwardly. It is not good enough that Members of Parliament should be passed from pillar to post.

We now have the Government office for the south-east, the regional planning conferences and the Highways Agency. My right hon. Friend the Member for North-East Hampshire and I have had more embarrassing meetings with some of these authorities than at any time in our parliamentary careers. The individuals involved simply look embarrassed, shuffle their papers and say, "These are political decisions", or, "These are ministerial decisions." The personnel change and, on occasion, a different agency will be said to be responsible. That is not satisfactory in terms of ministerial accountability.

I ask the Parliamentary Secretary to point out to his colleagues that if the Minister for Roads and Road Safety is placed in the Lords and is a former general secretary of the Labour party, he is not someone with whom many Opposition Members have natural contact. I seek information about the timetable, the individual responsible and when the Minister will visit.

There have been delegations, petitions and Adjournment debates, and we have contributed fully to all the consultation exercises, but that is not enough. The Minister needs to come to see the A3 at Hindhead for himself. Only in that way can I be sure that he is fully aware of the problem and understands why there is such great concern.

The A3 at Hindhead is crucial to the economic development of Portsmouth, Southampton and the Isle of Wight. The Confederation of British Industry has made that clear, as has the trade union movement. The part of the A3 in question lies in some of the most internationally significant landscape in this country. It is magnificent National Trust land, which is why some years ago a tunnel was announced as approved Government policy. This part of the A3 is destroying beautiful villages throughout the area.

I am sure that the Minister is aware of the extent to which the shire counties were treated vindictively in their funding settlements. Their settlements are such that they are having great difficulty maintaining health, transport and social services. The Government's refusal to act at Hindhead means that Hampshire and Surrey are under ever greater pressure to come up with transport packages that will help to mitigate the damage to villages such as Churt, Thursley, Haslemere and Grayswood. This is their number one priority.

This year, I believe that my right hon. and hon. Friends have had more letters about transport than any other subject. When my right hon. Friend the Member for South-West Norfolk (Mrs. Shephard) recently held an Opposition day debate on road schemes, I and many others without success tried to contribute, such is the interest in this subject.

It will be difficult for the House to adjourn because of the many issues that hon. Members want to raise, but it will be especially difficult if our adjourning involves a

journey through Hindhead. Those who spend their high days and holidays on the Isle of Wight will once again find that it is almost impossible to move.

To summarise, I want specific answers that the Minister may like to put in writing. Please will he help me get answers to questions that I first asked in December? I want to know who is responsible, not the name of the agency. Who is the individual project manager? What is the timetable? When will the Minister visit?

10.45 am

Mr. Dennis Skinner (Bolsover): It is always a delight to be present for the three-hour Adjournment debate, and it is just the same for the Opposition. It is especially delightful this morning because despite the great philosophical sweep that we sometimes hear from Opposition Members about where they stand on market forces, non-intervention and all the rest, when it comes to constituency cases, all those grand ideas fade away.

We heard first from the hon. Member for Faversham and Mid–Kent (Mr. Rowe) who wants more money. He blames the new Labour Government for the fact that hedges are growing too high, although I rather suspect that they were growing 18 years ago, too. He wants regulations to control hedges—let it be known that a Tory Member of Parliament asked for more regulations, despite moaning about the other 2,000 for the rest of the year.

We then heard the butcher from the midlands, the hon. Member for Ludlow (Mr. Gill). Given that he is anti-Europe and anti-Common Market, although he developed such attitudes long after I did—after the single market, as a matter of fact—it is remarkable that he was asking for harmonisation of abattoir charges within the European Union. I would have thought that, as a purist anti-marketeer, the hon. Gentleman was off message.

Mr. Gill: I take this opportunity to confirm that I am implacably opposed to economic, monetary and political union in Europe. I want that on the record for everyone to see. I was not saying that I wanted harmonisation; I was saying that we should do nothing in this country until we have a level playing field with the rest of Europe.

Mr. Skinner: I thought that a level playing field meant harmonisation—the hon. Gentleman can twist the words as much as he likes, but that is what it sounds like to me. He was followed by another Tory who wanted, among other things, a lot more money. Of course, the same fellow walked through the Lobby in the debates on the Budget, saying that the Labour Government were taxing too heavily. He voted God knows how many times against spending money.

We then heard from the representative from Surrey who also wanted a lot more money, not for just anyone but for Hindhead and her constituency, and for the Isle of Wight where she spends her holidays.

Mrs. Virginia Bottomley: The right hon. Member for South-West Surrey said that she wanted assistance for Portsmouth and Southampton, but above all she wants a straight answer to a straight question. She wants to avoid evasiveness.

Mr. Skinner: Now that the right hon. Lady can no longer resort to talking about the grand business of government—she was involved for the best part of 18 years—she has to talk about the blockage in Hindhead. She has raised the issue several times. Had she asked me for advice when we were voting on the Budget, I would have told her: "For God's sake, don't vote against tax increases because you'll need that money for Hindhead." If we sit here long enough, we see and hear all the contradictions.

Mr. McLoughlin: The hon. Gentleman says that if we sit here long enough, we see all the contradictions. Does he accept that I saw the contradiction when he voted to cap Derbyshire county council last year?

Mr. Skinner: As a matter of fact, I feel quite happy about that. We asked for an extra £3.9 million from the Government. Ours was the only county that made it. Because I am a good old-fashioned trade union negotiator, I managed to persuade my right hon. Friend the Deputy Prime Minister to come up with £2.9 million. I thought, "Get the cash." So everybody in Derbyshire, including the hon. Gentleman's constituents, is deliriously happy that Skinner and his mates—not the hon. Gentleman—decided to get an extra £2.9 million for Derbyshire. To get £2.9 million more than the original settlement is not a bad day's work.

My hon. Friend the Member for North–East Derbyshire (Mr. Barnes) raised the important issue of breast cancer operations at the Chesterfield and North Derbyshire Royal hospital in the light of a tragedy involving one of my hon. Friend's constituents, who unnecessarily had a breast removed. To compound the tragedy, we now know that there was a recent case of unnecessary breast removal in Bolsover, which apparently was not known about until further investigations took place. It happened a short time ago. That tragedy has now been revealed and we suspect there might be others.

I am calling upon my right hon. Friend the Secretary of State for Health, in his inquiry, to require that the records be examined of all cases of breast cancer over the past 10 years at the Chesterfield and North Derbyshire Royal hospital, with a view to ensuring that there are no more of these tragic cases. This would put the minds of many people at rest.

Secondly, there is the white finger issue and the chronic bronchitis and emphysema settlements. As a good trade union negotiator, I think that we have pulled off £2 billion for the chronic bronchitis and emphysema payments, not £2.9 million, for up to about 100,000 miners. I asked my right hon. Friend the Prime Minister a few weeks ago at Question Time to give us a chuck on. I was not too sure whether he understood my language, but 2 billion quid ain't a bad figure.

We have secured another £500 million for the white finger settlement, which will affect another 30,000 claimants. That must be good.

My hon. Friend the Minister knows a bit about this subject and he will understand that the lawyers will be taking a slice of the money. I want him to help me and others to ensure that they do not get their hands on too much of it. The money should go to those who need it, such as retired miners who are coughing up their lungs. Where husbands have died, the widows should receive their entitlements.

Medicals will be taking place, and we do not want to spoil the ship for a hap'orth of tar. Let us not have stories coming out from the coalfields that doctors and other

[Mr. Skinner]

medical people are telling various claimants who are on the borderline that they will not be getting the money. Let us err on the side of the claimant so that a great achievement, which we worked on for seven years, is not made less good. After seven years of struggle, the Labour Government inherited the problem in January 1998, and they have managed to settle the issue within about 15 months. That is not bad. We do not want some of the doctors and lawyers to spoil what is an extremely good achievement.

I am sure that my hon. Friend the Minister will hear many more complaints during this three-hour debate. I am sure also that many of them will be contradictory. However, will he pass on all relevant information to ensure that we can resolve the problem of the breast cancer business at the Chesterfield and North Derbyshire Royal hospital? Will he ensure also that the 2.5 billion quid that is going out to former miners will be paid in full?

10.54 am

Mr. David Maclean (Penrith and The Border): Before the House rises for the summer recess—

Mrs. Virginia Bottomley: The Easter recess.

Mr. Maclean: Yes, the Easter recess. We have a modernising new Government and I am very progressive. I went ahead of my time.

Before we rise for the Easter recess, like my hon. Friend the Member for Southend, West (Mr. Amess), I have a number of issues to bring to the Minister's attention. Like my hon. Friend, I find this three-hour Adjournment debate to be one of the most important features of our parliamentary calendar. Given the way in which the Government are sidelining, ignoring, bypassing and diminishing the status of the House, this debate, which may be of amusement to those outside the House who do not understand our procedures, is one of the few and vital opportunities that we have to present certain issues to the House.

I note that my hon. Friend the Member for Faversham and Mid-Kent (Mr. Rowe) is no longer in his place. I listened with fascination to his plea that action should be taken against 30 ft leylandii hedges. I can tell Labour Members that, as a deregulator, I do not think that we knew that we needed new Government powers to control these hedges; we merely need to deregulate pesticide legislation to some extent. I can tell the House that I had a springer spaniel who could kill a 30 ft high leylandii hedge within two days of adequate watering. That may be a solution that the Royal Society for the Prevention of Cruelty to Animals may approve of.

I wish to bring to the attention of the House the effect of the Budget on our constituents. The past week in my constituency was very interesting. The constituents whom I met and the letters in the constituency postbag suggested that people were beginning to fume about the Budget. It seems that only now have people become aware of some of the details, and they do not like them very much. They believed the Chancellor's wonderful spin on Budget day and the gullible news reports on it afterwards. However, the pensioners with savings have now discovered how they will be fleeced. Married couples have now spotted the Chancellor's rip-off, in that the married couple's allowance ends one year before the tax credit comes in.

Motorists have spotted the extra 17p per gallon of petrol. No wonder our hauliers are planning to register in France when we consider the punitive rates for diesel and vehicle registration that the Chancellor has imposed on them. Every commodity will rise in price as transport costs for British lorries rocket. Alternatively, we shall find that foreign hauliers will take over goods haulage traffic in this country. I am certain that that will be of great benefit to our environment!

My constituency postbag has been inundated with complaints from parents who are concerned that the Government are destroying local playgroups. Of course they are destroying them. Playgroups just do not fit the Government's dogmatic model of council-funded nursery education and their minimum wage proposals. It is rather a fitting memorial to this touchy-feely Government, who assure everyone that they share their pain, that among the first victims of the minimum wage will be young women who are looking after children.

Everyone in my constituency and throughout Cumbria is deeply concerned about roads in the area. We are concerned at the Government's destruction of the roads programme. Roads are essential to us up in Cumbria because an integrated transport network is, and always will be, just a fantasy. If we do not have good motorway links with the M6, the M74, the A66 and the A69, the region's economy will die. I appeal to the Government to press ahead immediately with completion of the so-called Cumberland gap, the last remaining stretch of dual carriageway between the M74 in Scotland and the M6 in England. The project was signed up with private finance initiative funding before the general election. Indeed, the Labour party in Cumbria was boasting that, after the election, it would get the link built faster than the Tories because it could run PFI better than the Tories.

Mr. Martlew: May I remind the right hon. Gentleman that the previous Government knocked the project out of the roads programme? I was told by a senior member of the Highways Agency that the then Government considered that the road from Carlisle to the Scottish border was going nowhere. It was the right hon. Gentleman's Government who knocked it out of the roads programme.

Mr. Maclean: I entirely disagree with the hon. Gentleman. That is nonsense. Before the election, the project was signed up with PFI funding. If it was not, there was no point in the local Labour party saying that it would get the road built faster because it could arrange for PFI funding faster than the Tories. The funding agency made it clear that all the contracts were ready to be signed. Such contracts are never signed during an election period. However, what has happened to the project now?

Before the election, when Labour was in opposition, it promised that the Cumberland gap would be completed rapidly after the election. In fact, the project has been in limbo for the past two years. That is nonsensical. Everyone knows that this stretch of road must be built sooner rather than later. The Government should authorise the project to go ahead now. I am not calling for Government funding for it. Instead, I am calling for the PFI and the deal which is on the table to be given the go-ahead.

Almost every week there is a fatal accident on the A66. The accident rate seems to have increased alarmingly in the past few months, and I suspect that it will get worse as traffic volumes increase and the pressures on that road get worse and worse. I argued with the previous Government, of whom I was a member, for dual carriageway along the whole length of the road. I have not changed my argument one iota and I am putting it to the present Government.

None of us is asking for the road to be completed immediately. We are not asking for miracles, but there is deep concern in Cumbria that the Government's road strategy does not contain a long-term plan for the road. We would have been satisfied if the Labour Government had said, "We can't build dual carriageway immediately, but, over the next 10 or 15 years, we will pick off the worst stretches and build a bit of dual carriageway here and another bit there. We can't go any faster than the last Tory Government." I could not have criticised the Government because I would not have had a leg to stand on, but that is not what they have done.

The Government seem to have adopted a ploy that my right hon. Friend the Member for South-West Surrey (Mrs. Bottomley) has come across on her patch. The ploy for stalling work on the A66 is a safety study. We will, of course, co-operate with the safety study, but we do not need a safety study on the A66 to tell us that the bad stretches at Temple Sowerby and at Warcop are absolutely disastrous. The safety study is being used to kick the issue into the long grass. We need a long-term plan and the Government to say, "Yes, we will continue the slow progress of the last Government. We will continue as we can, picking off bits and building the dual carriageway sections." That is all we are asking for; we have not even got that.

I wish to touch on the deep concern in Cumbria about the continuing collapse of the rural economy. The £120 million announced by the Government for special aid for farmers is nothing compared with the billions being lost by the farming industries. In any case, in the near future, farmers will bear the cost of the cattle movement scheme, the specified risk material costs, the rocketing and out-of-control meat hygiene costs and possibly even a pesticides tax. Added together, those measures entirely wipe out the £120 million special aid package.

Although I am not calling for Government funding for the pig sector, it receives no aid at all. The situation is disastrous: 50 per cent. of our nation's herd could be wiped out by the end of the year, with up to 12,000 jobs being lost and more than £1 billion of pigmeat imports being sucked into this country to replace our home-produced pork and bacon. That foreign pigmeat—you will know this from your constituency experience, Mr. Deputy Speaker, and, if you could, you would support us in our plea—will be everything that the Government and consumers apparently detest.

That foreign pigmeat will be fed on the BSE bonemeal material, which is banned in this country. I am glad to see the Parliamentary Secretary, Privy Council Office nodding his head at that. The sows producing the pigs will be kept in stalls and tethers, which were banned on welfare grounds in this country. British pigmeat is the cleanest, most welfare-friendly product in the world, which the Government and the supermarkets apparently all want. In that case, the Government should support it and take action against inhumanely produced imports, which are killing off our welfare-friendly products. Time is not on the Government's side; they must act now, before it is too late.

I will say nothing about small abattoirs and local butchers. I could not match the eloquence or the knowledge of my hon. Friend the Member for Ludlow (Mr. Gill), who spoke earlier.

The Government must also make sure that Milk Marque is not carved up in answer to the pleas of the big dairy companies. I know that the Department of Trade and Industry is looking at a Monopolies and Mergers Commission report on Milk Marque and I appeal to it not to listen to the siren voices of the dairy companies, which wish to destroy it. In European terms, Milk Marque is not large; nor is it a monopoly. If it is carved up, dairy farming in this country will be put back to the bad old days of the 1930s, when even the Milk Marketing Board was not invented. That would be a further tragedy for our hard-pressed rural industries.

My last point on the rural economy is a simple reminder to the House that we still have the ridiculous beef on the bone ban, and the ban on beef exports has still not been lifted. We had a great fanfare announcement from the Government many months ago—it was like yesterday's announcement—that the beef export ban would be lifted and that they had achieved agreement because of their wonderful, cosy relationship with Europe. It is still in place and our beef farmers are no further on, after two years of the Government boasting that they could change things radically—faster than the previous Tory Government—because of their special relationship with Europe. All that that special relationship has brought us is more words, more spin, more glossy booklets and no real action.

I conclude on an issue of major concern for all the people of the United Kingdom, which has a different tone from the other points that I have raised—the wholesale release of terrorists without a single gun or bullet being handed in. When the legislation was rushed through the House, some of us warned the Government and appealed to them not to be so naive; but, of course, nothing must be allowed to stop the so-called peace process, which cannot be questioned. The evil Omagh bombing was swept under the carpet, almost as if it were a slight abberation, rather than a deliberate, cynical act by Sinn Fein-IRA to exact yet more concessions from a British Government who are willing to do anything to keep the peace process going, which is what it really was.

If the killings are all carried out by means other than the explosion of big bombs, they do not seem to be properly reported, in case that slows down the peace process. Some peace process; Sinn Fein-IRA have used it to regroup. After all, they do not have to rearm, do they? The Government have let them keep their weapons.

The figures released by the Northern Ireland Office and quoted in *Hansard*, which I have researched during the past few weeks, speak for themselves. These are the terms that the Northern Ireland Office uses:

"Casualties as a result of paramilitary style shootings".

There were 24 in 1996 and 72 last year. The Northern Ireland Office refers to

"Deaths due to the security situation".—[*Official Report*, 4 February 1999; Vol. 324, c. 697–702.]

[Mr. Maclean]

There were 14 such deaths in 1996 and 54 last year. It refers also to "Bombing incidents"—14 in 1996 and 117 in 1998. There were 84 "Shooting incidents" in 1996 and 132 in 1998.

That is the record of what the Government have achieved so far in the peace process. The knee-capping and bludgeoning rate is three times what it was, the murder rate is four times what it was, shooting incidents have almost doubled and there are eight times as many bombing incidents. There is not much peace there for the people of Northern Ireland, if I may say so. To add to their misery, the Government have released 248 of some of the worst terrorists and murderers that this country has ever seen—and we have had not a single gun or bullet in return. There will be a return—one in the back from Sinn Fein-IRA.

Last week, we saw the sorry spectacle of the Home Secretary—a man whom I respect—trying to stop the release of three terrorists from prison. That is a bit late from a Government who have already released early 245 pals of those terrorists. What other concessions to terrorism will the Government make this week, or even as we speak? I do not share the belief of some of my hon. Friends that this is the last day on which the House will sit before Easter. The House may not adjourn today and, if circumstances continue to deteriorate in Northern Ireland, I hope that we do not adjourn until we have had a proper discussion on what is happening and full statements from the Government.

It looks to me as though the IRA has been given everything that it has asked for from the Government. It is demanding that the current deadlock, which it has created, should be removed in its favour. Its members have been released from prison, without a single gun being handed in. They are permitted to be elected to a democratic Assembly, without a single gun being handed in. I am very much afraid that, soon, the Government may let them become Ministers in the Northern Ireland Executive, without a single gun being handed in.

As we approach Easter Sunday, we will see one group of men, who are responsible for the deaths of thousands, being invited by the Government to sit round the Executive table in Northern Ireland, with a gun in one hand and the equivalent of a Red Box in the other. Some miles away, in Yugoslavia, other evil killers will be bombarded with all the bombs and missiles that we can throw at them. Slobodan Milosevic's big mistake was not employing Gerry Adams and Sinn Fein as his negotiators. If he had done so, perhaps American Senators might have wanted to rush over to keep the peace process going. Then, Milosevic could have continued to commit atrocities and kept his arsenal intact, just like Sinn Fein-IRA.

As a former Territorial Army officer, I totally and utterly support our armed forces whenever they are engaged in the service of this country. They always do their duty unquestioningly, and I give them my full support for the difficult task that they face in the Balkans.

The Government have adopted a high moral tone over Yugoslavia. As Easter approaches, I am reminded that their pronouncements on Milosevic sound like the denunciations of Christ by Caiaphas, the high priest, while their behaviour with Sinn Fein-IRA reminds one of Pontius Pilate washing his hands. Perhaps the only accurate description can be found in the words of Jesus himself:

"Father forgive them, for they know not what they do."

11.10 am

Ms Jenny Jones (Wolverhampton, South-West): A recent article in *The Observer* described my home town of Wolverhampton as one of the country's greenest and cleanest cities. An analysis of the Government's statistics on nitrogen dioxide air pollution has shown that my constituents can breathe cleaner air than the residents of Mayfair, Kensington and Knightsbridge, as well as many other towns and cities in this country.

The newspaper did get one thing wrong; Wolverhampton is not a city—yet. As my hon. Friend the Minister knows, the council is bidding for city status, but he can rest assured that I am not asking him to leap to the Dispatch Box to say that Wolverhampton is to be granted city status—although we hope that that takes place.

I wish to refer to the importance of urban forestry and the threat that it faces. Wolverhampton's air quality is due to a variety of factors, one of which is the large number of mature street trees in the town. We have more than 13,000 trees lining the main highways—we have more trees by our highways than in our major parks—most of which were planted at the turn of the century.

The importance of mature trees in our towns and cities goes beyond their aesthetic beauty. We now know that they filter air pollution, counter the impact of rain storms and reduce the risk of flooding, increase biodiversity and aid economic regeneration. However, we know that they must be looked after and carefully managed. Currently, the responsibility lies with local authorities. The experience of conscientious local authorities, such as Wolverhampton council, has shown that that task can no longer be left to them; there is a role for central Government.

The greatest threat to mature street trees is open-cut trenching by utility and cabling companies. Any Member of Parliament whose constituency has experienced extensive large-scale cabling knows the damage that that can cause to trees. Open-cut trenching—particularly by machinery—can damage tree roots, and leaves trees susceptible to drought, pollution, pest disease and instability. As it can take up to five years for a 100-year-old broad-leaf tree to die, the consequences of open-cut trenching are not immediately obvious. Wolverhampton council has calculated that open-cut trenching is responsible for 75 per cent. of the loss of mature street trees.

Utility companies are aware of the problem. In April 1995, the national joint utilities group introduced guidelines for working near mature street trees. However, the guidelines are voluntary. They do not carry the same obligations on utility companies that tree preservation orders place on individuals.

Some utility companies take their responsibilities seriously; others do not. The practice of paying contractors what is effectively a piece rate on the length of run that is excavated encourages careless open-cut trenching, which does the most damage to tree roots. Reducing the number of inspections on contractors' workings means that there is less effective monitoring. The number of times a highway is opened up by utilities increases the chances of damage.

One of my constituents is Professor Chris Baines, a well-known environmentalist. He lives in one of my constituency's most beautiful roads, which is characterised by its 100-year-old broad-leaf trees. He told me that, last year, the entire length of the road was opened up five times by different utility companies, all by open-cut trenching. Frankly, it will be a miracle if those trees are still there in 10 years' time.

There is one utility company known to me that takes its responsibilities seriously. Last year, Midlands Electricity—noticing that I had tabled questions on the subject—invited me to its headquarters in the black country to see the development that it had made in trenchless technology.

Midlands Electricity now has a policy of avoiding open-cut trenching whenever possible—partly to reduce the disruption to traffic and pedestrians and partly to reduce damage to the environment and those wonderful trees. It has developed something called computer-assisted three-dimensional digital mapping, assisted by pneumatic moles and directional drills. Time prevents me from going into the technical details.

The important point is that the result is that Midlands Electricity does most of its work using trenchless technology. The company has found that open-cut trenching is more expensive. By using trenchless technology, it has reduced the cost of cabling by 46 per cent. Not only is the policy environmentally friendly, it is cost-effective. If Midlands Electricity can do that, why cannot other utility companies?

I would like my hon. Friend the Minister to pass on the message to Government colleagues that there is a need for a national strategy from the Government. Leaving it up to local authorities will not work, and relying on tree planting will not solve the problem either. Utility companies need to be encouraged by various means—the carrot as well as the stick—to make greater use of trenchless technology.

We need more effective tree preservation guidelines for street trees. People with a tree preservation order on a mature tree on their property know exactly what can happen if they do not look after the tree. I would like the same tough guidelines to apply to street trees. I am reluctant to use the phrase "joined-up government"—it seems to cause mirth—but that is what is needed. The responsibility lies with various Departments; the Department of the Environment, Transport and the Regions, the Department of Trade and Industry and, possibly, the Treasury. They must work closer together, and with practitioners and experts such as the national urban forestry unit, whose headquarters is in Wolverhampton.

It is easy to take our mature street trees for granted. We often do not notice them until they are gone. I would argue that urban forestry is not an optional extra, but a necessity. If my constituents are to continue to enjoy breathing good-quality air, we must ensure that these mature street trees are safe for generations to come.

11.18 am

Mr. Peter Viggers (Gosport): I urge that the House should not adjourn until further consideration is given to the crisis in the defence medical services. As we hear of the tragedy in and around Kosovo, we become aware that nothing could be more useful to our armed forces than to have access to first-class medical facilities. Unfortunately, those are not readily available now. It is widely accepted by the Government that the defence medical services are in crisis.

"Defence Cost Studies 15"—which was implemented from 1994—proposed to focus the defence medical services in one single centre of tri-service excellence, which would have been the Royal hospital, Haslar, in my constituency. It was intended that the hospital should be built up from 200 beds to 330 or 375. In fact, following management difficulties, that did not happen.

We now have a service in crisis. Most of our armed forces have been cut by 30 per cent., but the defence medical services have been cut by about 40 per cent. We now have about half the number of doctors that we need, and about three quarters of the nurses. Many facilities and faculties are on the edge of collapse. There is a need for 11 surgical posts, of which seven are overseas. There are not enough surgeons to man those posts. These facts come from a Ministry of Defence booklet, "Defence Medical Services—A Strategy for the Future", where the crisis is widely accepted.

The Government's solution is—would you believe?—to close the only tri-service hospital, Haslar, although it is widely recognised in the defence medical services that removing the current centre of medical excellence and building another elsewhere will exacerbate the crisis. As I have told senior officials, if Haslar is closed, it will take 20 years to rebuild defence medical services. If that rather extreme analysis is questioned, let me point out that such services are consultant based, and that it takes 20 years to train a consultant in all the skills required in the Army, the Navy and the Royal Air Force. We cannot man defence medical services with migrant Australian doctors and pull them in when they are needed; we need people who are trained in war skills as well as medical skills.

There is some rationale in the Government's plan. They have said, for instance, that a district general hospital needs a catchment of 500,000 people, and that there are not that many people in the Gosport and Portsmouth area. It must, however, be possible for an arrangement to be reached between the national health service and the Ministry of Defence, whereby Haslar could specialise in fields in which it was already supreme, such as surgery, ear, nose and throat, burns, gastroenterology and dermatology, and doctors, nurses and other staff could be trained in other specialties in other hospitals in the south Hampshire area.

It has been said on the Government's behalf that MOD hospital units provide the training that doctors, nurses and other paramedics need. Although such units are widely praised in the Government, I can say—following extensive consultation with those in the defence medical services—that the units at Derriford, Frimley and Peterborough are not working well from a personnel point of view. They may provide the medical services that are needed, as well as providing medical training, but they do not provide the way of life sought by those who join the armed forces. People are leaving the defence medical services in droves because they are not given the back-up that they need.

As might be expected, this is an issue of deep concern in my constituency. We are having the time of our lives demonstrating its local importance. I called for a rally and march, which took place on 24 January. We thought that

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a few thousand people might attend; in fact, 22,000 marched to save Haslar. At the suggestion of a local councillor—a Labour councillor, it must be said—we manned the local park. We wrote "Save Haslar" in letters 11 metres high and 6 metres wide, and about 1,500 people formed a long line stretching to the hospital, which was indicated by an arrow. All that took place at 6.45 pm. Following a loudspeaker announcement, we held up torches and wrote "Save Haslar" in lights; that appeared live on television. Last Wednesday, we took a petition to No. 10 Downing street, and on the same day I presented a petition in the House. Each petition was signed by 50,000 people or more. We have demonstrated just how much local people care.

The Government have said that they will consult widely on the closure of Haslar and the future of defence medical services. I was able to present in the House a petition bearing the corporate seals of Gosport, Fareham and Havant borough councils, Portsmouth city council and Hampshire county council, all of which had pleaded for Haslar to be kept open to maintain proper provision for both civilians and defence medical services. Surely, if consultation means anything, that should be enough to show how strongly people feel. More than 100,000 people are treated at Haslar annually, of whom some 80 per cent. are civilians, and the hospital deals with more than 20,000 accident and emergency cases.

One question must surely force the Government to maintain Haslar. Anyone involved in politics will remember the war of Jennifer's ear, which involved the delaying of a little girl's ear operation at the time of the last general election. The Labour party, which was then in opposition, blamed the callous, uncaring Conservative Government for not providing funds to enable the operation to take place earlier. Let me make a different point. There is no doubt that, if the accident and emergency unit at Haslar is closed, lives will be lost between the Gosport peninsular and the nearest other accident and emergency hospital. What message will the Government send to the bereaved when those lives are lost?

I put that point graphically because it is a real point, which is of public concern. It should also be of political concern, and I therefore urge the House not to adjourn until the Government have undertaken to consult genuinely, and to allow a delegation from south Hampshire to speak to senior Ministers. Such a delegation should plead with the Secretaries of State for Defence and for Health to allow Haslar to remain—not just because it is a centre of local excellence for the civilian population, but because we in south Hampshire care deeply about defence forces, of which defence medical services form an integral part.

11.26 am

Mr. John Healey (Wentworth): I want to raise matters connected with the single gateway, a subject that does not sit neatly in one Department and, although important, is not urgent. It does not find a comfortable slot in our normal Chamber timetable, and I am grateful for the opportunity to raise it today.

I note that Ministers have started to refer simply to the single gateway, rather than the single work-focused gateway—possibly because those who get their hands dirty dealing with clients had started to use the near-acronym "Swarfega". It is fine to refer to the single gateway—a gateway to government support and services—but we must not lose the word "focus" in the implementation, even if we lose it in the name. There are three reasons for that.

First, the Government's specific aim is to provide a single point of access to a range of services, not just to the benefits system. Secondly, the general economic aim of the Government's welfare-to-work policies is to increase the sustainable level of employment by putting more recipients of benefits in touch with their local labour markets. We are already doing that with the new deal. Thirdly, the general aim of the single gateway and of welfare reform is to change the whole culture—to move away from the question "How much should we pay you in benefits?" and towards the question "How can we help you to become more independent?" Providing people with opportunities to work in the open, intermediate and sheltered labour markets is one of the principal ways of doing that.

I am proud to be a member of the Select Committee on Education and Employment, which visited Australia last November and, in January, produced a report entitled "Active Labour Market Policies And Their Delivery: Lessons from Australia". In Australia, separate Department of Social Security and Commonwealth Employment Service local office networks were integrated in September 1997, and a new agency, Centrelink, was formed. Centrelink offices act as gateways to benefits and a wide range of Government services, assisting unemployed people, students, families, homeless people and aboriginal people. They serve as a unified point of delivery for services that were formerly delivered by four different Departments. More than 400,000 appointments are booked each month, half a million decisions are made each week and 232 million payments are made each year.

The concept is, however, deeply compromised by the separation of the job network—a network of agencies competing to provide job search, advice and assistance for unemployed people—from the Centrelink operation. For unemployed people looking for work in Australia, Centrelink is the point of registration and classification, but Centrelink staff are not allowed to advise clients on their choice of job network provider. They are not able to act as personal advisers to those unemployed people. Nor are they able to access 90 per cent. of the vacancies that are available in Australia, as those vacancies are held by job network providers.

As we look to implement the single gateway, we need to learn such lessons from elsewhere. It is essential that the Employment Service and other employment and training agencies are built into the single gateway from the start. It is essential that the single gateway does not become benefits driven. I am happy to say that the Select Committee on Education and Employment is about to embark on a joint inquiry with the Select Committee on Social Security. That will be one factor that will figure prominently in our inquiry.

The single gateway has the potential to revolutionise the way in which people see and experience the Government's role in welfare and work support. There is an opportunity to realise the aspirations of my right

hon. Friend the Minister for the Cabinet Office in the White Paper that was published yesterday, "Modernising government", in which he states:

"Better provision of better services available from government at all levels is central to the approach of Modernising Government".

and it is central to the concept of the single gateway. However, the first four pilots for the single gateway begin in June, and eight more are due to follow in November. I wish to register a concern that we may be missing a once-and-for-all opportunity in two areas as we move towards implementing the single gateway.

First, the pilots risk being an emaciated test of the potential of the single gateway. They will be run for three years, but will deal only with new benefit claimants—a total of no more than perhaps 30,000 each year in each area, 75 to 80 per cent. of whom will be jobseeker's allowance claimants.

Those pilots are much too modest in scale and too restricted in scope. For example, those who want to claim the new range of in-work tax credits, in-work housing benefits or child benefit only will still have to go through the existing system, which will be run alongside single gateway interviews and arrangements. The Government's drive towards greater integration of tax and benefits policies must be matched with greater integration of tax and benefits delivery. Indeed, we need to incorporate benefit "payments out" from Government with "tax payments in", just as they aim to do in Australia.

Secondly, the single gateway is justifiably championed as a significant step towards joined-up government, but we cannot have joined-up government unless we have joined-up information. The single gateway must be championed as a significant step towards electronic government as well.

Although face to face contact with personnel advisers will be central to the success of the single gateway, the concept of the one-stop shop is simply not location bound. Centrelink in Australia, for example, makes extensive use of the internet and plans in the near future for claim forms to be electronically available, completed and dispatched back to benefits offices.

That electronic access offers the potential to help the Government to achieve their policy aims, but it also raises important questions about how we prevent such access from adding further to social exclusion. Patterns of personal computer ownership and of internet access are skewed, with a male, middle-income bias. The same is true of card-based information access and storage methods. Smart cards and magnetic strips all display that bias in their use.

The most widely used technologies are those found in the home: telephones and television. Telephone call centres have been used extensively and effectively in Australia. They have been used in the UK successfully with Employment Direct. I welcome the fact that the call centre will be the base for four of the single gateway pilots that will start in November in Somerset, Buckinghamshire, Gwent Borders and Calderdale, Kirklees.

It is the development of digital television that presents the opportunity to ensure that we have service access through a medium with which people are familiar and which can be navigated using controls that need not be very different from those that people are already used to. However, that presumes that public information and public service channels are part of the digital television age.

Public information and public service channels are not a priority for digital television service providers. Jane Stephenson of Granada Sky Broadcasting spoke for the whole industry when she said recently that public service information "is not a priority". GSB's programme content, for the moment anyway, is largely driven by the commercial formats that it has chosen, so home shopping is much more of a priority than, say, information on social services. The danger is that structures will be set now in a way that will inhibit the use of DTV for electronic public services.

The issues are these. What regulation or incentive will be needed to ensure public service access through DTV? How will the costs of DTV access for people on low incomes be met? Now is the time to consider those questions: while the ground rules for DTV and its technology are being set, before a dominant provider emerges and before the negotiating hand of the commercial organisations is strengthened in relation to Government.

If the Government's vision for a single gateway can be expanded in that way, it can live up to its advance billing as a radical and far-reaching reform. I hope that the Parliamentary Secretary, Privy Council Office will play his part in that development and will pass my concerns on to those colleagues who are involved in that important project.

11.37 am

Mr. Paul Tyler (North Cornwall): It has been a fascinating debate, as recess Adjournment debates always are. The problem is that, as the debate progresses, we find that we have many similar points and points of mutual interest when a constituency issue is raised, and that we want to comment on everything, but I will leave that to the other two Front-Bench spokesmen because I want to make one substantial point on a major issue of concern.

I am struck by the number of occasions when we have seen the connection between food and health. They are critical to our fellow citizens. For example, I take the contributions of the hon. Members for North-East Derbyshire (Mr. Barnes) and for Bolsover (Mr. Skinner), who were both concerned about breast cancer. I am sure that every hon. Member has unfortunate, sad, tragic stories from constituents of how the system has failed our society in terms of diagnosis, prevention or treatment.

The specialist scientific report for the European Union directed our attention to an apparent connection—I put it no stronger than that—between hormone-treated beef that the United States is seeking to export to the European Union and the incidence—indeed the increase—in breast cancer. Food and health march together and we should never forget that.

The hon. Member for Braintree (Mr. Hurst) correctly identified a major problem in the way in which we treat our most vulnerable citizens. There is an almost precise replica of the situation that he described at Bridge hospital, in his community, at St. Lawrence's hospital in Bodmin in my constituency, which serves the whole south-west. Again, health is obviously central to our concerns.

The hon. Member for Ludlow (Mr. Gill) and the right hon. Member for Penrith and The Border (Mr. Maclean) talked about the problems that our food industry is facing. Again, there will be major implications for the health of

[Mr. Paul Tyler]

the nation if we do not get the right balance between nutrition, food quality and health. That is why I am so delighted to see the report of the special pre-legislative Select Committee on Food Standards. I take some responsibility for that Committee because, as a member of the Select Committee on Modernisation, I was enthusiastic about the idea of proper scrutiny before a Bill is set out in black and white. I shall refer briefly to the wide ranging and urgent implications of that Committee.

The problem with pre-legislative scrutiny is that it takes time, and we do not have much time in which to improve the situation. The Committee is saying that important nutritional issues are at stake.

I should declare an indirect interest in that my wife is a director of a famous traditional grocer's shop in Cornwall. Hon. Members who come to the best part of the British Isles for a holiday during the recess may care to call. Although, of course, I cannot advertise the shop, everyone knows that we have the best speciality food in the United Kingdom, if not the western world. My wife is a director, and I am a shareholder. Whether what I have to say about the Food Standards Agency will impinge on that enterprise, I know not. However, hon. Members would be well advised to head west over the next few days.

The Food Standards Committee report rightly draws attention to the continuum from food safety through quality to nutrition. It is difficult to divide those factors up. That is why I find it difficult to accept the Government's apparent limitation on the role of the agency. We should listen carefully to the Committee, because, particularly when it comes to information rather than advertising, it will be difficult to draw the line at which the agency should stop.

Recommendations 5 and 8 are extremely important. Recommendation 13 deals with connections to specific agencies that operate under the aegis of the Ministry of Agriculture, Fisheries and Food. Other hon. Members may have dealt with the Pesticides Safety Directorate or the Veterinary Medicines Directorate. The hon. Member for Ludlow has joined me several times to look at the work of such directorates. If their work is totally divorced from the agency, the agency's work will be much depleted.

Most importantly, the Meat Hygiene Service must be brought under the control of the independent FSA, and it must be properly accountable to Parliament. The current crisis in the abattoir industry has been some time in coming. When Labour Members sat on the Opposition Benches, many of them joined me in attacking the previous Government over the MHS, recognising that it would not be properly accountable. It is critical that we should bring those burdens on the food industry under control.

Mr. Rowe: Is there not a serious danger that the FSA will find all sorts of ways to lay restrictions on the British food industry? If supermarkets are going to demand certain standards of production from British producers, should we oblige them not to buy from foreign producers who produce to a less stringent protocol?

Mr. Tyler: I welcome what the hon. Gentleman says, and only wish that I had received such support during the previous Parliament: the problem was important then, and it has got worse. A level playing field is needed, not just to be fair to the industry, but to provide consistent quality for consumers.

The way in which the FSA is responsible to Parliament—and therefore to our constituents—is a critical matter. The special Select Committee has taken its own experience of considering the issue—drawing members from both the Agriculture Committee and the Select Committee on Health—as a template for dealing with the matter. Before the general election, I suggested that this matter was so crucial to the nation that the agency should not be responsible to any single Whitehall Department, but to a Select Committee along the lines of the Public Accounts Committee. Accountability will be crucial.

Funding is another issue. The Government initially proposed to impose a flat rate on all eligible food establishments—a food poll tax. The outrage expressed throughout the country has, I hope, made Ministers think again. I am delighted to see that the special Select Committee report discards that idea in no uncertain terms, saying:

"We believe that the flat rate principle is contrary to natural justice and we recommend that the Government implement a graduated system following its consultation exercise."

I hope to hear an early announcement that that will happen.

I can illustrate the absurdity of the initial proposal with an example from Inverness. I visited a small family bakery last Tuesday. It has 11 small outlets in villages around Inverness, and the total initial bill for the 12 establishments would be £1,000 a year. The enormous supermarket a few hundred yards away would pay £90. There is something basically so illogical about that ludicrous proposal that I hope the Minister can tell us it has been kicked into touch.

Mr. Gill: Does the hon. Gentleman support the principle that the cost of the FSA should be charged to the trade, or does he share my view that if the Government impose regulation or inspection on an industry, the Government should pay for it?

Mr. Tyler: As the point, principal and core objective of the new agency is public health, which must be a core responsibility of the Government, core funding should indeed come from the taxpayer's purse.

Ms Sally Keeble (Northampton, North): Will the hon. Gentleman give way?

Mr. Tyler: I am up against time, and the hon. Lady may not have a chance to speak herself if I go on too long.

If there must be some contribution from the industry—the Select Committee makes some suggestions but I have no time to go into them—it must be based on square footage. That is quite easy to work out; the House considered the matter in relation to Sunday trading. However, as the hon. Member for Ludlow said, funding is a core responsibility of Government because public health cannot be more important.

The report refers to the responsibilities of the FSA in international terms. Having recently been to the World Trade Organisation in Geneva, I recognise that our agency

will have an input within the European framework on issues such as BST hormone treatment, meat, milk and the American tendency to try to create a new food imperialism.

I shall refer briefly to a specific case in which the FSA is urgently required. In this respect I note the remarks made by the hon. Member for Faversham and Mid-Kent (Mr. Rowe) about the need for an even playing field.

Last summer, on 17 June 1998, in a debate on the Food Safety Act 1990, I referred to the case of Duckett and Aldridge, specialist cheese makers. I do not want to repeat all the arguments in that debate, except to say that I had the support of the right hon. Member for Wells (Mr. Heathcoat-Amory) and the hon. Member for East Surrey (Mr. Ainsworth) in drawing attention to the extent to which the so-called hygiene police were disastrously overreacting in that case. If that case is to be a model of how the Food Standards Agency will operate, we are in big trouble, as we shall be imposing great and unjustified bureaucratic burdens on smaller specialist, craft food producers and processors.

We all owe a debt to Messrs Christopher Booker and Richard North. Some years ago, they published a wonderful book, illustrated by the inimitable Willie Rushton—it is therefore good Easter recess reading—entitled "The Mad Officials—How Bureaucrats are Strangling Britain". Incidentally, it was published in 1995 and deals with the 15 years of Conservative Administration prior to that date—so let none of us think that such bureaucratic burdens are anything new.

In last June's debate, I pointed out that the Ministry's attitude to small producers was entirely unacceptable.

Mr. David Heath (Somerton and Frome): I know a little about the case to which my hon. Friend is referring. I also know that excellent book. Is not one of the problems the fact that the offences he has mentioned are treated as absolute offences—in which no mitigation is available for having employed the best available technology and taken every possible precaution? If a company is found to have transgressed, it can be put out of business, despite the fact that it is doing an excellent job in producing a wholesome product.

Mr. Tyler: I am very grateful to my hon. Friend—who, coming from Somerset, will be very well aware both of the circumstances and of their repercussions over the entire food industry, not only in the south-west but across the country.

Just last week, at a special meeting of the Farmers Club, I met some of the people involved in the case, and for a specific reason. Although the Department of Health lost the case, it lost on a technicality. Consequently, one very good producer and one very good wholesaler of cheese are effectively uncompensated and are in danger of being run out of town and ruined. Moreover, currently, they have no redress; indeed, the very reverse applies. For reasons that Ministers will not explain to me, the Department of Health will appeal the case. I hope that the Parliamentary Secretary, Privy Council Office will be able—although not today—to extract an answer from the Department of Health on exactly what it is doing with taxpayers' money in trying to devastate two extremely valuable food processors and wholesalers.

The text of last June's debate shows that the Minister for Public Health was woefully misinformed about the nature of the action taken by her officials. In attempting to explain to other hon. Members and to me what had happened, she was not able to give us the full picture. I shall give only one example. She said:

"A 12-year-old boy developed not a minor tummy upset but renal failure, was put on dialysis and was found to have an E. coli 0157 infection."—[*Official Report*, 17 June 1998; Vol. 314, c. 343.]

That is just not true. The boy had recovered by the time he was given renal treatment, which he had been put on for purely preventive purposes, to ensure that there was no recurrence of the disease. He was not put on dialysis because he was suffering from a major problem. The nature of the Minister's reply suggests that the hygiene police were in extraordinarily defensive mode. They not only overreacted, but subsequently covered up their mistakes.

If the incident is an example of the way in which the Food Standards Agency will operate, there is a very big problem of which all hon. Members should be aware. I trust, however, that the Government will take full account of the advice of the special Select Committee. We surely have to ensure that our fellow citizens are able to make an informed choice of food. They will therefore have to know when food comes from a foreign source with lower animal welfare standards, and less stringent legislation on labour and global environmental impact. We have to accept that it will not be sufficient for the Food Standards Agency simply to worry about risk; it will have to be concerned with the entire continuum, through quality to nutrition.

I believe that the citizens of the United Kingdom—our colleagues and our constituents—have every right to be confident in the quality of good British food. However, unless we are very careful, many manufacturers, processors and wholesalers of that quality food will be out of business before the Food Standards Agency has even started work.

11.55 am

Mr. Jon Trickett (Hemsworth): I should like briefly to speak about an injustice that is being done not only to my constituency but to most of the other areas in the former English coalfields. The injustice is compounding the problems caused by the industrial, economic and social cataclysm that followed the 1984 strike, in which 190,000 jobs directly related to the coal mining industry were lost. The jobs were lost not in metropolitan areas, where the unemployed might eventually have had access to other jobs, but in small towns, villages and hamlets such as those in my constituency—Featherstone, Hemsworth, Upton, Ackworth, South Elmsall, Crofton and South Kirkby. Those communities have little or no infrastructure, and no access to other local jobs.

The injustice is continued governmental underfunding in assisting those areas' regeneration. The injustice is unwitting and is, I fear, a product of how our statisticians work. Current measures of deprivation result in funding regimes that inadequately reflect the true deprivation of former coalfield areas. Local authority funding levels in all coal mining areas are very low, and, in the current review, European funding—which was previously the one saviour of our communities—is in danger of being lost.

The Department of the Environment, Transport and the Regions is increasingly relying on only one index—the index of local conditions. Consequently, a variety of funding regimes will increasingly be based on that one index.

[Mr. Jon Trickett]

I do not want to engage in some type of competition, demonstrating how poor my area is compared with other deprived areas. I shall leave such a competition to other people, as I think that it would be unprincipled to argue that other deprived areas should lose funding. Nevertheless, I feel that the index of local conditions relies too much on housing condition and probably also on ethnicity—thereby discriminating against areas, such as mine, where the housing stock has, over the years, been well-maintained by the local authority, and where there is an overwhelming preponderance of people from an ethnically white background.

The European Union relies on various indices of deprivation. Eligibility for objective 1 funding—which is the highest-level funding that might be available to Hemsworth, or to any other area in the English coalfields—is determined on the basis of gross domestic product output per head. To be eligible for such funding, areas must be at 75 per cent. or less in the index. An independent analysis of the communities in my area shows that we are probably at about 75 per cent., or just marginally over it. Therefore, we should be able to receive objective 1 money. Sadly, however, the European Union does not propose basing its analysis on district level in determining eligibility for those funds.

In determining communities' eligibility for objective 2 funding, however, the European Union uses a secondary index, based on district unemployment levels.

Unemployment is notoriously difficult to measure. Over the years we have seen disputes in the House and elsewhere over the true level of unemployment. In Wakefield, which is the district in which my constituency lies, the official level of unemployment is 9.1 per cent., which is less than the European Union average. I believe that that dramatically understates the situation in Wakefield, Hemsworth and throughout the coalfield area. Wakefield district lost one in 10 of all jobs lost in the coal mining industry since 1984. A total of 190,000 jobs were savaged for reasons that we all know. Wakefield lost 20,000 of those jobs—one tenth of all the coalfield losses. That is the equivalent of 63 jobs per 1,000 people in my area.

How can the unemployment statistics get it so wrong? One clue that might lead to a solution to that riddle lies in the health-related statistics for the Wakefield area. In Wakefield, as in many other parts of the coalfield, the standardised mortality ratios are very high. Wakefield has 11 per cent. more deaths than could be expected on average in Britain as a whole. About 29 per cent. of our households—almost one in three—contains somebody suffering from a limiting long-term illness.

There is massive understatement of the true level of unemployment in the coalfield areas. In Wakefield, 29 per cent. of people of working age—it is higher in my constituency—are regarded as being economically active. That is the real clue to the understatement of the coalfield unemployment figures. I have no doubt that real employment in Wakefield as a whole is between 18 and 20 per cent.—one in five of the population. I reckon that about 40 per cent. of households—two out of five—have nobody who is economically active. How can the statistics used by the Government and the European Union so badly understate our position so that we are left without access to the resources we need for regeneration?

The villages that I represent and now live among are sinking gradually but inexorably further into poverty. Statistics show that before the introduction of the minimum wage, an increasing number of people were living on £2.50 or less per hour. The statistics on poverty and household income levels show that increasing numbers of households in Hemsworth, Wakefield and throughout the coalfield areas are sinking further into poverty.

I know that the Parliamentary Secretary, Privy Council Office understands the coalfield areas and I urge him to take this message back to his colleagues in Government and tell them that the coalfields are suffering from an injustice as a result of the indices of deprivation that the Government have adopted. They understate the true level of suffering and poverty in our communities. We need help from people such as my hon. Friend the Parliamentary Secretary, who understands our area, in order to convince the Government that we need access to the badly needed funds for regeneration.

12.4 pm

Sir Patrick Cormack (South Staffordshire): I am sorry that there are many hon. Members on both sides of the House who have not been able to participate in the debate. That is most unfortunate. However, the Parliamentary Secretary and I have cut down our remarks considerably and will be speaking for rather less time than the hon. Member for North Cornwall (Mr. Tyler) in order to try to answer the debate. We have heard 15 speeches which have raised some 31 or 32 issues. It would be almost impossible to deal with them all in just over 10 minutes, but I will deal with as many as I can.

Many of my colleagues have referred to the importance of this debate in the parliamentary calendar. As I saw the frustration on the faces of some hon. Members it occurred to me that the next time we do this we should continue the debate until 2 o'clock. That would give everybody an opportunity to participate. Perhaps we should ask Madam Speaker to consider limiting speeches to a maximum of 15 minutes. Those two changes would give everybody the opportunity to participate. Fifteen minutes is a reasonable limit and would enable more colleagues to get in.

This is one of the few opportunities that Back-Bench Members have to bring to the House issues that are causing them concern. Although there was no common thread running through the speeches—nobody would expect that—there was common concern to put before the House issues of considerable importance.

No hon. Member has been frivolous. We have heard some amusing comments and that is good. I am delighted that my omnibus Friend the Member for Southend, West (Mr. Amess) managed to contribute again. He does not abuse the time of the House. He spoke for only 10 minutes and raised eight issues. I am pleased for him that the Palace theatre in Westcliff, although dark at the moment, will have its pantomime horse back at the end of the year. I am sorry that the police horses will not be there to patrol the crowds as they go in to watch my hon. Friend's bravura performance.

We began with a serious speech from the hon. Member for North-East Derbyshire (Mr. Barnes) who is an habitual contributor to these debates. We are glad that he has made a full recovery. He talked about the tragic incidents in his constituency and that of his hon. Friend the Member for

Bolsover (Mr. Skinner) of the two ladies who had their breasts removed unnecessarily. He made a powerful plea for a national inquiry and some national standards. I hope that his words will be heeded by his hon. Friend the Parliamentary Secretary and, more importantly, by the Secretary of State for Health. It was an important issue to raise.

My hon. Friend the Member for Faversham and Mid-Kent (Mr. Rowe) talked about the literally growing problem of leylandii hedges. There is probably not an hon. Member who has not had experience of this problem. He was right to draw it to our attention. He also talked about the NSPCC's important campaign on cruelty to children. He spoke with all the knowledge of a trustee of that most important organisation. I hope that all hon. Members will back that campaign. However, it is important that we never encourage those who make spurious allegations against parents. It has reached an absurd position in some cases where the most minor chastisement of a child is interpreted in some quarters as abuse. It is important to get the balance right. He also talked about the expectations we place upon the police and he was right to do so.

The hon. Member for Braintree (Mr. Hurst) made what I would call a classic speech for this debate because he focused on one issue of great concern to him and his constituency—the future of Bridge hospital. He hopes that it will not be closed. I cannot comment in detail because I do not know the hospital, but he made a cogent case which deserves a cogent and well thought out answer. I hope that he will get that from Ministers.

My hon. Friend the Member for Ludlow (Mr. Gill) illustrated how important it is that we should have in the House hon. Members who have practical experience of the subjects about which they are speaking. There can be no hon. Member who knows more about an individual subject than my hon. Friend knows about the meat industry. The Government must take to heart his plea for the owners of small abattoirs and his illustration of the plight of pig producers. It is ludicrous that some of the owners of small abattoirs are facing, within a very short time, an escalation of costs up to 10 times or more what they are paying now. That can have only one catastrophic result, which my hon. Friend pointed out graphically, and that is the closure of those small abattoirs and nobody will benefit from that. He was also right to talk about the plight of the pig industry and how ludicrous it is that foreign imports of a far inferior quality will force out our own, wonderful, home-produced pork and other pig products.

The hon. Member for Tooting (Mr. Cox), who nearly always talks about international affairs in these debates, turned his attention to Kashmir. He did the House a service in so doing. It is an immensely complicated and almost intractable problem and I will be careful what I say about it. All I would tell him is that it is right to use the Floor of the House to raise such issues. Let us hope that, with the dexterity that was not apparent when the Foreign Secretary first ventured to comment on the issue, the right hon. Gentleman will return to it and may play a part in bringing together India and Pakistan. Without their complete agreement and a binding settlement the problem will fester into the next century.

The hon. Member for Carlisle (Mr. Martlew) mentioned a problem in his constituency and made some serious accusations about a company. He made them with such quiet passion that I hope that they will be investigated. If the situation is indeed as he described it, that company has behaved very badly.

My right hon. Friend the Member for South-West Surrey (Mrs. Bottomley) talked about the A3 at Hindhead and asked for some replies to her questions, as she has a right to do. She also mentioned the fact that Ministers have refused to see deputations. I have had experience of that problem when roads and education issues have been raised. The Minister refused to meet Members of Parliament who represent Staffordshire—hon. Members from both the main parties—to discuss education funding there, which is utterly disgraceful. The hon. Member for Stafford (Mr. Kidney) wanted to speak in the debate and I know that I speak for him in making that point.

The hon. Member for Bolsover made an inimitable speech. Again, he showed hon. Members how to do it because in eight minutes he made some extremely pithy points. In boasting of his acumen as a trade union negotiator, he perhaps boasted too much in the case of Derbyshire, but certainly not too much in the case of people suffering from emphysema and white finger. We are all glad about that settlement and it is important that the people concerned should be paid as quickly as possible because they have suffered enormously.

My right hon. Friend the Member for Penrith and The Border (Mr. Maclean) obviously has an extremely versatile spaniel. He made some good points about the road haulage industry and play groups. He ended on a more serious topic. There is widespread concern in the House about events in Northern Ireland. Many of us find it difficult to see terrorists who have clearly been guilty of the most despicable crimes being freed. My right hon. Friend went considerably further than I would go in his remarks. We must all hope that this Easter does indeed see the furthering of the peace process that was embarked upon on Good Friday last year.

The hon. Member for Wolverhampton, South-West (Ms Jones) made a classic Adjournment debate speech when she talked about trees in town streets. My constituency is adjacent to hers and I know that she speaks with knowledge and authority and I support all that she said.

My hon. Friend the Member for Gosport (Mr. Viggers) made another powerful plea for the Royal hospital, Haslar. If we wanted an object lesson in how to put forward a case, we have only to take advice from my hon. Friend. I hope that all the peaceful demonstrations with which he has been involved will result in the only just answer, which is the preservation of that extremely important hospital.

The hon. Member for Wentworth (Mr. Healey) talked about the gateway to services in the light of the White Paper that was published yesterday. The hon. Member for North Cornwall discussed the Food Standards Agency and made a good point about the so-called poll tax on food. I sincerely hope that the Government will take that argument on board. I also hope that we will not see more of the ludicrous interfering, which resulted in terrible problems for the Duckett and Aldridge cream cheese producers. The hon. Gentleman was right to highlight those problems.

We ended with the speech from the hon. Member for Hemsworth (Mr. Trickett) who made a powerful plea for some regeneration in his part of the Yorkshire coalfield.

[Sir Patrick Cormack]

He was magnanimous enough to say that he fully recognised the fact that other areas have similar problems. We have lost our coal mines in Staffordshire and although I would not wish to enter into a competition with him, I will merely say that I am aware of the importance of his arguments, which the Government need to tackle, perhaps, more satisfactorily they have been doing.

We have had a useful debate, in which a number of important issues have been raised. Obviously, I cannot deal with every last one. In the remaining minutes I shall mention a couple more. My hon. Friend the Member for Southend, West, in his wide-ranging speech, mentioned graffiti—a problem that, literally, defaces many of our constituencies. I hope that we will have an onslaught on that appalling menace in the next year. Let us have a clean country to enter the millennium.

A number of hon. Members mentioned this House. One reason why so many Members wished to take part in the debate and why there is such frustration in the House is that the Chamber is becoming increasingly sidelined. Although it would be wrong for me to anticipate the report of the Modernisation Committee on the Main Committee—we must look at that, read it carefully and debate it thoroughly—as I have said before from the Dispatch Box, anything that detracts from the centrality of this Chamber should be resisted and anything that can put life back into it and will make Ministers more accountable and bring them here more often to be held to account must be supported.

I am delighted to see that the Parliamentary Secretary, Privy Council Office, is to reply to the debate again. Please will he tell his right hon. Friend the Prime Minister—who we accept has many important issues on his mind at the moment—that we would appreciate seeing the right hon. Gentleman a little more often in and around the House of Commons. He has appeared in the Division Lobby far less than any Prime Minister in recorded history and we want to see a little more of him because, after all, he is our Prime Minister.

Mr. Skinner: You lot hate his guts.

Sir Patrick Cormack: I do not. The hon. Gentleman knows that hatred is not an emotion that I find easy to embrace. I am speaking personally but I am also speaking for my party—we are not a party that hates, but a party that tries to be constructive. In that spirit, I will end by wishing you, Mr. Deputy Speaker, and everyone in the House a happy Easter.

12.18 pm

The Parliamentary Secretary, Privy Council Office (Mr. Paddy Tipping): I shall carry on from where the hon. Member for South Staffordshire (Sir P. Cormack) left off. I am conscious that, as we speak, my right hon. Friend the Prime Minister is in Northern Ireland doing extremely important work. I am also conscious that, last week, he was at the European Heads of Government summit in Berlin. I also know, because I took the opportunity to look up the figures, that my right hon. Friend has missed only two Prime Minister's Question Times since he came to office and he has answered more questions at Question Time than his predecessors.

I agree with the hon. Member for South Staffordshire that it is important to bring life into the Chamber. There has been plenty of life, interest and debate this morning, with 15 hon. Members raising a range of constituency and wider matters. I believe that we need to look into ways to give more hon. Members more opportunities to have a say. The Main Committee has been mentioned during our debate. The report of the Modernisation Committee will be available after Easter, and I look forward to an early debate and discussion on it. Hon. Members have made various suggestions about how we should give more Members more opportunities to speak, and I am keen to look into those. I shall certainly consider carefully the suggestion that the hon. Member for South Staffordshire made about extending the debate.

I apologise to hon. Members who had no opportunity to speak. Perhaps I should get my retaliation in first. It will not be possible to reply to all the points made this morning, but I undertake to write to everyone who has raised matters. That will destroy my Easter holidays and those of some officials. I may not have the chance to travel to the Isle of Wight or taste the delights of North Cornwall.

My hon. Friend the Member for North-East Derbyshire (Mr. Barnes) put his case about the problems at the Chesterfield and North Derbyshire Royal hospital well. I am pleased that the trust there has accepted responsibility. He asked for a wider investigation, and I am pretty confident that he will get one. He spoke strongly of the need for best practice. The National Institute for Clinical Excellence is being launched today. I am delighted that we have achieved that and look forward to strong, positive work from it. I give him a hint that a colleague at the Department of Health will make a statement on breast cancer treatment soon and build on my hon. Friend's phrase about early treatment avoiding later pain. An extra £20 million has already been made available for breast cancer services. Another £150 million was announced this month. I hope that, in the next day or two, we will achieve our manifesto promise of early treatment for women with breast cancer. I hope that he and the women in Derbyshire who have been so cruelly treated do not have long to wait for that.

The hon. Member for Faversham and Mid-Kent (Mr. Rowe) raised three points. I agree that leylandii is a problem and that we must find a solution. His Bill may be a trigger for action. Colleagues in the Department of the Environment, Transport and the Regions are considering ways forward and are minded to give guidance and advice, but we may end up with legislation.

I join the hon. Member for Faversham and Mid-Kent and others in celebrating and praising the marvellous, life-saving work of the National Society for the Prevention of Cruelty to Children. It must work in partnership with others. I am sure that we can achieve more and that we would, if, as he suggested, we listened more to the voice of children. There is much to be learned from the youth Parliament that he has advocated for many years.

The hon. Member for Faversham and Mid-Kent wondered whether we ask the police to do too much. There are strong arguments on that. The police deal with crime but are also the ultimate emergency service. I know that there have been discussions with the Association of Chief Police Officers and others to define the role of the

police and learn from best practice. We could learn much by comparing police forces and authorities more effectively.

My hon. Friend the Member for Braintree (Mr. Hurst) made a strong case for the Bridge hospital in his constituency. He knows that the Secretary of State for Health shares his concerns about the failure over many years of so-called community care. For community care to be successful, we must have real, not artificial, support mechanisms in the community. We need to offer people in Braintree, Witham and elsewhere a range of choices from residential accommodation, through focused community care in the sort of sheltered housing that he mentioned, to more diffuse community care and advice. His case can still be heard, and I will ensure that colleagues hear it.

Like the hon. Member for Ludlow (Mr. Gill), I come from a rural area. I noted the strength of his comments. I know the value of local abattoirs both to local employment and to animal welfare. I am delighted that he was able to meet the responsible Minister and that the Minister listened to him. The hon. Gentleman knows that no decision has yet been made on the level of charges. It is important to get this right and to try to help the pig industry. I know from my own visits that the industry feels that it competes on a far from level playing field. I am glad that we have made some progress on labelling. We need to reconsider the role of the supermarkets in that. It is important to raise standards, as he put it, for the best across Europe. It cannot be right that our producers have more liabilities than their competitors.

My hon. Friend the Member for Tooting (Mr. Cox) spoke about Kashmir. It would be nice to have the opportunity in the Easter holidays to visit the occupied part of Kashmir. That pleasure has been denied hon. Members for many years. He knows that we must build on the 1972 United Nations Simla agreement, the core of which is his argument that we need to bring people in India and Pakistan together.

I must progress quickly. The hon. Member for Southend, West (Mr. Amess) made many points. I will write to him on them all. He and other hon. Members should note that this year's local government financial settlement has been the best for local authorities, including shire counties, since the new financial regulations came in.

I know of the concern in Carlisle about Polestar printworks. If my hon. Friend the Member for Carlisle (Mr. Martlew) feels that there has been what I think he called lying, he must contact the Director General of Fair Trading. My hon. Friend will pleased to know that inquiries are being made.

The right hon. Member for South-West Surrey (Mrs. Bottomley) asked about the A3. The Highways Agency is the responsible body for the study on behalf of the Government office of the south-east. I will ensure that the team leader is made known to her. The study will last two years. She asked for a meeting on site, and knows that there is an opportunity for a further meeting with the Minister responsible. I hope that she will take up that offer.

My hon. Friend the Member for Bolsover (Mr. Skinner) spoke strongly and movingly about miners in Nottinghamshire, Derbyshire and elsewhere. I am delighted that we are going to put real money into their pockets to reward them for what has not been achieved in the past. It is also important to act for coalfield areas such as Wentworth and Hemsworth and use new technology to change culture to ensure that they have new investment and a new future. I am very conscious of the bids for assisted area status for new regional funds from the European Union. I understand that the Minister for Small Firms, Trade and Industry has written to all hon. Members this morning saying that he is happy to consult them.

I was pleased by what we heard about Wolverhampton. My hon. Friend the Member for Wolverhampton, South-West (Ms Jones) has been a strong advocate of city status for Wolverhampton. The area is on the up and up. I am delighted that there is urban forestry there and that the Government intend to build on the guidelines that she mentioned. I hope that we can green Wolverhampton.

As we move to the Easter recess, perhaps we should reflect that

> "April is the cruellest month . . . mixing
>
> Memory and desire".

We have had plenty of memories and many more desires in the Chamber today. In conclusion, we should perhaps reflect that Easter is a period of rebirth and renewal. Both Kosovo and Northern Ireland have been mentioned in the debate. Let us hope that the pain, cruelty and torture there will end and that, in the coming months, we shall see the signs of rebirth, new life and democratic renewal.

Mr. Deputy Speaker: Order. We now come to the debate in the name of the hon. Member for South-West Devon (Mr. Streeter).

Secondary Education (Plympton)

12.30 pm

Mr. Gary Streeter (South-West Devon): You will know, Mr. Deputy Speaker, as the Minister will know, that, from time to time in our constituencies, a situation of real injustice arises that causes us to get angry. I bring to the House today a situation in my constituency that has certainly made me angry. For the people involved, it is a real injustice. Some people in Plympton in my constituency have been treated very badly indeed. The Minister is a father, as am I, so he will recognise that it is an extremely natural desire of parents to try to do the best for their children. At no time is that desire more demonstrated than when parents are trying to secure the best possible schooling for their children, especially in the secondary school sector. The upshot of what I am about to describe today is that, in September, 30 of my constituents will not be able to send their child to a school of their first or second choice, or even to a school in their community, such is the way in which the system has moved against them.

The parents are faced with bussing their child—in each case, their beloved 11-year-old son or daughter—to the other side of Plymouth, to which there is not a direct bus route, outside their local community. The children will be educated outwith their peer group of friends. It is a matter of great distress to every family involved. As I shall demonstrate, there is a solution that the local education authority could adopt. It is reasonable and doable, and it would meet the circumstances nicely. At the moment, the LEA is refusing to adopt that solution, for all the wrong reasons. That is why I am here today to urge the Minister to intervene.

It will be helpful for the Minister and the House if I set out the background to the situation that I have described. I have already referred to Plympton, a suburb of Plymouth at the heart of my constituency. Some 45,000 people live in Plympton. It is a self-contained community. It has many splendid facilities, although of course we could always do with more. Until the 1970s, Plympton was run by its own borough council, and it still enjoys many local traditions. We have civic groups and societies. A stannator is elected once a year in Plympton. It is very much its own community.

There are two secondary schools in Plympton—Hele's and Ridgeway. Both are excellent schools. For historical reasons, Hele's is slightly more popular most years. Every year, I try to help a handful of Plympton parents to get their child into Hele's school, even though they live outside the catchment area and the child is not in a feeder school for Hele's.

There has never been a year to date in which a child in a Hele's feeder school has not got a place at Hele's. That is an important piece of information, which I hope that the Minister has taken on board. The wonderful booklet produced by Devon county council, now Plymouth city council, about the education selection process refers to feeder schools feeding into secondary schools as if it happened as night follows day.

Most years, Ridgeway has a few spare places and parents who appeal for a place at Hele's and lose can do so, safe in the knowledge that they will at least get their child into Ridgeway and have him or her educated in the community of Plympton. It is always a struggle. There are always lots of nerves, tensions and anxieties, but somehow it works. All Plympton families, to my knowledge, have been able to educate their children in Plympton if they wish to do so.

This year, the pattern seemed to be following its usual course. People were going to open days and discovering what school was best for their child and listening to what the schools had to offer. That was until 20 parents with children in feeder schools for Hele's received letters from the LEA out of the blue telling them that the school did not have a place at Hele's school for their child this year. There was no warning of that. They had attended parents evenings in the usual way and had had discussions with teachers and the head teacher. No one had ever suggested that Hele's feeder school children would not get into Hele's. It was a complete bombshell.

To make matters worse, parents in north Plymouth, perhaps to their credit, had begun to spot that Ridgeway school did not always fill up straight away with first choices, so several of them plumped for Ridgeway—a very good school—as their first choice. They chose to send their children to school three or four miles away. That was their choice, and I make no argument with that. The reason why they made that choice was that at least one school in north Plymouth is seen by parents—they are, after all, the test—to be failing. That is why they are looking around for schools in other parts of Plymouth. The upshot is that, as a result of the influx of children, Ridgeway school filled up this year with first preferences.

So those families who naturally chose Hele's because their children were in a feeder school for Hele's, and who did not have the faintest notion that they would not get in—cannot now send their child even to Ridgeway school in Plympton. They are joined by another group of parents who exercised their parental right perfectly reasonably and understandably to make Hele's their first choice, even though their children were in Ridgeway feeder schools. Naturally, this year they did not succeed. So 30 of my constituents cannot have their children educated in Plympton. For them, this is a very serious matter. Many of them have come to see me in my surgery. Many have described the position as the end of the world for them. It is a matter of the gravest concern.

The parents are faced with educating their children outside the community. There is not even a direct bus route from Plympton to north Plymouth. The children will have to go into the city centre and then out again on another bus. They face that obstacle when all the time there are two first-class secondary schools in their own community. Of course, parents are appealing individually against the decision, but we know that there is movement of only two or three places each year. So two or three of them may well succeed, leaving a class full of children who cannot be educated in their community.

My case for the Minister is simply that the Hele's feeder school families had no warning that they would not get their first choice. Hele's feeder school children had always got into Hele's. No one warned them that this year was different, although I believe that the LEA knew, or ought to have known, that, this year, the numbers were difficult and the situation was different. Not a word was breathed to the parents who were exercising their proper choice. I argue that parents of Hele's feeder school children did not get a proper first choice. At the very time when they were ticking the box for Hele's, automatically assuming that that was the right thing to do, the door to

that school was already closed. As a result of the movement from north Plymouth into Ridgeway school, their second choice was also closed off.

Those parents have been denied their first and second choice and face the prospect of bussing their children outside the area. That is unacceptable to them, to me and to local councillors. So what activity has taken place since the matter was drawn to my attention several weeks ago? I have had consultations with most of the parents. I have had extensive correspondence with the director of education and officials. I have had discussions with head teachers. I had a meeting last Friday with the local education area officials, the director of education and the chairman of education.

I believe that there is enormous sympathy within the LEA for the plight of the 30 families. However, the chairman is setting his face against finding the obvious solution. The obvious solution is that the LEA should ask one of the schools in Plympton—probably Ridgeway—to take in an extra class this year. I know that that would take it above its planned admission level, but 30 children from Plympton would then go to a Plympton school. Ridgeway school is undergoing a phase of refurbishment, I am pleased to say, which was agreed several years ago. Four mobile classrooms are being replaced and a new block is being built. It would not be impossible for one of those classrooms to be left while the extra intake of pupils saw their way through the school. The school is prepared to do that and the parents would be delighted, but the LEA refuses to take that step.

The local education authority has a strategic role in these matters; several months ago, it should have hovered above the situation and seen what was going to happen. At the earliest opportunity, it should have given the parents of the Hele's feeder school children the best information and told them that, this year, exceptionally, their children might not get into Hele's school. That would have allowed the parents to exercise a proper first choice. They could have taken the risk of choosing Hele's school, or they could have chosen Ridgeway so that their children would definitely be educated in Plympton. However, that advice was not forthcoming and, as a result, I argue that the parents did not have a proper choice.

I asked the LEA to intervene to sort out the matter. At present, the authority refuses to do so; its members acknowledge that there is a problem and that the situation will be improved next year. They will take better soundings from primary schools as to the number of children applying to Hele's. They will give local parents, councillors and myself better advice at an earlier stage. The LEA has acknowledged the needs of local people and that it needs to change its system. Although I welcome that, it will not help the group of 30 parents in Plympton who want their children to be educated in Plympton this year.

I urge the Minister to leave aside the advice that he might have received from his civil servants—I know what that might have been—and to place himself in the shoes of those 30 parents. He is a father and I ask him to share their mindset and understand their plight. I ask him to acknowledge that there is a solution: he can ask the LEA to direct Ridgeway school to form that additional class for which that group of 30 children is exactly the right number. I ask the Minister to intervene, although I do not know whether he will do so.

If the Minister does not intervene, the matter will not end here. It is clear that the LEA either knew, or should have known, more; it could have given better advice. Some parents are talking about maladministration and may well have a legal case against the LEA: that it fell short of its duty to give them the opportunity to make a proper first choice. Some of the parents are talking about taking such action. I very much hope that it will not come to that, but that the Minister will show us today that the Labour Government, who proclaim that they are caring, understand the plight of parents and support parental choice. I hope that he will stand at the Dispatch Box and insist that Ridgeway school takes another group of 30 pupils. If he will not, or cannot, do that, will he say what he thinks that the parents of children at Hele's feeder schools should have done to exercise their choice and, more importantly, what should they do now?

I hope that the Minister will intervene to solve this problem. It is a crisis for the families involved and it will not go away. It is not good enough to solve the problem next year. Those parents deserve to have their children educated in their local community this year. I hope that the Minister will make that possible.

12.43 pm

The Parliamentary Under-Secretary of State for Education and Employment (Mr. Charles Clarke): I congratulate the hon. Member for South-West Devon (Mr. Streeter) on securing the debate. I thank him for writing to me earlier this week setting out the substance of what he would say. I hope that that will result in a constructive exchange. I also thank Mr. Faruqi, the director of education for Plymouth, who has taken the trouble to write to me fully setting out the situation.

There is common ground between us on many of the points made by the hon. Gentleman. There are two secondary schools in Plympton: Hele's and Ridgeway. Places are allocated in accordance with clear criteria set out by the Plymouth education authority: first, children living in the school's designated area with an elder brother or sister who will be attending the school at the time of admission; secondly, children living in the school's designated area who attend a feeder primary school; thirdly, other children living in the school's designated area; fourthly, children living outside the school's designated area with an older brother or sister who will be attending the school at the time of admission; fifthly, children living outside the school's designated area who attend a feeder primary school; and, finally, other children living outside the school's designated area.

Next year, on the basis of those criteria, Hele's school will admit children in the first five of those six categories—a total of 211 children. Ridgeway will admit children from all six categories—a total of 190. When the hon. Member for South-West Devon referred to the building work at Ridgeway, I gave a wry smile because I think I am correct in saying that, under the Labour Government, £1.1 million of new deal money has been allocated to the school. The work may have been planned many years ago and the desire for improvement might have existed under the previous Government, but the fact is that this Government have allocated the resources to improve the school.

The allocation of places to those schools was in accordance with the admissions policy of the local education authority, as I understand it. That policy,

[Mr. Charles Clarke]

which I set out, is the subject of annual consultation. I am advised by the LEA that there were no objections from the hon. Gentleman or from anyone else during that period of consultation. It was determined following an agreed consultation process. That policy was publicised in the booklet "Next Step" to which the hon. Gentleman referred in his speech. The booklet sets out the details of the policy and warns parents of the tangible risk that they might not be awarded their first choice. In his speech, the hon. Gentleman suggested that the document implied that children from feeder primary schools would get into the secondary school—I think that he used the phrase "as surely as night follows day"—but I do not think that the document substantiates that. The document makes it clear that there are risks in the process—that is true for all parental choices throughout the country—and that parents must take those matters fully into account before making their decision.

In accordance with that policy and following advice, places were allocated—211 at Hele's and 190 at Ridgeway—leaving 53 children with a preference for those schools. Thirty of those children, to whom the hon. Gentleman referred, live in the Plympton area. I am advised by the LEA that there are two reasons for the over-subscription to those two schools: first, the larger sibling cohort of that age range this year, making this year atypical both by comparison with past years and with expected numbers in future years; secondly, the "local pecking order"—to use the director of education's phrase in his letter to me—of parental preference in Plympton. He tells me that the preference is for Hele's school rather than Ridgeway. I think that the hon. Member for South-West Devon confirmed that in his speech and also in his letter to me. He seemed to suggest that he has advised parents to get their children into Hele's, in so far as he could.

Mr. Streeter *indicated dissent.*

Mr. Clarke: If I have misunderstood the hon. Gentleman, I should be happy for the point to be clarified. In his letter, he stated:

"Hele is slightly more popular and every year I help a handful of Plympton parents try and get their children into Hele, although they live just outside the catchment area and their child is not in a feeder school for Hele."

Mr. Streeter: I should like to clarify that point. I have never advised anyone that Hele's is a better school than Ridgeway; they are both excellent schools. However, if a constituent comes to me and says, "I want my child to go to Hele's", I do my best to help.

Mr. Clarke: I am grateful for that clarification but, with all respect, I think that the hon. Gentleman has slightly missed the point. The pecking order to which the director of education referred is about the preferences, views and attitudes of people towards the two schools and that affects their choice. My interpretation was that the hon. Gentleman was acknowledging that pecking order in the advice that he was giving to the parents in his constituency. Perhaps that interpretation was wrong, but I do not think so.

It is important that Members of Parliament should advise constituents to study carefully the local documents and the way in which the system operates, because of the problems that the hon. Gentleman so eloquently described. I am glad that he said clearly that Hele's and Ridgeway were good schools because it is clear from what the director of education has written that everyone makes that point widely in the community. However, the two reasons that I have set out—the larger sibling cohort and the pecking order—are the principal reasons for the shortfall in places at the two schools.

The reason that the hon. Gentleman gave in his speech and in his letter to me—that a "badly failing" secondary school in north Plymouth is the cause of the problems—is simply not correct. In Plymouth, one primary school, but no secondary school, is on special measures; nor are any of the secondary schools in Plymouth judged by the Government to be failing, badly failing, failing schools in need of remedial action, and so on. Moreover, it is important to emphasise that the evidence that I have seen on the numbers admitted to Hele's and Ridgeway schools does not suggest that the principal reason for the excess number of applicants to those two schools is that people are coming from the catchment area of any "failing" schools the hon. Gentleman might be thinking of in the LEA area.

Therefore, the reason on which the hon. Gentleman rests much of his argument—that there is a badly failing school elsewhere in Plymouth which people are attempting to avoid by applying to Hele's and Ridgeway school—is not valid; that is not the cause of the problem. The cause of the problem was set out by the director of education: the larger sibling cohort and the pecking order. It is important that we all examine our own attitude toward such pecking orders and how they operate.

Mr. Streeter: With the greatest respect, I think that the Minister has missed the point. He must answer the question, how many children from outside the Plympton area have been accepted into Ridgeway school this year?

Mr. Clarke: I understand that it is a very small number—certainly not a number remotely near to the 53 children who have not got places at Hele's or Ridgeway school, or the 30 from the hon. Gentleman's constituency who comprise part of that 53.

Several measures have been suggested. I understand that some of the Plympton parents have suggested that offers to parents who do not come from the Plympton area be withdrawn. The hon. Gentleman did not make that suggestion and I do not suggest that that is his view, but I must make it clear to anyone who does believe that it would be right for the LEA to withdraw offers on the basis of geographical access that the LEA could not, and, in my opinion, should not do so.

The second suggestion, which the hon. Gentleman did make, is that an extra class should be created, either at Hele's or at Ridgeway school, to meet the increased number of pupils moving up from primary schools. I am advised by the LEA that it has consulted the heads of both Hele's and Ridgeway school on that proposal, but that both heads have made it clear that they do not want the overcrowding or the risk of educational standards falling in their schools that would be consequent on the extra class being established. The LEA has considered the proposal, consulted the schools and, based on the advice received from the schools, come to a view on the practicality of that proposed solution. During that process, both schools made it clear that they support the LEA's admissions policy.

I am told that the LEA has offered an interview with one of its officers to every pupil who has not got a place, so that they can discuss the situation in detail. As with all schools in the country, it is obvious that, as time passes, some places will become available as people do not take up places for various reasons. However, I fully acknowledge that only a small number of such places can be expected, so that process cannot meet the scale of the problem that the hon. Gentleman has raised.

I am sure that people will turn to the appeals process, and I know that the LEA will ensure that everyone has the full facts on which to base their decisions in that process. The hon. Gentleman will understand that it is not for me or the Government to second-guess the outcome of that process; the appeals committee will make its decisions based on the criteria set down in law. Those are the facts of the case and the history to the present day, and I believe that, with the important exception of the existence or otherwise of the "badly failing" school to which the hon. Gentleman referred in his letter, they are common ground between us.

As to the options available to my right hon. Friend the Secretary of State and the Department for Education and Employment, and to the hon. Gentleman's specific request, there are two areas in which the Secretary of State potentially has power. The first is the power to direct a school to admit a child. The position is as follows: the Secretary of State can exercise his general powers of intervention under sections 496 and 497 of the Education Act 1996 where he is satisfied that an LEA or governing body has failed to perform a duty imposed on it by, or for the purposes of, the Act, or has acted unreasonably in the performance of such duties.

Before the Secretary of State could intervene in the case that we are discussing, he would have to be satisfied that Plymouth LEA had acted unreasonably in the strict sense in which that word has been interpreted by the courts. The courts have ruled that, in this context, acting unreasonably means acting in a way in which no other authority having due regard to its legal responsibilities would have acted. In determining fair admissions arrangements, publishing them and then applying them fairly, it cannot, in our view, be said that the LEA has acted unreasonably within that tight definition. Therefore, it is not possible for the Secretary of State to direct a school to admit a child using his powers under sections 496 or 497.

Secondly, there is the question of providing extra places. In respect of the adequacy of school places, LEAs have a duty under section 14 of the Education Act 1996 to secure the provision of sufficient schools in their area. The Secretary of State could intervene only where it was clear that the LEA was failing in that duty. We sympathise with the Plympton parents and I emphasise that I fully understand their despair and the reasons why the hon. Gentleman has felt this Adjournment debate is necessary. However, we have no evidence that there is any deficit in secondary places in the area as a whole—on the contrary. Nor is there evidence that the LEA has acted unreasonably in not being prepared to add a classroom at Ridgeway school—again, on the contrary; the LEA has consulted on that option, considered it and has not behaved unreasonably in deciding that is not a course of action that can be pursued. I believe that there are no grounds on which the Secretary of State could legally direct the LEA to add extra places in the area. Therefore, I regret that I am unable to accede to the hon. Gentleman's request to act in that respect; there is no legal basis for so doing.

To reinforce my earlier remarks, let me say that the Government strongly support the development of community schools and the rights of parental choice in education matters. We have immense sympathy for the Plympton parents who are experiencing those problems, but we do not believe that there is any way in which the Secretary of State can intervene with the LEA to change the situation. The matter is one for the LEA, which is taking steps to arrange transport. I am sorry to be unable to accede to the hon. Gentleman's request.

Mr. Streeter: Before the Minister sits down, will he tell me—whether as a Minister, a parent or a human being—what advice he would have given to the parents, especially the Hele feeder school parents, at the time that they made their original selection, given that every child at a Hele primary school has always got into Hele school?

Mr. Clarke: I hope that I am a parent, a human being and a child—did I say child? I meant to say, "and a Minister". That was a Freudian slip for which, after a short period in office, the hon. Gentleman should excuse me.

Very hard and difficult choices are being made all the time by parents throughout the country. The advice that I give to everyone facing such decisions, and I offer it to the hon. Gentleman's constituents, is to examine carefully, on the basis of the total information available to them, the options available and the local situation. In the Plympton case, the LEA set out the information clearly, and I believe that parents will have made their choices in the light of the knowledge derived from that. It is necessary at all times to work on the basis of what the situation is, not on the basis of night following day or assumptions based on past experience. It is the duty of all hon. Members and all those who advise parents in that position to advise them to look carefully at the current situation in the round, and not to assume that the way in which matters have operated in the past will continue into the future.

A500 (Stoke-on-Trent)

1 pm

Mr. George Stevenson (Stoke-on-Trent, South): I am grateful for this opportunity to debate the proposed A500 grade separation scheme on City road and the proposed flyover scheme on Liverpool road. The schemes are extremely important not only for Stoke-on-Trent but for the midlands region and for the nation as a whole.

I shall touch briefly on the history of the A500. When the section within the city was designed in the early 1970s, the two schemes were part of that road development. The section of the A500 to which I refer was a principal road scheme, not a trunk road scheme. As such, it was, of necessity, more concerned with local rather than regional and national traffic. As the schemes were part of the original proposal, they were obviously needed at that time. However, I am sorry to say that a Labour Transport Minister cut them out of the overall development in an effort to reduce costs.

What has happened since the early and middle 1970s when the scheme was designed and built? The main change is the construction of the new A50 road in Stoke-on-Trent. My hon. Friend the Minister will know that it is one of the last pieces in the jigsaw of the A50 improvement from the M1 south of Derby to the M6 in Stoke-on-Trent. That is a much-needed development, and the A50 in Stoke-on-Trent is one of the last components of the east-west link. Therefore, the A500 and the A50 form part of a strategic trunk road network that is important not only for the midlands but for the country as a whole—so much so, that the Government recently made the A500 a trunk road.

The A50, whose construction recently concluded, is being used as an alternative to the M6. As a result, there has been severe additional congestion at those junctions. It is not unusual to see—particularly at peak times—traffic backed up for a mile or so in each direction. Because of their geographical location and the fact that the two roads are now part of the trunk road network, the regional and national trunk road and motorway systems in the area are subject to double corking at two bottlenecks. The benefits of a much-improved local roads infrastructure have been seriously compromised, and the situation will continue to deteriorate.

I stress to my hon. Friend the importance of the two schemes to public transport. Public transport in Stoke-on-Trent is suffering serious problems. Stoke-on-Trent is damn near 13 miles long—it is a linear city with six town centres—so public transport problems are enormous. The two junctions on the A500 straddle the main arterial bus corridors in the area. Unless we tackle congestion by establishing the schemes as quickly as possible, there will be no prospect in the foreseeable future of achieving public transport improvements consistent with the Government's positive and forward-looking public transport policies. The city's far-reaching public transport plans will also be compromised if the schemes are not implemented.

There are even wider implications in the public transport sector. Because of the city's topography, the new A50 road is not being used to divert traffic from central areas to give a greater priority to public transport. Motorists are deterred from using the new road outside the town centres by congestion at the two junctions. The development of transport integration has also been affected, including road, rail, freight and canal networks—a central canal system is immediately adjacent to the two junctions. Integration of the west coast main line, freight facilities, canal systems and public transport will not be possible unless the two junctions are improved.

Perhaps the most serious concern is the effect on local economic development. The A50 and A500 corridor contains significant land development opportunities that must be seized for the benefit of the north Staffordshire area in general and Stoke-on-Trent in particular. The area depended traditionally on a pretty narrow manufacturing base, comprising the pottery and coal industries. I worked in both of those industries, but I would be hard pressed to get a job today. There is not a single coal mine remaining in Staffordshire or in Stoke-on-Trent. The last local colliery at Hem Heath was closed with the direct loss of 1,400 jobs—if we multiply that figure three times, we can ascertain the number of jobs lost indirectly—and at an estimated cost of about £60 million a year to the local economy. The pits have disappeared.

About 15 years ago, the pottery industry employed 56,000 people. Today, the figure is closer to 20,000. In 1998, the industry lost 2,500 jobs in the area, and the difficulties continue today. I am not making a special plea, as a constituency Member of Parliament, for a particular scheme here or there; these schemes are essential if we are to develop the A500 and A50 corridor using the development land available, if we are to attract the necessary investment to our area, and if we are to produce the integrated transport system that north Staffordshire needs. However, I fear that that essential development will continue to be blocked while the schemes at those two critical junctions remain uncompleted. The attitude of potential investors in the area will not improve while they know that access to the regional and national trunk and motorway network is effectively compromised because of increasing congestion.

The roads review gave top priority in the west midlands to those two schemes, but the Highways Agency, as it recently reported to the city council, placed the schemes 37th out of the 39 schemes on which it is working. That is simply not acceptable. I have met with officials from the Highways Agency and with my noble Friend Lord Whitty, as have my hon. Friends the Members for Stoke-on-Trent, Central (Mr. Fisher) and for Stoke-on-Trent, North (Ms Walley). The agency says that it needs statutory instruments to be enacted, which of course it does. I call on my hon. Friend the Minister to use her influence to ensure that that process is begun immediately.

Nobody can guarantee that there would be no objections to the schemes, but I argue strongly that there is little prospect of objections. First, on land take, I understand that one or two small pieces of land would need to be purchased for the schemes, and one of those is owned by what was British Rail and is now presumably Railtrack. I do not anticipate any problems with the purchase of that land. No houses or properties are involved, so there would be no objections.

Secondly, on objections from the wider community in the area, we have argued throughout the roads review about the importance of the schemes. We were delighted that they were given top priority in the west midlands and

survived that scrutiny. Throughout that review there was massive publicity in the area, and as far I know there have been no objections from the wider community.

I suspect that the main reason that the Highways Agency is being somewhat dilatory is that the Department of Trade and Industry is urging the city council and the private sector to invest in the area to create jobs, but the Department of the Environment, Transport and the Regions objects to that development because there is insufficient road capacity in the area. If my information is correct, which I suspect it is, we are between a rock and a hard place, and we could do with a little of that joined-up thinking of which the Government are rightly proud.

In conclusion, the schemes are vital not only for the area, but for the region and the nation. The arguments in favour of the schemes are fully in line with Government policy on investment, jobs, public transport, the environment and the targeting of resources specifically on schemes, such as these, which give maximum overall benefit. I therefore say to my hon. Friend the Minister that the arguments are overwhelming. It would be reasonable for her to use her good offices to ensure that the procedures necessary for the schemes to go ahead are implemented immediately so that they can be completed without any further undue delay.

1.14 pm

Mr. Mark Fisher (Stoke-on-Trent, Central): I am grateful to my neighbour and hon. Friend the Member for Stoke-on-Trent, South (Mr. Stevenson) for his kindness in allowing me to make a short speech. I congratulate him on his success in securing the debate.

As my hon. Friend said, this issue has been a problem for the economy and our city's life ever since Lord Rodgers, then Secretary of State for Transport, secured the development of the A500. On the bridge that links Stoke city centre with the railway station, there is a large plaque to Lord Rodgers, not only giving thanks to him for what he achieved but serving as a reproach because, as my hon. Friend said, the work was never completed and the lack of the two grade separations has caused enormous problems.

As my hon. Friend also said, that is not just a local problem, but a regional and possibly even a national problem because east-west road communications on our island have always been poor. There is a 100-mile gap between the motorway that links Manchester and Leeds and the M6. The dual carriageway on the A50 that now links the M6 and the M1 completes an east-west link, but traffic comes to a grinding halt when it hits the A500. That affects not only our city but the wider economy, so the matter is of considerable importance.

We are close to resolving the problem, thanks to the efforts of the Department of the Environment, Transport and the Regions and its Ministers, but we are anxious that there should be no further delay. Tenders have gone out in European journals; substantial contractors are seriously interested; the finance exists, and as my hon. Friend said, the only inhibitions about land take relate to two small areas. Above all, the Highways Agency and, in particular, local authorities are enthusiastic about the schemes. All that we need are the statutory procedures to go ahead.

My hon. Friend the Members for Stoke-on-Trent, South and for Stoke-on-Trent, North (Ms Walley) and I ask the Minister to take an interest in that issue, to recognise its local and national significance and to give us all the assistance that she can. If she does so, there will be another plaque relating to the grade separations, and I hope that her name will be on it and that this time we shall have completed work that has long been needed in our city.

1.17 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Ms Glenda Jackson): I congratulate my hon. Friend the Member for Stoke-on-Trent, South (Mr. Stevenson) on obtaining this Adjournment debate and on his generosity in affording my hon. Friend the Member for Stoke-on-Trent, Central (Mr. Fisher) the opportunity to contribute.

This issue is clearly of primary importance not only to a particular area, but to the wider conurbation of north Staffordshire. As my hon. Friends have made abundantly clear, progress on tackling the traffic problems on the A500 in Stoke-on-Trent is central to the debate.

The A500 is part of the national core motorway and trunk road network. The high percentage of heavy goods vehicles—over 20 per cent.—that use that route is proof of its economic importance. The A500 is equally important in the local context. Not only is it essential for the movement of traffic within the north Staffordshire conurbation, as I have already said, but it provides access to potentially important development sites.

We are aware of the congestion on the A500, particularly at the Stoke and City road junctions, which hinders the movement of goods and people and hampers regeneration. Congestion at those junctions creates difficulties for bus operators, as my hon. Friend the Member for Stoke–on–Trent, South pointed out, and dangers and inconvenience for cyclists and pedestrians.

I referred to the access that the A500 provides to potentially important economic development. Successful development has already taken place at Festival park, and major new proposals in Etruria valley and Trentham lakes have also succeeded in attracting a variety of public, European and private sector funding. However, to maximise the opportunities created by such developments, there must be an integrated transport system allowing easy access by all forms of transport for pedestrians and cyclists to development sites and within the urban area more generally, as my hon. Friend the Member for Stoke-on-Trent, South also pointed out.

When reviewing the roads programme last year, we assessed all 147 schemes from the previous roads programme against the five criteria of the new approach to appraisal: safety, economy, integration, accessibility and the environment. After much detailed scrutiny, 37 schemes were included in the targeted programme of improvements, announced in July 1998. The A500 City road/Stoke road scheme was one of the 37. I hope that that demonstrates to my hon. Friends the high priority that the Government attach to tackling the problems of north Staffordshire. Like them, we see the main benefit of the scheme as being economic regeneration, but it will also allow the more efficient operation of bus services, and safer movements for cyclists and pedestrians.

It is not the case, as my hon. Friend the Member for Stoke-on-Trent, South said, that the scheme is not being advanced. The list to which he referred, which was announced by our noble Friend Lord Whitty on

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10 December 1998, did indeed contain the programme for the next stages of schemes in the targeted programme of improvements, but the position of this particular scheme in that list is no indication of when it will be taken forward. It was not a list of prioritisation.

Mr. Stevenson: Lord Whitty followed up our meeting with a letter to north Staffordshire, saying that he could not envisage the schemes starting for up to seven years from now. Can my hon. Friend give us some reassurance about the time scale involved?

Ms Jackson: I was just about to come on to that point. Regrettably, I was not present at the meeting with our noble Friend Lord Whitty, to which my hon. Friend refers, but I am aware that the Government have given a clear commitment that the schemes that have been named will certainly be started within, I understand, seven years. Of course, the money for their completion is also clearly committed.

As I was about to say, the next statutory stage for the A500 scheme for order publication will be 2000–01. As my hon. Friend the Member for Stoke-on-Trent, Central said, the Highways Agency published a notice in the *Official Journal* on 23 March seeking expressions of interest from consultants to design the scheme. The agency anticipates letting a contract for this consultancy in the summer.

My hon. Friends will also be pleased to hear that the Highways Agency is looking to introduce an innovative procurement process, which should speed up the processing of the scheme through to completion. The agency is still working on the details of this new approach, but the key feature is that the scheme will be progressed in partnership with the city council. The design consultants will be asked to carry out transportation studies that embrace both trunk road and local road issues. I am delighted that the city council has recently agreed a joint approach to such studies and a contribution of £25,000.

As I said, the Highways Agency is looking to introduce innovative procurement processes—namely, the Stoke pathfinder project. The key feature of this will be that the consultants will be involved in discussions with not only the Highways Agency but the local authority; the scheme will be developed in partnership with the city council; and design and construction will be taken forward by way of a joint venture. It is certainly my understanding that there is nothing inherent in the system that would accord anything other than priority status to the scheme, which is so important to the area that is represented so well by my hon. Friends.

Our transport White Paper "A New Deal for Transport" emphasised that we needed to take an integrated approach to transport, another point made by my hon. Friend the Member for Stoke-on-Trent, South. Transport should not be, nor can it be, seen in isolation. We must integrate transport policy within and between modes, with the environment, with land use planning and with policies for education, health and wealth creation. In line with this emphasis on integration, the A500 project will embrace wider transportation and regeneration issues.

As I said, the Highways Agency, its consultants and the eventual successful contractor will work closely together to ensure that trunk road and local transport matters proceed in a complementary fashion. In developing the A500, it will be necessary to assess the impact on local traffic movements, as well as the effect on the trunk road network, and to identify opportunities to improve measures for cyclists, pedestrians and public transport.

We shall expect Stoke city council and, indeed, neighbouring authorities to reflect this approach in their local transport plans. As my hon. Friends know, local transport plans will require local authorities to set out their strategies for transport over a five-year period, together with long-term targets for improving air quality, road safety, public transport and the reduction of road traffic.

We will expect local transport plans to be well integrated with local development plans and other key strategies in the area. We will therefore be asking the local authorities to explain in their plans how their proposals complement the A500 scheme in ways that meet local transport plan objectives and contribute to safety, improved accessibility for all, environmental improvement and economic growth.

My hon. Friends will be aware that we have allocated £1.725 million to the north Staffordshire package for 1999–2000, an increase of more than 100 per cent. on the 1998–99 allocation. That brings to nearly £5 million the allocations for local transport in north Staffordshire since 1995. This allocation will allow the local authorities to progress measures that improve public transport—through, for example, a bus quality partnership, the provision of better information through the city council's exciting advanced transport telematics project, and improvements in safety.

The allocation, together with the commitment that we have shown to improvements to the A500, demonstrates the importance that we attach to tackling transport problems in north Staffordshire in an integrated fashion, given their importance for the regeneration that is so vital for this part of the country.

Chelmsford Prison

1.26 pm

Mr. Simon Burns (West Chelmsford): I am very pleased to have this opportunity to debate a matter of grave concern to me and my constituents—namely, the prison in Chelmsford—relatively soon after the publication of the report of Her Majesty's inspectorate of prisons entitled, "Report of an Unannounced Short Inspection 20–22 October 1998".

The background to the on-going problems in the prison were highlighted in the report by the chief inspector of prisons after a full inspection carried out in September 1996. Two years later, the chief inspector carried out an unannounced further inspection, and the first paragraph of the preface to his subsequent report starkly explains the chronic situation at the prison. He states unequivocally:

"If I was a member of the staff of HMP Chelmsford, or any part of the Prison Service with any responsibility for the prison, I would not feel very proud about this report. I described what I had to report after our inspection in September 1996 as 'dreadful'. Too much that is dreadful still remains . . . at least young offenders are now held separately from adults, but their regime leaves a lot to be desired. To be fair to the staff of the prison, many other aspects are beyond their control, such as the turnover of Governors, the speed and numbers of prisoners who pass through local prisons, and the continued absence of capital funding to build an acceptable gatehouse and reception area."

I hope that the Minister agrees that that is a fairly damning indictment of what has been going on, but I believe that it is important to learn from the mistakes of the past, not simply to dwell on them. We must ensure that positive action is taken to improve the running of the prison and enhance the quality of life of the prisoners and the working environment of the staff.

The issues are far too serious to be treated in a partisan, party political way. I for one have no intention of seeking to turn the problem into a petty, political party squabble.

Mr. Alan Hurst (Braintree): I know that the hon. Gentleman is very aware of the circumstances surrounding the murder of Christopher Edwards in Chelmsford prison and the chain of human error, misjudgment and lack of system which led to that extremely unfortunate and tragic death. Since the inquiry into it, has the hon. Gentleman been able to assess whether there are now systems in place that recognise the mentally ill when they are in Chelmsford prison, and that those people are protected by them? Will he be seeking an assurance from the Under-Secretary, my hon. Friend the Member for Vauxhall (Kate Hoey), that this matter is being assessed and monitored?

Mr. Burns: In a way, the hon. Gentleman has anticipated the next paragraph of my speech.

Although the terrible tragedy to which the hon. Gentleman has referred occurred in a prison in my constituency, it was the family of the hon. Gentleman's constituent, including his parents, who still live in the constituency, who were most directly affected by what happened. I can assure the hon. Gentleman that I shall certainly be referring to a number of the problems that he has highlighted in his intervention. I am sure that the Minister will seek to address some of them when she replies.

Probably the most important problem to arise at the prison, which has focused so much attention on it, was the tragic murder of Christopher Edwards by another prisoner on his first night in the prison. The chief inspector's report states in paragraph 2.39:

"We spent some time on the induction wing and on three separate occasions tested the cell call system."

I find it inexplicable and unforgivable that the chief inspector should have to report after his unannounced visit:

"We found it was working but that staff failed to answer any of the cell calls we made."

What is the point of having a cell call system if nobody will pay the blindest bit of attention to any calls for help from prisoners using that system? That is unforgivable and I trust that the Minister will be able to tell the House what is being done to ensure that the system works physically and in practice by officers responding to calls for help.

Rightly, the chief inspector states that that failure to respond was

"totally unacceptable. Staff should respond to the cell call system and check the welfare of their prisoners frequently."

I am sure that nobody in the House would disagree with that.

Although the report does not specify the explanation for that crass failure, in the light of the Edwards tragedy I would appreciate it if the Minister could tell me whether any reasons have been given for an abject failure of a critical part of the system.

As for cleanliness and hygiene, I find it unacceptable that the chief inspector found a cell infested with mites from the pigeon population and pigeon corpses lodged in gutters and poky alleyways. Pigeons are roosting on A wing and, apart from that, it is unacceptable that the ventilation fans have caused the sucking of dust, excreta, feathers and the occasional bird into the wing. Why were no mesh guards placed over the ventilation fans? Those conditions are more reminiscent of Victorian times rather than the approach of the new millennium. That is unforgivable.

I am concerned that the holding room was dirty at the time of the inspection, with a strong smell of urine. To my mind, it is demeaning for prisoners not to have any proper privacy when using the lavatory by the holding room, though one fully appreciates that security must be an important consideration. However, surely a system could be devised that afforded some human dignity to individuals without a gross lack of privacy.

In general, the entire process of reception should be greatly improved. As the chief inspector stated in his report:

"Standards in reception were some of the lowest we have seen in any local prison."

He described the procedures as "appalling failures". He has categorically stated of those procedure that "this was not acceptable." I could not agree more.

Equally scathing are the chief inspector's comments on health care services in prison, a matter raised by the hon. Member for Braintree (Mr. Hurst) in his intervention. As a former Health Minister, I can fully understand the problems, though I do not necessarily accept that they should be allowed to continue within our prisons. However, I accept that there is always a tension between

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the Department of Health, the Home Office and the Prison Service over the question of health care within prisons. Sadly, that is not unique to the present Government. It applied also to the previous Government and the Government before that. It boils down to a tension over the funding of health care in prisons. I do not say that to score points. I am stating what is a fact under Governments of all political complexions.

I urge the Minister and the Prison Service to give careful consideration to the problems and the recommendations and to take positive action to improve things, particularly in respect of mental health care. Everybody knows for a fact that there are many people among the prison population who are suffering from mental health problems who arguably should not be in a conventional prison but rather in a secure unit where proper and dedicated medical treatment could be provided for them.

In chapter 5 of the report, the chief inspector deals with the management of the prison. On reading the report, one gets a sinking feeling about low morale among staff and an undervaluation of the work that is carried out at the prison. The Minister is probably aware that during the past 10 days prison officers at Chelmsford have passed votes of no confidence in both the governor and the chief inspector of prisons. I am not convinced that that is conducive to improving the situation at the prison, where everyone should be working together rather than in conflict to improve conditions. I would be grateful if the Minister would tell us of her views on that situation.

On 11 March, I asked the Under-Secretary with responsibility for prisons, the hon. Member for Knowsley, North and Sefton, East (Mr. Howarth), what action the Government plan to take to deal with and rectify the problems and to respond to the recommendations that were set out in the chief inspector's report. The Minister encouragingly replied:

"Work has already begun to address the issues raised in the report including the installation of a new cell call bell system and the building of a new reception area."

He added:

"The Prison Service will, within 30 working days of the date of publication of the report, prepare an action plan addressing all the recommendations made by the Chief Inspector."—[*Official Report*, 11 March 1999; Vol. 327, c. *333*.]

I welcome that, but will the Minister give us an assurance that all the recommendations will be implemented? What checks and monitoring will be carried out to ensure that the recommendations and the action plan are implemented?

Paragraph 5 of the report states that the prison budget for 1996–97 was £9.02 million. It was reduced to £8.6 million in this financial year and it is to be reduced further by £348,000 in the year 2001–02. Would the Minister be prepared to seek to reverse these reductions in the financing of the prison in the light of the problems that have been highlighted by the chief inspector's report?

I am sure that the Minister will accept that historically—certainly since I have been a Member representing the Chelmsford area—and as echoed in the report, there has always been overcrowding at Chelmsford prison. I accept that, two or three years ago, two new wings were built inside the perimeter of Chelmsford prison to help to overcome the problem of overcrowding, but it has persisted, which is causing strain and tension within the prison. What can the Minister do to try to overcome that problem and the other problem identified in the report—significant transfers or discharges from the establishment? That practice does so much to undermine attempts to provide long-term training and offending behaviour courses. Such problems inevitably cause disruption to the smooth running of any prison.

Does the Minister agree that the time has come to alleviate the chronic problem of overcrowding in the main prison in the county, perhaps by building another prison in Essex?

I will listen extremely carefully to the Minister's reply and I hope that she agrees that the problems at Chelmsford go far beyond excepted practice; that far more should and needs to be done, following the 1996 report; and that the time for talking is over. A properly planned, properly monitored programme must be implemented to ensure that none of us in Chelmsford ever has to read another damning and shaming report from Her Majesty's inspector of prisons, as we had to do in 1996 and as we have had to this month.

1.41 pm

The Parliamentary Under-Secretary of State for the Home Department (Kate Hoey): I congratulate the hon. Member for West Chelmsford (Mr. Burns) on securing this debate on a very serious matter. All Members of Parliament should have an interest in what goes on in prisons, but, as Member of Parliament for the constituency containing Chelmsford prison, he has a particular and obvious interest. I welcome the hon. Member for Colchester (Mr. Russell) and my hon. Friend the Member for Braintree (Mr. Hurst) to the Chamber.

The report published on 9 March by the chief inspector of prisons following his inspection of Chelmsford prison last October contained a number of serious criticisms. Personally, I found the report quite shocking and I can well understand the anger and concern of the hon. Member for West Chelmsford about what has been done and what is going to be done. The governor, Alison Gomme, and the area manager responsible for Chelmsford are determined to build on any progress that has been made, and to do so in the coming months and years.

As with all inspections, the Prison Service will consider all the chief inspector's recommendations carefully and produce an action plan setting out in some detail its responses and how it intends to take them forward. As the hon. Gentleman is aware, the action plan will be produced within 30 working days of the publication of the report and, as is the case with all the chief inspector's reports, will be monitored by line management, with reports being made to Ministers at the nine and 15 month stage. I can assure the hon. Gentleman that the action plan will be discussed with him.

I shall deal briefly with some of the hon. Gentleman's concerns and try to answer as many of them as possible. He asked why staff were not answering the cell call bells, which prisoners use in case of emergency. The events leading to the tragic death of Christopher Edwards were a matter of deep regret for the Prison Service and the other agencies concerned with his welfare. The criticisms of the Prison Service in that regard are serious and are being addressed. The inquiry into the death of Christopher

Edwards established that the cell call system—which was also mentioned by my hon. Friend the Member for Braintree—had not been working and that staff would not have been aware if he had called for assistance.

A new cell call system, which can be centrally monitored for response times, is being installed as part of a major electrical upgrade at Chelmsford. That work should be completed by May, but the governor was herself appalled to hear of the chief inspector's findings and has given clear instructions to staff that they must respond to cell call bells promptly. I have to say that I agree with every word that the hon. Member for West Chelmsford said about the fact that staff did not respond to those calls promptly.

Prisoners have also been reminded of their responsibility to use the system sensibly. It is being closely monitored by the manager of each wing of the prison and, on a regular basis, by senior management. The panel that inquired into the death of Christopher Edwards is to return to Chelmsford later this year to assess progress and the proper working of the cell call system will be an important part of that follow-up visit.

The hon. Gentleman raised genuine concerns about the prison's reception area and gatehouse. Although it has not been possible to provide a new gatehouse, work on a new reception facility began in December and will be completed by the summer. In the meantime, the old reception facility has been decorated, but it would be inappropriate to spend any significant funds on it because it will soon be taken out of use.

The reception and induction wing has been brought under the control of one manager, who is conducting a complete review of the reception and induction process in preparation for the new unit. Many of the prisoners arriving at Chelmsford will be experiencing prison for the first time. The work that has been put in hand should ensure that their reception takes place in decent conditions and that they are given all the information and assistance that they need to settle into the regime of the establishment from the beginning.

A new health care standard has been developed for reception procedures and that should underpin more effectively the continuity of care between the community and prison. The aim is to ensure that the mental health needs of prisoners are identified at an early stage, that staff are appropriately trained and that all relevant information about those with such needs is shared between the agencies responsible for their care and custody.

The hon. Gentleman expressed concerns about the provision of health care at Chelmsford and, in particular, the care of mentally ill prisoners. That, as he knows, is a difficult area for prisons throughout the country. Prisoners suffering from mental disorder who require specialist medical treatment or social support should receive it from the health and personal social services. The commencement of criminal proceedings should not prevent or delay access to appropriate care and treatment.

The Home Office has provided general guidance to those working in the criminal justice system on how those principles might be put into practice through effective inter-agency co-operation. It has also provided funds for a number of mental health assessment schemes at magistrates courts and encourages prison doctors to identify prisoners who are so mentally disordered that they need hospital treatment and to recommend their transfer accordingly. I fully accept that it is not appropriate for those prisoners to be treated in prison, except on a voluntary basis pending imminent transfer.

The hon. Gentleman raised concerns about the large pigeon population, which had created a dangerous and unacceptable situation. A control programme has already been implemented and the pigeon infestation problem has, I am assured, been brought under control. All pigeon corpses have been removed from the gutters and mesh has finally been placed over the inlet for the fans.

The hon. Gentleman referred to the budget reductions imposed on Chelmsford prison. Like all prisons—and, indeed, all parts of the public service—it has been required to make efficiency savings, but, in the next financial year, it will benefit from additional resources from the settlement obtained by the Prison Service under the comprehensive spending review. The hon. Gentleman will be particularly pleased to know that, in addition, other funds have been made available to Chelmsford, which will effectively mean an increase in available resources to slightly under £8.9 million.

Funding will be provided for additional instructional officers, which will allow for an increase of 20 to 25 per cent. in prisoner places in the workshops. It should also minimise workshop closures resulting from staff sickness and annual leave. Additional funding has also been provided to extend education, which is targeting literacy and numeracy skills.

Although the hon. Gentleman referred to a rise in the population at Chelmsford, overcrowding is not a significant long-term problem. Indeed, the vast majority of prisoners in Chelmsford are in single cells. A substantial addition was made to the prison through the provision of two new wings, which opened only a few years ago. It has been necessary recently to transfer some prisoners, but that was caused by loss of accommodation due to the electrical upgrading work. There are no plans to build another prison in the West Chelmsford constituency and Chelmsford prison is expected to serve as the local prison for Essex for some time.

Finally, a word about management and staff. Staff morale at Chelmsford is at low ebb. The establishment has been subject to considerable criticism in recent months, but a largely new management team, with a determination to improve Chelmsford and address the criticisms raised in the chief inspector's report, is in place. I agree with the hon. Gentleman that continuity will help the process.

The hon. Gentleman referred to a number of changes of governor in recent years. A governor of long standing was replaced on his retirement for a short time by a temporary governor, before the current governor was appointed. The new governor, Alison Gomme, has had a period of absence on maternity leave but, during that period, continuity was ensured by temporarily promoting the deputy governor, rather than posting in a new figure. The current governor returned to duty in December, and she is committed to remaining in post for the foreseeable future and to ensuring that progress is made in tackling the problems identified by the chief inspector. The area manager responsible for Chelmsford has paid close attention to the prison, offering support and guidance where appropriate, and will continue to do so.

[Kate Hoey]

I agree entirely with the hon. Gentleman that the report was a fairly damning indictment of what has been going on. However, as he said, the way forward is to learn from the mistakes of the past, rather than to dwell on them. We must ensure that positive action is taken to ensure measurable and solid improvements.

I hope that what I have set out will persuade the hon. Gentleman that the Prison Service takes the criticisms by the chief inspector seriously, and that action has been taken—and will continue to be taken—to resolve the problems of Chelmsford prison. I hope that the hon. Gentleman is pleased that Sir David Ramsbotham's team will be inspecting Chelmsford prison again in a year's time to see what progress has been made.

At the end of the introduction to the report, Sir David said:

"I hope that senior management in the Prison Service will take the action required of it, to ensure that the treatment and conditions of prisoners is brought up to an acceptable standard, and that lessons really are learned from incidents that do no good to the name of the Service in the eyes of the public they have a duty to protect."

I hope that, this time next year, the hon. Gentleman is in a position to secure a debate following the report to discuss improvements. I hope that all of us together will be able to ensure that prisoners at Chelmsford are served well, and that the people of his constituency feel that the prison is being dealt with properly.

It being before Two o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Sitting suspended, pursuant to Standing Order No. 10 (Wednesday sittings), till half-past Two o'clock.

Oral Answers to Questions

WALES

The Secretary of State was asked—

Post-devolution Responsibilities

1. **Mr. Nicholas Winterton** (Macclesfield): If he will make a statement on the responsibilities of the Secretary of State for Wales after devolution. [78059]

The Secretary of State for Wales (Mr. Alun Michael): After devolution the Secretary of State for Wales will be a member of the United Kingdom Cabinet, with responsibilities for ensuring that the needs and interests of Wales are taken into account in its decisions.

Mr. Winterton: I thank the right hon. Gentleman for his brief reply. I assume it means that he will become a very junior member of a future Labour Cabinet. But will not devolution bring about a massive and unprecedented transfer of power from his office, and will not his accountability to the House, which he stressed in his reply—accountability in regard to agriculture, health, education and other matters—be minimal? How does the right hon. Gentleman feel that he will best be able to represent the interests of the people of Wales in this House, bearing in mind the limited powers that he will have?

Mr. Michael: I do not see how a representative of a party that has no Welsh representatives in the House can have the cheek to talk about power or representation.

As usual, the hon. Gentleman has made the wrong assumptions. The Secretary of State will be an important member of the Government, because the United Kingdom Cabinet will retain responsibility for all sorts of legislation affecting the people of Wales, not only in terms of England and Wales but in terms of the United Kingdom as a whole, and in wider terms. The voice of Wales will continue to be heard. What devolution will do is this: it will put decision making for people in Wales into the hands of representatives elected by the people of Wales to sit in the Assembly. I think that that will prove a very effective way of ensuring that the people of Wales are given the best possible public service, and the best possible representation from those whom they elect.

Sir Raymond Powell (Ogmore): Will my right hon. Friend bear in mind the partial responsibility of MPs, particularly Welsh MPs, for Welsh devolution and the setting up of the Welsh Assembly? I accept that my right hon. Friend's continuing membership of the Cabinet will be very valuable to the Welsh nation, but now that he has announced the date of the Assembly's first sitting, will he be kind enough to invite Welsh MPs who have not been elected to the Assembly to attend that function?

Mr. Michael: I agree that Welsh MPs, especially members of the Labour Government, have delivered to Wales an Assembly and an opportunity to be properly represented in the future. *[Interruption.]* I hear grumbles from those sitting on one of the Opposition Benches. I remind them that the Labour party is the real party of Wales.

I certainly accept that the relationship that develops between the Assembly and Welsh MPs will be extremely important, and that there will need to be appropriate opportunities for members of the two bodies to meet.

Dr. Liam Fox (Woodspring): In his answer to the main question, the Secretary of State correctly said that he would be Secretary of State in a Union Cabinet and a Union Parliament. Does he agree that, according to that logic, Members of this Parliament should be able to question the Secretary of State on all aspects of policy, not simply reserved matters?

Mr. Michael: The hon. Gentleman should surely accept that devolution and the establishment of a Welsh Assembly will strengthen the United Kingdom and the Union, in that appropriate decisions will be made at a Welsh level, and there will be accountability on the part of those elected by the people of Wales. As for what questions are appropriate for the Secretary of State for Wales, I think that legislation and the rules of the House of Commons will determine that.

Mr. Desmond Swayne (New Forest, West): What is the answer?

Mr. Michael: It is absolutely clear in the legislation. The hon. Gentleman obviously has not been following events in the House, let alone outside it.

Dr. Fox: There can be little clarity when the Secretary of State does not know what subjects the Secretary of State should answer questions on; but on a broader matter, does not the fact that hon. Members from all parts of the UK will be required to raise the taxes that the Welsh Assembly will be responsible for administering leave something of a deficit of scrutiny? How does the right hon. Gentleman intend to rectify that and to give Members of the House, who are responsible to all electors for raising taxes, a say in how that money is spent?

Mr. Michael: Yet again, the hon. Gentleman is fighting old battles. It is typical of the Conservative party's attitude to the election. Its leader in Wales, a former hon. Member, seems to be entering that campaign to try to pull the Assembly down, rather than to make it work for the people of Wales, which should be everyone's responsibility.

The hon. Gentleman should know that many issues, including much legislation and the Welsh budget, which will be voted on by Parliament are matters for the Secretary of State, on which he will answer to the House.

Mr. Dafydd Wigley (Caernarfon): On that very point, will the Secretary of State confirm that one of his main responsibilities will be to secure adequate resources for the needs of the National Assembly for Wales, not least to deliver on items such as the pledge card promises that were produced in Llandudno on health and education? Will he confirm that those pledge card promises are old promises that have already been made in London?

Will the Secretary of State confirm that, whoever is governing in the National Assembly in Cardiff, that money will be available—that it will be available not just to the Labour party, but for all the people of Wales, to be administered by the Assembly?

Mr. Michael: The pledges that have been made by the Labour party show what will be delivered by the Labour party. It is interesting to note what the right hon. Gentleman and his party stand for: separatism and dividing the United Kingdom, rather than strengthening the Union as well as the voice of the people of Wales. In terms of achieving the finances that are necessary for the Assembly and for Wales, I have full confidence in the present Secretary of State for Wales and in any future Labour Secretary of State for Wales.

Mr. Allan Rogers (Rhondda): I do not want to be mischievous, but I wonder whether, when he looks at his responsibilities, the Secretary of State will also look at the responsibilities of Members of Parliament? In view of what will be a big job-sharing exercise and an obvious diminution in our responsibilities, will he consider whether our salaries should be lowered?

Mr. Michael: I note that my hon. Friend may need to declare a lack of personal interest in the subject. I am sure that he does not intend to be mischievous, but I can assure him that the partnership between Members of Parliament and Members of the Assembly will be important. It is important that both Members of the Assembly and Members of Parliament work very hard to ensure that it is a positive and creative relationship. I know that many Members of Parliament, including some who were not necessarily enthusiasts for an Assembly, have already started to build such a relationship with those in their constituencies who hope to represent the same party in the Assembly.

Job Losses

2. **Miss Julie Kirkbride** (Bromsgrove): If he will make a statement about recent job losses in Wales. [78060]

The Parliamentary Under-Secretary of State for Wales (Mr. Peter Hain): Although recent job losses in manufacturing in Wales are extremely regrettable, overall the Welsh economy continues to grow, and last year Wales had a net gain of 21,000 jobs.

Miss Kirkbride: Has there not been a turnaround in the number of jobs being created and lost in Wales? Is not part of the problem the fact that the Government have introduced the minimum wage and adopted the working time regulations? This afternoon, the House will hear more about regulations to be imposed in relation to family crisis leave and parental leave. Every employer and federation agrees that all those things add costs, burdens and regulations to business. They are unwelcome and will add to the problem in the Principality of a lack of employment and job opportunities.

Mr. Hain: I cannot blame the hon. Lady for being out of touch with business opinion in Wales, but she is. Business in Wales enthusiastically welcomes the Government's policies and is working in partnership with us to support our initiatives.

I am pleased to be able to announce three new schemes to assist small businesses in Wales, many of which were decimated by Tory Governments. The first is a £2 million Welsh Development Agency small loans fund. The second is a £2 million British steel industry small equity packages and loans fund. The third is a £6 million WDA and National Westminster bank venture capital fund to finance innovative developments that focus on new technology. We are supporting businesses in Wales—just as the Tories destroyed their prospects.

Mr. Denzil Davies (Llanelli): Is my hon. Friend aware that in the 36 months to February, unemployment in Llanelli fell by 25 per cent., and by about the same amount in neighbouring constituencies? However, in the 12 months to February, the drop has been minuscule in Llanelli, while in surrounding constituencies, including the Minister's own, there has been an increase. Does this not show that manufacturing industry is beginning to feel the pressure of recession and contraction? Will the Welsh Office make urgent representations to the Bank of England to seek a further substantial reduction in interest rates to reduce the pressure?

Mr. Hain: My right hon. Friend is correct. However, unemployment under the Labour Government has fallen to the lowest levels in living memory. At least a quarter of the world is in recession and world growth has halved. Our manufacturers are having a difficult time, but the Government are supporting them in every way possible. There was a net growth of 21,000 jobs last year, despite the fact that most of the world is in a difficult economic situation.

Mr. Richard Livsey (Brecon and Radnorshire): I am sure that the Minister is as concerned as I am by the loss of manufacturing jobs. On his recent visit to the United States of America, was the Secretary of State able to persuade a manufacturing investor to come on to the site at Ystradgynlais, where, in April, 750 people will lose their jobs at the largest manufacturing plant in my constituency? Would the Minister visit the plant with me to give some hope to employees who are reaching the end of their tether?

Mr. Hain: I have visited the plant recently, and I have been in close contact with the stewards. I have also been responsible for setting up a task force that is carrying through a nine-point action plan to provide alternative job and training opportunities. The Lucas workers suffered a grievous blow when their jobs were withdrawn at very short notice, but we are working to increase investment in the Swansea valley. We were able to announce 500 more high-tech, high quality jobs at the bottom of the valley last year. We have raised the future of the site with the owners, TRW and Lucas, in conversations in America and here.

Mr. Alan Williams (Swansea, West): Is my hon. Friend as surprised as I am that unemployment in Wales has at last been discovered by the Conservatives? Does he, like me, regret the fact that it was not discovered 20 years earlier? Given the prospect of job losses in west Wales, can the Minister assure us that the resources needed in Wales will be made available so that we may

exploit the advantages of the welcome introduction of objective 1 status, on which the Welsh Office is to be congratulated?

Mr. Hain: My right hon. Friend is absolutely right. There is selective amnesia on the Tory Benches about the devastating impact of Tory policies on jobs and businesses in Wales. We are driving forward new job opportunities in the Swansea area. Only yesterday, the Secretary of State announced an initiative supporting Visteon in safeguarding and protecting hundreds of jobs in the area. We are also working with the Swansea Bay partnership and others to assist south-west Wales. I am confident that Wales will be able to draw down the funds that it needs under objective 1 status, which has been admirably won by the leadership of the Labour Government.

Genetically Modified Crops

3. **Mr. Norman Baker** (Lewes): What mechanisms exist to communicate representations made to his Department concerning genetically modified crops to other Departments. [78061]

The Parliamentary Under-Secretary of State for Wales (Mr. Jon Owen Jones): The Welsh Office maintains regular contact with other Departments that have an interest in genetically modified crops. Any issues arising from representations made on the subject are communicated to and discussed with those Departments as appropriate.

Mr. Baker: Given that the Welsh Assembly will have responsibility for agricultural matters, will the Minister clarify for the House what responsibility the Welsh Assembly will have for licensing and approving GM crops in trial sites and elsewhere? Will the Welsh Assembly have some flexibility in dealing with the matter? If so, will the Minister guarantee that the same environmental safeguards as currently apply across the UK, or even stronger ones, will apply in Wales under the Welsh Assembly?

Mr. Jones: The use of genetically modified techniques is a fast-moving science with huge potential benefits. There may be risks—which of course need careful assessment—but the Government's priority is to safeguard public health and the environment. Ensuring that the risks are properly assessed will be a United Kingdom function rather than a Welsh Assembly function.

Mr. Huw Edwards (Monmouth): May I draw my hon. Friend's attention to the very serious concern in my constituency about two applications—by AgrEvo UK and Pioneer Genetique SARL, in collaboration with Monsanto—to release genetically modified organisms, in relation to oilseed rape, in Monmouthshire? May I assure him that there is great concern that adequate safeguards have not been applied, and about the effect that such a release might have on biodiversity? May I assure him also that I have formally objected to the applications to my right hon. Friend the Secretary of State for Wales?

Mr. Jones: I can well understand that there are concerns, and that my hon. Friend shares them. The Prime Minister has established a ministerial group to oversee developments on the subject. As a first step, the group has commissioned a thorough examination of our regulatory framework. The group will report soon.

I hope that my hon. Friend will understand that, if we are to assess the environmental impact of genetically modified crops—which are likely to become an increasingly common sight, if not in the United Kingdom, then in other countries—we have to undertake properly monitored and independently assessed field trials, to ensure that we get the best scientific knowledge.

Council Tax

4. **Mr. Simon Hughes** (Southwark, North and Bermondsey): If he will list the band D council tax rate for each local authority for 1999–2000 and the percentage increase in each case for (i) 1998–99 and (ii) 1997–98. [78062]

The Parliamentary Under-Secretary of State for Wales (Mr. Jon Owen Jones): As the information requested is too extensive for an oral answer, I have arranged for the hon. Gentleman to be sent the details in tabular form, and for a copy to be placed in the Library.

Mr. Hughes: First, will the Minister tell the House why the council tax figures for Wales were given to the press before they were given to Parliament? Will he then explain why council tax increases—which, in December, Ministers predicted would average 7.5 per cent.—turned out to be about 8.5 per cent.? Will he also explain why, on average, the increases are higher in Wales than in England? Will he also explain why—for the second year in a row under the Labour Government—the increases are more than twice the rate of inflation for everyone except those who are on council tax benefit? Whom should Labour voters blame—local councils, or Labour Ministers and the Labour Westminster Government?

Mr. Jones: The hon. Gentleman's carping is very familiar to the House. The reality is that we have seen an extremely good settlement for local government in Wales—the best for very many years. Central Government support for local government is 4.8 per cent., which is well above the rate of inflation. Government support has also allowed a record increase in service spending—15 per cent. over 3 years, and a £145 million increase in the next year alone. That is more money for schools, more money for social services—*[Interruption.]* I know that the hon. Gentleman does not want to hear this—it will adversely affect the Liberal Democrats' likelihood of winning any elections—but additional resources of £300 per person in Wales over the next three years come as very good news indeed.

Tax increases in Wales are lower than they were last year. Moreover, tax levels in Wales are far lower than they are in England, although service spending in Wales is significantly higher. It is a good deal for Welsh local council tax payers.

Mr. Llew Smith (Blaenau Gwent): Would the Minister care to comment on the formula which determines how much central Government money goes to local authorities? That formula discriminates against the poorest communities in Wales and puts authorities such

as mine in Blaenau Gwent at a massive disadvantage. I accept that we inherited the formula from the previous Government, but will the Minister give a commitment to look at it again so that the poorest communities get the biggest amount of money from central Government?

Mr. Jones: I thank my hon. Friend for those comments. The Secretary of State and I met local government leaders, including those from my hon. Friend's constituency, in the past few days. Although we have agreed a formula with Welsh local government, it may well be unfair particularly towards areas such as the one represented by my hon. Friend. We agree that we need to work towards a new formula which better reflects real spending needs. Moving towards that formula is likely to take more than one year and the Secretary of State has, therefore, indicated that we need to address the anomalies to which my hon. Friend referred. Hopefully we will be able to do that in the next financial year.

Mr. Ieuan Wyn Jones (Ynys Môn): Is this not just another example of Labour pandering to the rich and clobbering the poor? Does the Minister not realise that the tax cuts being given to the richest in society are being paid for by the poor of Blaenau Gwent and Holyhead, in my constituency? Why does not the Minister ensure that there is more money from central Government for local authorities instead of making the poor local taxpayers pay for tax cuts for the rich?

Mr. Jones: The formula is agreed by local government across Wales, including the hon. Gentleman's area. We have agreed that we need to reform the formula. The hon. Gentleman must accept that money does not grow on trees. If we take money from one pot for use elsewhere, that money has to be denied to existing spending priorities such as health.

Mr. Alan Clark (Kensington and Chelsea): On a point of order, Madam Speaker—

Madam Speaker: Order. I can take points of order only after questions and statements.

Mr. Nigel Evans (Ribble Valley): The Minister has just said that this is a good settlement for Wales. When will he join the real world? In Blaenau Gwent the council tax increase will be over 13 per cent., in Anglesey it will be 11.9 per cent., in Merthyr it will be 11.4 per cent., in Powys it will be 10.2 per cent., in Rhondda it will be 12.2 per cent. and in Wrexham it will be over 10 per cent—all this at a time when people are facing a standstill in their pay, or increases of 2 to 3 per cent.

One group who may be able to pay the council tax increases this year will be Members of the Welsh Assembly. I understand that an announcement is being made at 3.30 pm today—at the end of questions—about the rate at which Members of the Welsh Assembly will be paid. Why was that statement not made this morning so that hon. Members could have questioned the Minister about it? We now have to wait a whole month before we can scrutinise the pay of Members of the Welsh Assembly.

Mr. Jones: This is a good settlement for Wales for the reasons I have given. It allows local government to spend more money on schools and social services. It is considerably more money than was ever allowed by the Government supported by the hon. Gentleman.

Steel Industry

5. **Mr. Paul Flynn** (Newport, West): What new proposals he has to improve the competitive position of the Welsh steel industry. [78063]

The Parliamentary Under-Secretary of State for Wales (Mr. Peter Hain): With the world collapse in the demand for steel the Government's commitment to the economic stability that our policies have already achieved is even more important in improving the competitiveness of the Welsh steel industry.

Mr. Flynn: The recent record of the Welsh steel industry is one of the great unsung success stories of industry. More steel is being produced in Wales than ever before. There is a 25 per cent. increase in the sales of Welsh steel and nearly half of all the steel being produced in the United Kingdom is made in Wales. In spite of that, Welsh steel makers are facing hostile and unfair competition which has brought about the regrettable job losses today in Newport and west Wales. Will the Minister redouble his efforts to guarantee that the Welsh steel industry has not merely a proud, successful past but a brilliant future?

Mr. Hain: Yes, I can reassure my hon. Friend that we will do exactly that. We are working closely with British Steel to provide technology and training support and with the European Commission to tackle discriminatory dumping measures and illegal use of state aids. The British steel industry—especially the industry in Wales—is an example to the world and we want to work with it to protect its future and safeguard the jobs in it, despite a massive reduction in the demand for steel world wide.

Mr. Ian Bruce (South Dorset): What representations is the Welsh Office making to the Treasury to ensure that the euro does not continue to be devalued and that the Bank of England sets the interest rates that are right for British industry?

Mr. Hain: We have the lowest long-term interest rates for 40 years and mortgage rates are the lowest for 33 years. Compare that with the Tory Government's period of office, when interest rates were at record levels, the steel industry was badly hit and other businesses in Wales and throughout Britain were devastated.

Mr. Barry Jones (Alyn and Deeside): May I tell my hon. Friend that Shotton steelworks is to lose 150 jobs even though it is competitive, productive, breaks all records and has a loyal work force? Can I persuade him to tell the arrogant, faceless bureaucrats of Brussels that the assisted area status that we have should not be lost? Will he remind them that in 1980 we lost 8,000 steel jobs overnight and that we have yet to rebuild our economy, so we need assisted area status to the end of the century and beyond?

Mr. Hain: I am aware that the steel industry in Shotton is grateful for my hon. Friend's continued hard work on

its behalf. We are working closely with the industry to ensure that it has a positive future, and to ensure that the measures about which he complained are tackled as soon as possible.

Mr. Andrew Lansley (South Cambridgeshire): Is the Minister aware that the Treasury proposal for an energy tax would hit the British steel industry and British Steel in particular extraordinarily hard? Recent figures suggest that the Government propose a discount of £5 million for a tax that will cost British Steel £200 million. In the light of all that has been said about the extraordinarily difficult competitive position of British Steel, will the Minister guarantee that the energy tax will not be imposed on it in that discriminatory way?

Mr. Hain: We will certainly not impose any tax, let alone an energy tax, in a discriminatory way. I am aware of the problems that high energy users, such as steel, face. For that reason, the Deputy Prime Minister is meeting to consider and consult on the matter. My right hon. Friend the Chancellor will also be consulting on it. *[Interruption.]*

Madam Speaker: Order. The House must come to order: it is far too noisy.

Concessionary Transport

6. **Ann Clwyd** (Cynon Valley): How many representations he has received on concessionary transport fares for pensioners in Wales in the last year. [78064]

7. **Mr. Don Touhig** (Islwyn): How many representations he has received on concessionary transport fares for pensioners in Wales. [78065]

The Secretary of State for Wales (Mr. Alun Michael): The Government's commitment to half-bus fares for Welsh pensioners this year and free fares within two to three years has been widely welcomed throughout Wales. Following the transfer of functions, the National Assembly will be able to pursue that policy.

Ann Clwyd: It is very good news for the pensioners of Wales that the Welsh Assembly, under Labour control, will introduce free concessions for travel within two to three years. May I remind my right hon. Friend that many pensioners in Labour-controlled authorities throughout Wales already enjoy half fare concessions, including those in my local authority of Rhondda Cynon Taff? What pensioners want in addition is an improvement in the quality and frequency of bus services throughout Wales. What can he do to assist those vital social bus services for the people and pensioners of Wales?

Mr. Michael: I am pleased to pay tribute to Welsh local government, particularly to the Labour authorities that push such policies forward, and to the co-operation that we have received from the Welsh Local Government Association. I am pleased to tell my hon. Friend that I have provided new funding for a massive increase in the provision of socially necessary bus services: £5 million in 1999-2000, securing 16 million bus kilometres, or in real money, 10 million bus miles. I am grateful in particular to the Under-Secretary, my hon. Friend the Member for Neath (Mr. Hain), for the way in which he has pushed the policy forward.

Mr. Touhig: May I tell my right hon. Friend that the 12,000 pensioners in my constituency will welcome half-fare travel? On top of the cut in VAT on fuel, the £100 winter fuel allowance and the ending of eye test charges for pensioners, it shows that the Government are delivering for pensioners. Will he ensure that the scheme will be simple, with the minimum of form filling for pensioners, local authorities and transport operators?

Mr. Michael: I am happy to give my hon. Friend that assurance. The scheme needs to be simple and straightforward. As he said, it is another example of Labour delivering in office.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [78089] **Mr. Howard Flight** (Arundel and South Downs): If he will list his official engagements for Wednesday 31 March.

The Prime Minister (Mr. Tony Blair): This morning, I was in Belfast together with the Taoiseach, my right hon. Friend the Secretary of State for Northern Ireland and leaders of all the parties in Northern Ireland.

Mr. Flight: Is the Prime Minister satisfied that the Chancellor's written reply about who leaked the Social Security Committee draft report meets the requirements for openness in the code of conduct for Ministers?

The Prime Minister: Yes, I am satisfied.

Mr. Richard Burden (Birmingham, Northfield): My right hon. Friend knows of the massive pressure on my constituents and the whole of the west midlands from continuing uncertainty about BMW's investment plans for the Longbridge plant. I understand that my right hon. Friend the Secretary of State for Trade and Industry spoke today to Professor Milberg, the chairman and chief executive of BMW. Can my right hon. Friend update the House on the progress of those discussions?

The Prime Minister: I have received the following information. I am pleased to say that the Secretary of State and Professor Milberg have reached agreement on the level of assistance to be provided. This will now be put to BMW's management and supervisory boards for their consideration. I am informed that their next meeting will be in the week beginning 12 April. I hope that hon. Members will understand that, at this stage, I cannot say more about the details, but I am delighted that we can now look forward to BMW making Longbridge a world-class plant for the next century, and one that will achieve the highest standards of productivity and working practices.

Mr. William Hague (Richmond, Yorks): May I first say to the Prime Minister that, across the House, we all

hope that the negotiations from which he has returned in Northern Ireland are successful, and that all parts of the Belfast agreement of last year will be implemented?

Secondly, may I ask him a question about Kosovo of which I have given him notice? Everyone in the House will be moved and angered by the spectacle of thousands of helpless people driven from Kosovo. We support the announcements on aid that the Government have already made. Does he agree that we need to go further, and that, with so many appeals for donations in progress, the Government should at least match, pound for pound, the money given in all voluntary donations to the charities and aid agencies concerned?

The Prime Minister: I have literally just received the letter that the right hon. Gentleman sent me. I will certainly consider the proposal that he makes. I would point out, however, that we have already given several million pounds in help for refugees and we have just committed an additional £10 million; but, of course, I will consider his request.

Mr. Hague: I recognise that the Government have already made announcements about this matter and that the Secretary of State for International Development is to make a further statement in half an hour's time. Does he agree that it is unlikely that the help offered by the Government, or by any Government so far, anywhere in the world, will be adequate to meet the problem, and that this proposal for matching funds would have the advantage of encouraging many additional donations and channelling more money directly through the aid agencies and charities concerned? Will he assure me that he will deal with it as soon as possible?

The Prime Minister: I will, but I point out to the right hon. Gentleman that we have already made a massive commitment to aid for refugees. Indeed, we have been supporting the Kosovar refugees since early 1998. It is worth pointing out that there were 330,000 refugees before the NATO campaign ever began. There are, of course, more now. We are putting an extra £10 million into the latest relief effort. The European Commission has also provided additional money for the United Nations High Commissioner for Refugees. There is an additional contribution from Germany, and more from the United States. Switzerland, Sweden, Turkey, Italy and Japan have all given money. We are sending more money and supplies out today to help the refugees and we shall carry on doing everything that we possibly can.

Mr. Martin O'Neill (Ochil): Is my right hon. Friend aware of the distaste, embarrassment and resentment of the people of Scotland at the disavowal of the Scottish National party leader of the United Kingdom involvement in the defence of the people of Kosovo and of the opposition to the unacceptable face of Balkan nationalism?

The Prime Minister: The claim made by the SNP that economic sanctions would work in this situation is palpably ridiculous. No one believes that to be the case. The only alternatives are to take the action that we are taking or to leave these poor defenceless Kosovar Albanian people to the mercy of the Serb killing machine. I find it appalling that the SNP should have chosen the latter course.

Mr. A. J. Beith (Berwick–upon–Tweed): The Prime Minister knows that he and our forces have the support of Liberal Democrats for the action in which NATO is currently engaged. Does he agree that the test of the effectiveness of the action will be whether the Kosovar people are able to return to their homes in safety in due course?

The Prime Minister: Yes; that is precisely right. That is why it is important that we have an independent force on the ground that can help them to do that.

Mr. Beith: Whether or not Milosevic signs up to an agreement, can the Prime Minister imagine the hundreds of thousands of frightened and dispossessed people going back to their homes unless they know and are confident that there are troops to protect them? Is not the alternative to that instability and long-term refugee camps in several neighbouring countries?

The Prime Minister: Yes, and that is why it is particularly important that we carry on the action now and intensify it. I believe that the ploy yesterday by Mr. Milosevic does not impress this country and will not impress other countries. What we have to do is intensify the attacks, and that is what is happening now, today. The attacks that have been carried out today on the actual troops repressing the people in Kosovo will inflict real damage on Milosevic's tanks, artillery and the thugs carrying out the killing and repression in Kosovo. They will keep on until he agrees to come back into line with the agreements that he made last October, ensures that people are treated in a civilised way and agrees the terms that NATO has set.

Ms Sally Keeble (Northampton, North): Is my right hon. Friend aware that many people in Northampton and elsewhere in the midlands will have bitter memories this Easter because it is exactly a year since the floods that devastated about 4,000 homes and killed five people? Although I recognise the enormous strides made in flood defences and warnings in the past year under the leadership of the Ministry of Agriculture, Fisheries and Food, what message does my right hon. Friend have for the people of Northampton and elsewhere who, while they want to look forward, will find that their minds are drawn back to the suffering in the past year?

The Prime Minister: A lot of steps have been taken in the past year or so to cope with the problems of floods. My right hon. Friend the Deputy Prime Minister informs me that further discussions are to take place. We shall certainly keep my hon. Friend well informed of them.

Q3. [78091] **Mr. Eric Forth** (Bromley and Chislehurst): How does the Prime Minister reconcile bombing murderers in Kosovo with releasing murderers in Northern Ireland?

The Prime Minister: We are engaged in Northern Ireland in trying to implement the Good Friday peace agreement. I would have hoped that we had the wishes of

the whole House behind us on that. The idea that we can compare sitting down and trying to get the Good Friday agreement implemented with the killing of innocent civilians in Kosovo could come only from today's right-wing Conservative party.

Mr. Denis MacShane (Rotherham): Has my right hon. Friend had a chance to read the favourite newspaper of the Leader of the Opposition—the current issue of the *Rotherham and South Yorkshire Advertiser*? Its front page contains the statement "Good News Week" as 4,000 jobs are created in Rotherham and a Japanese company relocates there. Is it not a fact that this occurred during our watch, and that the message from the people of Rotherham is that a return not merely to the boom-and-bust years that destroyed their jobs, but to any form of Conservative control—council, regional or national—would be a disaster?

The Prime Minister: I regret to say that I have not yet read the *Rotherham and South Yorkshire Advertiser*, but I shall correct that omission later today. My hon. Friend is absolutely right; I am delighted that he mentioned boom and bust before I did. Our policies have given us the lowest interest rates for more than 30 years and have sorted out the public finances that are a contrast to the years of Conservative decline.

Q4. [78092] **Mr. Phil Willis** (Harrogate and Knaresborough): The Prime Minister is aware that the Liberal Democrats have welcomed and supported the Government's emphasis on further education during the past two years. That was long overdue and is much deserved. Given that the Government are putting £2,300 into every full-time training place for the new deal, how does the right hon. Gentleman explain the fact that only two thirds of that money actually arrives at the college gates and that £700 is wasted on a paper chase of contracting? Does he agree that that is a scandal and that something must be done to get the £78 million back into the colleges; and what is he going to do about it?

The Prime Minister: I gather that, on the whole, that was a supportive question. First, I will say that, in relation to the new deal money, I seem to remember that it was the Labour party that wanted the windfall tax on the utilities in order to fund the new deal, but other parties did not.

In relation to the money that is going in, I should like to look into the figures that the hon. Gentleman has given before I accept them simply because he has stated them—*[Interruption.]*—if he does not mind. I hope that he will agree that, of course, we want to reduce the administration as much as possible, but one of the advantages of the new deal is that it gives real quality advice to young people before they pick up whatever option is available to them. When I talk to young people about the new deal, I notice that all the things that people used to say about skivvy schemes, youth training and so on are not said about the new deal. I do not know how much of the £700 is geared to that, but I shall look into what the hon. Gentleman has said.

Q5. [78093] **Mr. John Smith** (Vale of Glamorgan): Will my right hon. Friend convey the thanks of my constituents in the Vale of Glamorgan and of all the people of Wales to all those who worked extremely hard to secure a massive £1.8 billion in structural funds for Wales at last week's European Council summit in Berlin? Is that not the clearest illustration that the Government's policy of constructive engagement with Europe is delivering for real people—not only in Wales, but throughout the UK? Will he contrast that with the behaviour of Opposition Members, who continue to squabble with each other over Europe, when they are not taking tea with military dictators?

The Prime Minister: I cannot think what my hon. Friend is referring to.

The objective 1 status for west Wales and the valleys is a very good deal for Wales, but the most important thing about it is that it will secure funding for the next seven years and will help regeneration in the area. We achieved the best deal that this country has had for years and years at such an economic summit—not by the idle posturing that characterised the diplomacy of the Conservative party, but by serious, constructive engagement resulting in success.

Mr. Douglas Hogg (Sleaford and North Hykeham): May I take the right hon. Gentleman back to the position in Kosovo? Does he agree that President Milosevic has now succeeded in expelling much—probably most—of the indigenous population from Kosovo? Will he tell the House whether it is the policy of NATO to compel President Milosevic to reverse that position and, if so, how?

The Prime Minister: Yes, of course it is our policy to do so, and that is precisely the purpose of the attacks that are being made on him.

As for the displacement of people, again I point out that that displacement was happening long before the NATO attacks ever began. It is the most muddle-headed type of thinking imaginable, when innocent people have been driven from their homes, somehow to put the blame on the one group of people trying to defend them.

Let me read to the right hon. and learned Gentleman what some of the people from Kosovo have said. Speaking only a short time ago, Mr. Havoli, in answer to the question, "Do people in Kosovo support the NATO action?" replied, "They absolutely do." Professor Isa Ximberi said:

> "Everyone we have managed to be in touch with in Kosovo said their only hope was now NATO. They would be devastated if NATO now stopped without finishing the job."

Finishing the job is what we intend to do.

Q6. [78094] **Mr. Malcolm Savidge** (Aberdeen, North): At this grave time, the tragedies of world war two and the absolute horror of the holocaust teach us the terrible cost of appeasing tyranny and genocide. Does my right hon. Friend share my sadness that that lesson does not appear to have been learned by the leader of the Scottish National party?

The Prime Minister: I have already said why I think those remarks were shameless. I agree with my hon. Friend that it is vital that people realise that, if we were not carrying out the NATO air strikes, the campaign that Milosevic had prepared would go unchecked.

Forty thousand troops had been built up in the area over the past few months, along with 300 tanks. They were there not for a picnic, but to begin the process of ethnic cleansing, and we now know that that process began days before the NATO attacks began. The only right course for us to take is to learn the lessons of the past and not appease this dictator, but to carry on until we have brought about the proper terms of settlement.

Mr. William Hague (Richmond, Yorks): Next Tuesday, the savings habits of millions of people will be affected by the abolition of personal equity plans and tax-exempt special savings accounts and their replacement by a scheme that is more complicated, more costly and more highly taxed. Is the Prime Minister surprised that savings in this country are now falling?

The Prime Minister: I do not accept that about individual savings accounts. They are a far simpler scheme, not least because they do not require people to hold their money for so long, which is why they have been so widely welcomed by so many people.

Mr. Hague: Three things are clear. First, the Inland Revenue says that ISAs will be more costly for savers than the current schemes. Secondly, the Prime Minister and the Chancellor have halved the most that can be saved tax free, which is, of course, a disincentive to save. Thirdly, the supermarket savings revolution that they were meant to be launching is already a flop, with Sainsbury pulling out of it—obviously "Good savings cost more at Sainsbury's" was not going to be a very attractive slogan. Should not the Government now give a last-minute reprieve to PEPs and TESSAs, before more is done to damage Britain's savings culture?

The Prime Minister: No. A host of organisations is offering ISAs. First, they are easier—money can be put in and taken out more easily than used to be possible with TESSAs and PEPs. Secondly, they will allow millions of people who were not able to save under the old PEPs and TESSAs regime to save for the first time. Thirdly, if I may say so, the savings ratio is actually increasing next year.

Mr. Hague: Well, it is 7.4 per cent. in the Treasury's current document, and it was 10.5 per cent. when the Government came to power, so it would need to increase a great deal to make up for that. The last time I asked the Prime Minister about this issue, he talked about 6 million new savers in answer to any question—I notice that we do not hear about 6 million new savers any more. Is not the truth that the Government have imposed a swingeing tax on pension funds, which is a broken promise, and that they have now abolished highly successful savings vehicles, which is a broken promise? Does the Prime Minister not understand that that damages future investment in our economy and the independence of families who want to save, and that that is a grievous mistake?

The Prime Minister: No, I do not agree with that. The right hon. Gentleman gives figures on the savings rate, but I shall tell the House the lowest savings rate in this country over the past 20 years. Under the Conservative Government, in the 1980s, the rate fell to 3 per cent—that was the position under the Conservatives. Many more people will be able to save with ISAs. The single most important thing for people in this country—which is as a result of the Government's sorting out the doubled national debt and the £28 billion borrowing requirement—is that interest rates are at their lowest level for more than 30 years. When did the Tory Government ever achieve that?

Q7. [78095] **Ms Julie Morgan** (Cardiff, North): Does my right hon. Friend agree that today we should celebrate the ending of the two-tier system in the health service, the ending of GP fundholding and a return to the fundamental principle of the NHS: equal access for all? Does my right hon. Friend agree also that the problem of recruiting GPs to disadvantaged areas in Wales could be addressed by proceeding with the salaried service for doctors, which would be particularly attractive to women?

The Prime Minister: The salaried doctors scheme allows a doctor who cannot or does not wish to become a GP principal to work in general practice in a more flexible manner. My hon. Friend has campaigned on this issue for some time, and she will understand that we have made a big difference by abolishing the system whereby doctor competed against doctor and hospital competed against hospital. We have returned the national health service to the principles on which it was based.

We now know the Conservatives' plan for the national health service. They would attempt to solve health service problems by forcing more and more people to opt for private medicine. We believe that the answer to health service problems is the £21 billion that we are allocating to the NHS—which the Conservatives oppose.

Q8. [78096] **Mr. David Chidgey** (Eastleigh): Does the Prime Minister recall saying at the time of the general election that the Tory cuts in mortgage interest tax relief were a tax increase? However, in the Budget, the Chancellor called his cuts in mortgage interest tax relief a spending cut. Which is correct?

The Prime Minister: The basis on which we have calculated mortgage interest tax relief is precisely the same as under the previous Government. However, I shall be fair to the hon. Gentleman. If we were to include mortgage interest relief at source as a tax change, we would also have to count the increase in child benefit, the winter fuel allowance and the minimum income guarantee for pensioners as tax changes as well; if we did that, counting all those things not as spending, but as tax, the hon. Gentleman would be quite right: it would add up to not a £4 billion Budget giveaway, but a £6 billion Budget giveaway.

Q9. [78097] **Mr. Russell Brown** (Dumfries): Tomorrow sees the introduction of the national minimum wage in this country. Will my right hon. Friend join me in condemning the employer in my area who told me that he opposes the national minimum wage? That employer employs three young people whom he pays £65 to £70 a week and, at this time of year, expects to work 60 hours a week. Does my right hon. Friend share my dismay at

the attitude of Opposition parties who, when my hon. Friends and I sat through the night in Committee, did nothing to help the poorest paid in this country?

The Prime Minister: The minimum wage will give 2 million people in this country a pay rise and put a floor beneath their wages. We must also take into account the working families tax credit, which makes work pay and helps low-income families. It illustrates perfectly the difference between the political parties. The Conservative party proposes abolishing the working families tax credit, which would create a massive tax rise for low-income families, and abolishing the minimum wage. That would lead to the low-wage economy that the Conservatives think is the future of Britain, and we know is not.

Mr. Graham Brady (Altrincham and Sale, West): I wonder whether the Prime Minister remembers promising that his Government would maintain high standards in public life. Is he ashamed of the actions of his Secretary of State for Health, who, since 1 May 1997, has appointed to health trusts and authorities no fewer than 228 Labour councillors? Is he aware that every year, under his Government, the national health service is putting £1.4 million into the pockets of Labour councillors, and will he apologise for that?

The Prime Minister: I certainly will not apologise for having changed the system. Everyone knows what used to happen under the Tory Government. An independent system now appoints people. I should have thought that the hon. Gentleman would want to support the vast sum of additional spending going into his constituency under this Government which it was denied under the previous Conservative Government.

Q10. [78098] **Mrs. Louise Ellman** (Liverpool, Riverside): I thank my right hon. Friend for his work in ensuring the retention of objective 1 European structural funds for Merseyside to support the continued regeneration of the Merseyside economy. Will he assure me that he will do his best to ensure that Merseyside receives the full additional benefit of those funds? Does he welcome the start of the work of the North West regional development agency? Will he make efforts to ensure that those European structural funds are disbursed with the agency, so that maximum strategic use is made of the moneys available for investment in Merseyside's economy?

The Prime Minister: I should point out that we got the biggest extension of objective 1 status of any country in the European Union. The continuance of that status for Merseyside is good news. The regional development agencies will start work tomorrow, and the objective 1 status will obviously play an important part in enabling the North West RDA to carry out its remit. Our purpose is to get the right balance of public and private investment into those areas so that they can attract the jobs and industry of the future.

Q11. [78099] **Mr. Archie Norman** (Tunbridge Wells): Is the Prime Minister aware of the financial plight faced by the growing number of cystic fibrosis sufferers who are now living on into adulthood as a result of advances in medical research? Does he recall the "Health 2000" document, published by the Labour party before the previous general election, which made a commitment to abolish prescription charges for cystic fibrosis sufferers? Will he now tell the House when his Government plan to fulfil that commitment?

The Prime Minister: I am well aware of the problem to which the hon. Gentleman draws attention. We shall carry out all our commitments in "Health 2000". I point out to him and his hon. Friends that it is as a result of our actions that we have been able to give more help to people suffering from a range of complaints. We have done better than the hon. Gentleman's Government ever did.

Q12. [78100] **Angela Smith** (Basildon): In the same month that UNICEF and the National Society for the Prevention of Cruelty to Children have launched a new campaign for the rights of children, will my right hon. Friend join me in congratulating Basildon hospital on using £500,000 of new Government money to create separate out-patient and in-patient facilities for young children in the accident and emergency department?

The Prime Minister: Yes. I am delighted to congratulate the hospital in my hon. Friend's constituency. As a result of the new money that the Government are providing, the accident and emergency and out-patient departments of hospitals around the country will be helped. That is a result of the Government's extra investment in the health service. We are not merely getting waiting lists down, but putting into the health service the capital investment that it needs.

Mr. Bernard Jenkin (North Essex): As the Prime Minister fritters away the golden economic inheritance— *[Interruption.]*

Madam Speaker: Order. The House must come to order.

Mr. Jenkin: How does the Prime Minister claim to have ended boom and bust and how can he look representatives of the road haulage industry in the face? I draw his attention to a fax from a road haulier in the right hon. Gentleman's constituency which I have received since the Budget. It says:

"I am now having to battle for the survival of my company which employs 18 people."

Why does the Prime Minister not do something for the road hauliers, instead of lecturing them about their industry, about which they know far more than he does?

The Prime Minister: First, I suppose that it is an advance that I have now got Tory Members using the term "boom and bust"—we have been trying for that for a long time.

Secondly, as for the "golden legacy" that we inherited from the Conservative party, it consisted of a national debt doubled, a £28 billion borrowing requirement and inflation back in the system. This Government have cured all that. As for the road haulage industry, the fuel escalator was introduced under the previous Government—by people now sitting on the Opposition Front Bench. The best news for industry is that the Government have not merely cut corporation tax, but, yes, we have at long last ended Tory boom and bust.

Kosovo Refugees (Humanitarian Assistance)

3.31 pm

The Secretary of State for International Development (Clare Short): Madam Speaker, with permission I will make a statement on humanitarian assistance for Kosovo refugees. I will set out what we understand the latest position to be, and what our and the international response has been.

First, I want to make one point clear. I reject absolutely suggestions that we should have been prepared in advance for a movement of population on this scale. It would have been an appalling act of complicity in ethnic cleansing to set up in advance a network of camps to await the Albanian population of Kosovo. That would only have assisted Milosevic's objectives. What is now happening is a reflection of unimaginably outrageous behaviour on the part of the Serbian forces. People's anger must be directed at the Serbian aggression, and not the United Nations agencies struggling to cope with the crisis.

Our objective is clear: it is to secure a verified withdrawal of Serbian forces from Kosovo so that the refugees, including those displaced internally, can return to their homes. Meanwhile, I can assure the House that we will do all in our power to support the international effort to provide as quickly as possible shelter and food for those who have been driven over the borders.

As the House knows, there were more than 250,000 internally displaced people within Kosovo, and a further 100,000 in neighbouring countries before NATO intervened, but the situation has deteriorated sharply in recent days.

As people have seen on their television screens, more than 100,000 people—mostly women, children and elderly people—have been driven from their homes. They are very frightened. They are bringing with them stories of gross brutality and killing, which forced them to leave and often forced their menfolk to stay. The numbers in Albania are now 100,000, and the flow is continuing. In Macedonia, there were 16,000 refugees before 24 March, and another 14,500 have arrived. More are expected.

We share the concern of the House and people worldwide that the response to the crisis needs to be speeded up. The United Nations High Commissioner for Refugees is leading a co-ordinated international response. We are doing all we can to support UNHCR, other UN agencies, the International Red Cross and non-governmental organisations which are providing assistance in the area.

At the beginning of this week, the Prime Minister announced that we had made available up to £10 million as an initial response to the current crisis. We are using this funding to get the most urgently needed items to where they are required. This is in addition to the £3 million provided for emergency relief in Kosovo since March 1998.

The first UK emergency flight, carrying 42 tonnes of tents and blankets, arrived in Tirana early this morning, and the supplies are now being distributed. A further flight using an RAF C130 aircraft is taking more tents and blankets to Skopje today. A UK-funded flight with UNHCR emergency personnel and supplies is also leaving Amsterdam today for Tirana. We have also agreed to help airlift supplies into the region from warehouses in Europe, the middle east and north Africa.

We are identifying other ways of meeting urgent needs. We are providing emergency health kits through the World Health Organisation to cover the needs of 70,000 people for three months. We have provided £500,000 to help support the Red Cross operations in the region. We have asked NGOs working in the region to tell us their needs and have offered them logistical assistance to get into the field. We have in the last hour provided £500,000 to the World Food Programme so that it can move the food that it has to the people who are in need.

We will make further allocations over the coming days as needs become clear. To help identify these needs, we are sending an assessment and monitoring team to the region. The members of it will leave the UK this weekend, led by the head of my conflict and humanitarian affairs department.

The situation in Kosovo is a terrible tragedy—just as was the suffering inflicted in Bosnia by the same regime engaging in the same monstrous behaviour. This time, the difference is that the international community is acting militarily to halt the aggression. Everyone should be clear that the Kosovo refugees support the military action. They need urgent help with food, shelter and other emergency provisions. But they are clear that they want NATO to succeed and that they want to return to their homes. We are doing all in our power to support the UN effort and to speed up the humanitarian response. We will remain committed until we can assist with the much more welcome task of helping the refugees to return home.

Mr. Gary Streeter (South–West Devon): I thank the Secretary of State for her statement and for letting me have a copy of it a short while ago. I was in Kosovo just a few weeks ago, and she will recognise that her comments about the desire of displaced people to return to their homes is very much what they are saying to us all. Their desire is for peace and security and to return home, and everything that we do must facilitate that.

I welcome much of the action that the right hon. Lady has now taken. With half a million displaced people—a quarter of a population of about 2 million—it is now obvious that we are dealing with a full-blown humanitarian crisis. Does she agree that the UNHCR has been doing a first-class job in dealing with the crisis to date, and continues to do so? Does she agree, and will she never tire of saying, that it is President Milosevic who is responsible for the crisis? Does she agree also that it is the children who are particularly vulnerable? I understand that many who are crossing the border are suffering from pneumonia and bronchitis. Will she ensure that the health and welfare of children will be a specific priority for us in our humanitarian response?

The air strikes began on 24 March 1999. Will the right hon. Lady say to what extent her Department had by that date already prepared an action plan to meet the refugee crisis that would inevitably follow? When was the interdepartmental Kosovo emergency task force set up and when did it first meet? What co-ordination has taken place between her Department, the Foreign and Commonwealth Office and the Ministry of Defence in producing her Government's response? In other words, did she anticipate the flood of refugees and has her Department prepared for it?

The opening paragraph of the right hon. Lady's statement can be described only as getting in her retaliation first. She must understand that many people feel that when aeroplanes were given the green light to fly, the humanitarian relief effort should at the same time have been ready to roll. Can she tell us what co-ordination there has been between her and the aid Ministers in all the NATO countries in preparing for this effort, and when it began?

Does the right hon. Lady agree that given that the conflict is on the doorstep of Europe, this provides an opportunity for the European Union, through the European Community Humanitarian Organisation which both she and I have rightly criticised in the past, to rise to the challenge and provide focused, urgent and effective aid to the people of Kosovo? Does she think that it will?

Will the right hon. Lady say a little more about the logistical difficulties that face the relief effort? Does she believe that the UNHCR has sufficient people to co-ordinate the humanitarian relief? What specific plans are in place to overcome the logistical difficulty in getting food, blankets and medicines to people who need them?

Does the right hon. Lady agree that north-west Albania is particularly unsuitable for many of the refugees because there are many Albanian armed bands roaming around? What steps are in hand to help the Albanian Government deal with those problems? Does she envisage a role for British troops in Bosnia and in Macedonia, helping to deliver humanitarian assistance?

The right hon. Lady has said that her Department will support applications from NGOs seeking funds for their response to the crisis. What amount of her budget will she be making available in addition to the amount already allocated?

Does the right hon. Lady support the appeal for funds launched by several British charities this week? Will her Government support the initiative put to the Prime Minister this afternoon by my right hon. Friend the Leader of the Opposition—that the Government should match, pound for pound, the money raised by the generous people of Britain? Will she put politics aside and support that initiative?

Clare Short: The hon. Gentleman started well and rose to the occasion. He said how serious this crisis is and backed what the Government are doing, but then, of course, his remarks deteriorated. The hon. Gentleman's comment that there is something wrong with my making the very important point that everyone who is moved by this suffering has got to bear in mind the fact that they should be angry with Slobodan Milosevic, not with the UN, suggests that there is something wrong with him.

The hon. Gentleman asked all those detailed little questions about when our Department moved. We are famous throughout the world humanitarian system for being the fastest. We are providing planes, we are moving the UNHCR's own resources and we are moving resources that are not in this country. We are the fastest and we have gone the farthest. Everyone who knows in any detail about these situations knows that that is Britain's contribution.

The co-ordination between our Departments has been seamless. Our officials—many of whom have not been getting much sleep recently—are in contact all the time, and Ministers are in contact all the time. The refugees, the Albanian Prime Minister and all the people in the region are sending messages of thanks. We do not want messages of thanks, but we want to do a good job and we are ensuring that we will do that.

As the hon. Gentleman will know, the EC has made a commitment of resources and we have to make sure that they get to the people on the ground very quickly. He asked whether the UNHCR has enough people in the region. The answer is no, but we are helping to fly people in on the planes that we have already organised. He is right to say that the situation in north-west Albania is very unsuitable; people are far too near the border and they are in danger. Buses have been provided by the Italians and people are being moved away. Encampments are being set up in playing fields near the capital as we speak.

The hon. Gentleman asked whether British troops should help with the effort. We and the Ministry of Defence have agreed that it would be desirable, particularly in Macedonia, for the troops to help with the humanitarian effort. Obviously, NATO has to agree. The people of Albania are being so generous; they are taking even more people into their homes, and Albanian troops are helping, but the problem is in Macedonia and I hope that we shall be able to make progress there.

We will supply support to NGOs that are already in the region. That is the only way to get things done quickly. We do not put money into boxes in order to allocate it; we put money into pockets where it can be delivered on the ground immediately. That is how we proceed. It is up to NGOs whether they appeal for funds, but the problem is not money, but logistics. There is enough food and there are enough tents and blankets, but they are not where the people are. That job involves organisation and logistics, and we are ahead of the game.

I heard what the Leader of the Opposition said, and the Prime Minister has said that he would consider his proposal, but my instinct is that it would slow things up. That is not what we need at the moment.

Mr. Tony Worthington (Clydebank and Milngavie): I congratulate my right hon. Friend on her statement and on the Government's response. As she says, the problem is logistics. Will she keep her mind open to the necessity of using resources beyond those of the NGOs? There may be situations in which service engineers and other personnel have to be used to deploy resources that are not usually used in humanitarian disasters. I ask her to co-operate with the Ministry of Defence. I am sure that she will, because I feel confident that some building will have to be done and resources will have to be shifted. Only the military can do that.

Clare Short: My hon. Friend is right; the problem is logistics. We are not relying on NGOs, as senior UN officials have expertise, engineers and so on. I agree that the services—who are flying out some materials—could help more, particularly in Macedonia. I know that the Ministry of Defence is in agreement, but it is a question of NATO agreeing. The services will then be able to provide the help that is needed in Macedonia. The mission will be a joint mission, involving the Ministry of Defence and my Department. We are working seamlessly together, as we are in Bosnia. We have offered a humanitarian adviser to our troops in Macedonia if we can get approval for such assistance.

Dr. Jenny Tonge (Richmond Park): It may cheer the Secretary of State to learn that the first words that I have

[Dr. Jenny Tonge]

written on my notes are to congratulate her and her Department on their speedy response to the humanitarian crisis in Kosovo. As a country, we should be proud to see such a response to such a difficult situation; a situation where women and children seem, once again, to be suffering disproportionately in modern warfare.

I do not agree with the rather sour remarks by the Opposition spokesman, the hon. Member for South-West Devon (Mr. Streeter). However, we would like confirmation that an assessment was made in the Department before the NATO offensive, in consultation with the Foreign and Commonwealth Office and the Ministry of Defence. Will this country—bilaterally, or with the EU—support education, health and other public services in Albania, Montenegro and Macedonia to prevent civil unrest in those countries, which could be so dangerous for the stability of the region?

What plans do the Government have for keeping a register of refugees whose identity papers have been removed by the Serbs, so that they can reclaim their homes in the event of peace? Are there plans for the repatriation of Kosovar refugees once a stable peace has been secured?

Clare Short: I am grateful to the hon. Lady. I am proud of the people in my Department, who are the best and the fastest in the world. They work enormously hard and, at times like this, they are working all night. It is nice for the House to recognise the quality of people whom we have working in the area. We are all entitled to be proud of them.

The hon. Lady said that women and children are suffering dreadfully. That is correct, but they are desperately worried about their menfolk, following the stories of what is happening. She asked whether an assessment was made before NATO started the action. She must understand that we work with the international system and, since the election, we have put a lot of energy into trying to get the system to work better.

The UNHCR was already in Kosovo, where there were many displaced people already. We were trying to get a more efficient system, and the UNHCR is expanding its operation. However, no one can get inside the head of Slobodan Milosevic. No one could have said exactly where or when the ethnic cleansing would start, or what direction he would drive in. There are tents, blankets and food in the region, but the problem is getting those things to the people who need them. I am confident that we will do that, but we want to speed the process up. There was no lack of preparation, but no one could have predicted what that bestial behaviour would produce.

The hon. Lady suggested that we should make provision for education, health care and other public services in surrounding countries. I agree, but those countries must not take the strain. The people of Albania have been fantastically generous, and are still taking people into their homes. They have been taking the strain for a long time. We must make sure that there is provision by the international community, not by those poor countries.

The situation in Macedonia is a worry. If we can get our troops to help with the humanitarian effort, it will help the situation there. However, we need NATO agreement for that. The hon. Lady asked whether registers were being kept. That is a job for the UNHCR, not for us. It is doing that job, and statements are being taken in preparation for the International War Crimes Tribunal.

Mr. Tony Benn (Chesterfield): I welcome what my right hon. Friend has said about financial aid for the humanitarian crisis, but she will recognise that it is only a tiny fraction of what is spent on the war every day. Given the scale of the human tragedy that is unfolding—we see it day by day on our screens—which exceeds anything that anyone in this House can ever have experienced, is it not clear that the only organisation with the logistical and air movement capacity to deal with this matter is NATO itself?

Would it not be sensible immediately to divert the aircraft currently operated by NATO for the supply of weapons, and to take the opportunity provided by yesterday's visit to Belgrade by Mr. Primakov to cease hostilities, at least over Easter—which is very precious to the Orthodox Church—in order to save lives?

If the situation is not tackled with the organisational efficiency with which the war is being undertaken, people will die of disease and starvation, and it will not comfort anyone if Ministers are able to say, "Do not blame us; blame Milosevic". It does not matter who is to blame; lives need to be saved now, and the only way of doing that is to bring about a cessation of hostilities so that NATO can be diverted for this purpose.

Clare Short: Let me say to my right hon. Friend—who is an old friend—that I wish he would stop and listen to the voice of the refugees. They are saying that they support the NATO action, that they want it to be carried through, that they want help in the meantime and that they then want to return home. In all humility, let me ask whether we should not listen to them.

Some military planes are being made available to us, but they tend to be too small. They are not the best planes to move the necessary resources. It is better for us to use civilian planes of the right size. We are quite good at this; we do it a lot; and we are using military planes simply because we need to use everything that we can lay hands on. Nevertheless, it is not right.

If there were a ceasefire now, the net result would be not that fewer people were hungry, but that more people were killed in Kosovo by Slobodan Milosevic. It would help Slobodan Milosevic. Surely my right hon. Friend does not want to do that.

Mr. Bowen Wells (Hertford and Stortford): I wholeheartedly welcome the right hon. Lady's statement, not only on behalf of all hon. Members but, in particular, on behalf of those who, having been driven from their homes in Kosovo, are now desperate refugees in neighbouring countries. Will the right hon. Lady ensure that the voice of women will be heard in the organisation of the camps, and that they and their children will be protected, given their present vulnerability and the vulnerability that they will experience in the camps? Will she also assure us that the extra money spent by the Department will not ultimately be taken from its budget, but will be replaced by the Treasury?

Clare Short: I am grateful to the hon. Gentleman—I nearly called him my hon. Friend.

The hon. Gentleman is right. We have learned again about the situation of refugees. For the moment, we must get the camps organised, but for people living in camps for a long time, life can become very difficult. Children need to be educated, and women need to be respected. We have learned a lot, and I assure the hon. Gentleman that we will make the proper arrangements.

The £10 million that we have made available is in my budget. We must see how the spending goes after that—the Government may have to consider other arrangements—but we have money available to deal with humanitarian disasters, and money has been allocated to Kosovo. We can afford the £10 million now, but if the crisis continues, the Government will have to consider providing further resources.

Mrs. Maria Fyfe (Glasgow, Maryhill): Does my right hon. Friend share my hope that the views of the hon. Member for Hertford and Stortford (Mr. Wells) are more representative of the Opposition's stance than those of his hon. Friend the Member for South-West Devon (Mr. Streeter), whose typically snide contribution merely reminded me that it was the Conservative party that cut the international aid budget year on year, making it more difficult to do what the Department is now doing?

The flow of refugees across at least one border has slowed to a tiny trickle, presumably because supplies are not yet in place. Does my right hon. Friend know whether that is the only reason, or whether there are other difficulties that need to be resolved so that people can reach safety more quickly?

Clare Short: I am grateful to my hon. Friend. I am certain that the hon. Member for Hertford and Stortford (Mr. Wells), the Chair of the Select Committee on International Development, is much more representative of the view of decent Tories. Yes, the Conservative party cut the aid budget. As a matter of historical record, it stood by when ethnic cleansing went on in Bosnia.

My hon. Friend is right to say that there is a problem on the border of Macedonia. There is a slow trickle of people getting across the border and a big tail of people wishing to cross. They are in a worrying situation. That is caused not by a shortage of resources, but by bureaucratic procedures on the border.

We are worried about the situation. We have been in touch with our ambassador, and he has been in touch with the Macedonian Government. We are exerting all the pressure that we can. There is divided opinion in Macedonia; that is part of the problem. That is why I am keen, if we can, to get the forces to help with the humanitarian situation, so that the public in Macedonia do not resent the refugees.

Mr. Alan Clark (Kensington and Chelsea): The right hon. Lady mentioned that she is making available £500,000 worth of emergency food supplies. Does she realise that that is slightly less than the cost of one cruise missile, and that more than 50 cruise missiles are being dumped on Yugoslavia every night? I recognise her commitment to the humanitarian issue, as does the whole House, and her practical good sense, but she must accept that £500 million of ordnance being dumped on Yugoslavia every 24 hours is killing people. That is nothing to do with Milosevic—he is not killing them—and it is not getting anywhere near him either. Yugoslav civilians are being killed by the NATO air offensive.

If the right hon. Lady can accept that equation, she will surely see that the sooner the bombing is halted and diplomatic initiatives take place again, the more resources, on an enormous scale, will be immediately released for the purposes that she knows how to apply so well.

Clare Short: I am surprised by the right hon. Gentleman; I thought that he was a better historian than that. Does he not remember appeasement? Milosevic was appeased in Bosnia, and look what happened. He is doing it again. There are times, however difficult, when we have to stand against such fascist evil. Fascism is reappearing in Europe only 50-odd years after the end of the terrible events in Germany.

The right hon. Gentleman misheard me. The £500,000 that has been made available to the World Food Programme is for logistics. It has enough food. The money is not for food; that is being provided anyway. The money has been provided so that we can move the food to the people.

NATO is not killing civilians. The very carefulness of our operations is to ensure that there is minimum damage to civilians. *[Interruption.]* The right hon. Gentleman may laugh, but it is the truth. He should pause and have more humility. People who are walking up mountains and who fear that their menfolk are being executed are saying, "Please carry on with the NATO action." Should he not listen to them?

Fiona Mactaggart (Slough): Will my right hon. Friend place a high priority on ensuring that UNHCR staff are available to document the refugees in the places where those refugees are going? Milosevic is not merely stealing their identity documents, but using the period to destroy their existence in Kosovo, blowing up register offices, burning land documents and so on. That is clearly an attempt to finish off the ethnic cleansing that he has started.

It is our duty to provide such documentation. I hope that my right hon. Friend will be able to assure me that some of the work of her Department will enable that to be implemented, to ensure that Kosovars can reclaim their identity and their land.

Clare Short: I assure my hon. Friend that the whole purpose of the operation—and we will go on until we finish—is to drive back the military aggression and to help people to go home. We will do it. Records are being kept, and much more detailed records of the war crimes are also being taken. I am sure that there will be quite a lot of trials after the matter is settled.

Sir Alastair Goodlad (Eddisbury): The right hon. Lady will be aware that all those involved in seeking to mitigate this appalling tragedy, whether they be servants of her Department or people working for NGOs, will have the wholehearted support of the House. Can she reassure the House that she is confident that proper measures will be taken for their physical protection in the countries around Kosovo?

Clare Short: I am grateful to the right hon. Gentleman, and I am sure that all the people who are working so hard would be equally grateful. Our concern lies in northern Albania, where people are in inappropriate circumstances

[Clare Short]

and where there is fighting close to the border from which they may be in danger. An operation is taking place, and the Italians have provided buses to move people to safer places. We will do all in our power to protect people engaged in humanitarian action. Across the world, more and more such people have been targeted and killed. As yet, we do not see that danger arising, but we are trying to make better arrangements for northern Albania.

Mr. Tam Dalyell (Linlithgow): How can the Secretary of State be so innocent as to come to the Dispatch Box of the House of Commons and use the word "unimaginable"? The moment American and British leaders said that ground troops would not be used and that there would be air attacks, was it not all too obvious—predictable and predicted, foreseeable and foreseen—that the Serbs would wreak the most terrible retaliatory vengeance on those whom we had left vulnerable? What does "intensification" do about ruthless machine gunners and pistol users who are crazed by what has happened to their own families 400 or 500 miles to the north?

Leaving aside the dangers of humiliating the Russians and their best intentions, why did the Government reject—apparently out of hand, although I stand to be corrected if that is not so—the proposals of the one man, the Russian Prime Minister, who could have done something? Finally, what exactly did the Prime Minister mean at Question Time when he used the phrase "to finish the job"? Which job? What does it mean?

Clare Short: My hon. Friend makes me very sad. Anyone who is critical of the military action should have more humility and should listen to the voices of those who are suffering. The refugees, the people in Kosovo and the Albanian Government strongly support the NATO action and are asking that we go on to finish the job. Finishing that job means reversing Serbian aggression, reaching a political settlement, putting in ground forces to make it safe—*[Interruption.]* That is a recognised part of the policy and it was declared long ago. It means returning people to their homes and helping people to rebuild. That is what is right. My hon. Friend is wrong.

Mrs. Margaret Ewing (Moray): Not a single Member would question the personal or political will of the Secretary of State, and I congratulate her on her actions. I do not know whether she made a slip of the tongue in responding to the previous question. I suspect she meant to refer to peacekeeping forces, not ground forces. Perhaps she would clarify that point.

Countries that surround Kosovo face difficulties in dealing with this huge problem. People are being stripped of every aspect of their identity, including even car number plates. There is now a citizenless class in the area. Can the United Nations, the European Union and NATO come together to make sure that people will have homes to return to? Will part of our policy be to rebuild homes?

Clare Short: Throughout the tragedies of Bosnia, I recall, I sat beside the hon. Lady, and we shared the view that there should have been earlier intervention to stop Milosevic. It would have been easier then, and there were mistakes in our policy. At least now we are doing what is right.

I made no slip in mentioning land forces. It was made clear in the Rambouillet talks that if autonomy was agreed, troops were already out there who could move in to keep people safe and to enforce the agreement. That was always part of the proposal. My hon. Friend the Member for Linlithgow (Mr. Dalyell) asked what finishing the job meant, so I was briefly reminding him of what had been announced.

There are no citizenless people. They are citizens of Kosovo. They have homes; they know where they come from. We hope that the action will be over soon and that they can go home. Burning their papers does not destroy their identity. They are citizens, and their legal rights will be respected. They will go home, and the international community will make sure they have help in rebuilding their homes.

Mr. David Lock (Wyre Forest): May I welcome my right hon. Friend's statement, and direct her mind particularly to the problems facing the children of Kosovo? I do so without making any party political points—which have no bearing on this debate, and should not have been made in the first place. Does she agree that—according to information that the Under-Secretary of State for International Development and I were given at a recent meeting—19 of 20 children who die in war zones die not from guns or bullets, but because the health system that is so essential to keeping them alive disintegrates because of the destruction of war?

Will my right hon. Friend particularly commend the British paediatricians who, over the years, have been prepared to travel to war zones—to rebuild, to retrain and to treat children who need medical treatment? Will she ensure that her Department considers any requests that it has received from organisations supporting paediatricians, to enable the great humanitarian work by highly qualified British doctors to continue—so that they may treat some of the 19 of 20 children who might otherwise die, not from bullets, but from the displacement and destruction of war?

Clare Short: I am very happy to join my hon. Friend in paying tribute to British paediatricians, and to those from around the world, who go into very dangerous and difficult situations to care for children. They are some of the bravest people, and I think that we all admire and respect them.

In Kosovo—compared with, say, Rwanda—children are healthier to start with, and we have enough time. We are working with the World Health Organisation in putting in health kits, and should be able to prevent any deterioration in that situation. I am pretty confident in saying that we will be able to prevent it. Although there is a little time problem, people are being fed. Now, we have to get people under canvas, as some people have been sleeping out of doors.

My hon. Friend was absolutely right to say that we must ensure that health systems are available, but we are providing health kits to ensure that the problem does not arise. We should be able to organise it so that those children will be safe. In some conflicts in Africa, children are malnourished to start with, making the situation much more serious.

Mr. Cynog Dafis (Ceredigion): May I place on record my encouragement and support, and that of Plaid Cymru,

for the right hon. Lady in the enormously important work that her Department is doing? The military operation is an enormous logistical exercise, and I join those who have said that the humanitarian exercise should be commensurate with it in seriousness, scale and commitment of resources. Will not the humanitarian exercise have to be maintained for as long as necessary—until those people are able first, to live in the places to which they have been displaced, and secondly, to return and reconstruct in Kosovo itself? It is bound to entail a very major commitment of resources. I therefore add my voice to those who have said that that commitment should in no way reduce the Department's capacity to continue its programmes elsewhere, and that additional resources will have to be provided to meet all its commitments.

Clare Short: I am grateful for the hon. Gentleman's support, and that of his party, for all the work that is being done. I absolutely agree with him that the humanitarian response must be as powerful, well-resourced and efficient as the military exercise. He was absolutely right to say that we have to be there for as long as necessary. We all hope that the military campaign will be successful quickly, and that, therefore, as soon as possible, we shall be helping people to go home. However, we shall stay there and be there until we can help people to go home and to reconstruct.

As I told the Select Committee Chairman, the hon. Member for Hertford and Stortford (Mr. Wells), the £10 million that the Government have made available is available in my budget—from which we make allocations to deal with humanitarian disasters, and have made allocations to that region. However, the hon. Member for Ceredigion (Mr. Dafis) was right—if the crisis in Kosovo continues and costs more, we shall have to consider where we will get the resources from.

Dr. Norman A. Godman (Greenock and Inverclyde): May I, too, offer my sincere compliments to my right hon. Friend, my hon. Friend the Under-Secretary of State for International Development and their officials on their speedy response to these dreadful events? However, I hope that she will forgive me for introducing a possibly carping note to the debate. Does she agree that the terrible plight of the refugees, and the involvement of those remarkable officials from the grossly underfunded UNHCR, bring into stark relief the ignominious failure of the United States to honour its financial obligations to the United Nations? Is there not now an opportunity for the people on Capitol hill to make right that terrible failure?

I agree with my hon. Friend the Member for Clydebank and Milngavie (Mr. Worthington) that it is essential to involve units such as the Royal Engineers, and other similar units from NATO forces, to help those refugees to have bearable lives by providing them with makeshift services as soon as possible.

Clare Short: I am grateful to my hon. Friend. Everyone carps about funding the United Nations but, at moments like this, we need a good, well-funded and well-staffed UN. People complain that things are not moving as rapidly as they might, but that is because there has not been strong enough support for the UN in the past.

My hon. Friend made his point about United States contributions. I hope that the advertisement from six former Secretaries of State calling on the United States to pay its dues to the UN has an effect on public opinion there.

My hon. Friend talked about the Royal Engineers. It is not always best to have military people providing for civilians. It is not always appropriate for the children. It is often better to have civilians. As my hon. Friend knows, in Bosnia, because our troops are there, we have provided some resources and they are helping the refugees to return. That is a sensible use of resources because the troops are there. In general, the effort should be led by the UN, but we have particular problems in Macedonia. It would help if the military there were able to help the humanitarian effort. There might then be less doubt in Macedonia about allowing in the refugees. Where appropriate, it is good to do it.

Miss Anne McIntosh (Vale of York): Does the right hon. Lady agree that humanitarian aid has a real role to play? I wish to add my congratulations to her and her team for the work they have done. Can the right hon. Lady explain why there was a delay of seven days after the first bombs had been dropped before the departure of the first plane carrying humanitarian aid? The House has some concern about that.

In Question Time today, the Prime Minister referred to the role of an independent force in Kosovo. He did not say whether it would have an aggressive role to drive back Milosevic's forces from Kosovo, or a peacekeeping and humanitarian role. Perhaps the right hon. Lady will explain to the House what role that independent force would have.

Clare Short: I am grateful to the hon. Lady for her support for all those involved in the humanitarian effort. There is a problem about what happens when the cameras are not there. I remind the hon. Lady and the House that there were many refugees before the NATO action began. We were there as was the UNHCR. We were spending money and backing up the UNHCR. It was not that there was no food, no tents and no blankets before that flight. There was quite a lot of food and resources in Albania, but not in northern Albania. We need to bring more into the region as the flow of refugees is so big and is clearly going to continue. The hon. Lady must not think that there was nothing there before.

The hon. Lady asked about ground forces. That is not new. Part of the Rambouillet proposals was that, if there was acceptance of autonomy for Kosovo together with a peace deal and a withdrawal of the Serb forces of aggression, ground troops would go in to police the deal. They were in Macedonia waiting to move. That was part of the Paris talks. Those are the forces to which the Prime Minister referred and which I mentioned when I answered my hon. Friend the Member for Linlithgow (Mr. Dalyell).

Ms Tess Kingham (Gloucester): I congratulate my right hon. Friend on her announcement today. It is widely recognised that her Department is a world leader in ensuring that prompt and appropriate humanitarian assistance reaches parts of the world where it is most needed. It is understandable that attention now is focused on providing immediate needs such as shelter, housing and health care, but will she consider ensuring that, at an early stage, trauma counselling and psychological support are made available for the refugees as they come over the border? We have seen to our regret in the past that that has not always been seen as an immediate need, but we have seen Milosevic's thugs burning villages, razing them to the ground and raping women.

[Ms Tess Kingham]

We have heard about the atrocities committed. This time, may we please ensure that that support is given to people early on, not merely for their psychological well-being, but to ensure that some of the war crimes and atrocities can be documented early on, so that the perpetrators can eventually be brought to trial?

Clare Short: I am grateful to my hon. Friend. I am proud of the people in my Department and I am grateful to the House for recognising the work that they do. They are respected internationally—they are the fastest, they are very good indeed and they work very hard. My hon. Friend is absolutely right. The people arriving are very frightened and worried about members of their families whom they have left behind. This morning, I read a telegram from our ambassador in Albania, which said that women who had arrived had not been able to pick up their children, who had been put somewhere just outside the town to be safer. One can imagine the fear and worry. The stories of executions and brutality make people highly traumatised. We learned that in Bosnia—hon. Members must remember the rapes and all the women involved—and we brought in psychological support later. My hon. Friend is right and I will ensure that, as soon as we are organised, that sort of assistance is provided.

Mr. Geoffrey Clifton-Brown (Cotswold): May I join my hon. Friends in congratulating the right hon. Lady's officials for responding so quickly to the huge humanitarian crisis, which involves the largest movement of refugees in Europe since the war? I have no doubt that the British people will want to be very generous in responding to the crisis. They also expect their Government to be generous. Therefore, I appeal to the right hon. Lady to respond to the request of my right hon. Friend the Member for Richmond, Yorks (Mr. Hague) that the Government should match, pound for pound, every pound that the people give to NGOs. Further to an earlier answer, how on earth would the implementation of such a scheme slow up the aid given to NGOs?

Clare Short: I am grateful to the hon. Gentleman for recognising the quality of my officials. May I explain that I have £10 million now. Our word is trusted. We are hiring aeroplanes from other countries over the telephone. They are being made ready immediately on our word because we have the money, we can spend it now and we can move immediately. The problem is not money; it is getting the planes, getting the logistics right and getting everything moved into the right places. In answer to the Leader of the Opposition, my right hon. Friend the Prime Minister said that he would look at the proposal. I understand that the Disasters Emergency Committee is about to launch an appeal: advertisements will go in the papers and collections will be made. That will take some time and that is my point. We have to spend now and get things moving now.

Mr. Dale Campbell-Savours (Workington): We all know that, true to form, my right hon. Friend will be pressing to maximise the budget that may need to be made available to her now and later. Will she ensure that the Ministry of Defence is not allowed to purloin any part of that budget in the form of charges for aircraft that it lets her Department have, as happened on a previous occasion? Also, will she relay to representatives of the Government of Albania the deepest appreciation of Members of this House for the valiant work being done by the Albanian people in helping to resolve the crisis?

Clare Short: I am grateful to my hon. Friend. He is right to say that, in the past, when the military made a contribution, the Overseas Development Administration was made to pay from its budget. Military costs are high—higher than hiring civilian aeroplanes. Since we formed our Government, the military has helped on a number of occasions and the Department has never been charged. One of the flights that I announced today is a military flight and we are not paying. The Ministry of Defence is contributing, so that is not happening.

I am also grateful to my hon. Friend for recognising the generosity of the people of Albania. It is a very poor country and it is recovering from a civil war. Many refugees have been flowing into Albania for a long time. People have been taking them into their homes—these are very poor people—and, even now, they are taking more. The Prime Minister of Albania sent a lovely, moving letter to our Prime Minister to thank us both for the military action and our other help. I will ensure that my hon. Friend's message is conveyed and I am sure that people will be grateful for it.

Mr. Douglas Hogg (Sleaford and North Hykeham): Does the right hon. Lady agree that it would be prudent at least to plan against the risk of long-term, large-scale refugee problems arising from Milosevic's present, and likely future, actions? Does she further agree that permanent refugee camps are undesirable? What steps does she propose, in concert with other countries, to facilitate the permanent resettlement of those refugees who want to be settled outside Kosovo in countries away from the frontiers of the former Yugoslavia?

Clare Short: I caution the right hon. and learned Gentleman that although he may not mean it to happen, Mr. Milosevic would be pleased at his suggestion. We are not planning to move people out of the region. People do not want to move out; they want to go home as fast as possible. They support the NATO action and want it to be successful. They need protecting now. We have plans to look after them now and to help them go home to reconstruct as fast as possible.

Points of Order

4.22 pm

Mr. Tam Dalyell (Linlithgow): On a point of order, Mr. Deputy Speaker. In the past 80 minutes, we have heard the remarkable proposition that, by the use of air power, without ground troops, populations are to be re-established in areas from which they have been cruelly driven. I know that, technically, it would be difficult to move for a debate under Standing Order No. 20, but I understand that it could be done at 7 pm despite the statement that we expect on defence. Are you prepared to hear my request? Do you accept that several of us, with very different points of view, think that it is not proper in this situation that the House of Commons should be away next week, and that, in these dire circumstances, there should be a recall of the House?

Mr. Deputy Speaker (Mr. Michael Lord): I am not in a position to deal with the second part of the hon. Gentleman's question. On the first part, he must put such requests to Madam Speaker. It is not a matter with which I can deal.

Mr. David Faber (Westbury): On a point of order, Mr. Deputy Speaker. You will recall that, last week, the House debated the Government's roads policy, with frequent mention by me and other hon. Members of detrunking existing trunk roads. A local journalist rang to tell me that the Deputy Prime Minister is to make a statement on the detrunking of the national road network tomorrow. Is it not a common courtesy that local Members be informed of such decisions by Ministers, before they are released to the press? Is it not a coincidence that the statement is to be made on the first day of the recess, thus ensuring that the Deputy Prime Minister cannot be questioned on his plans?

Mr. Deputy Speaker: I heard what the hon. Gentleman had to say, but it is not a matter for the Chair. I have no knowledge of the matter that he raised.

Prescription Charges (Hormone Replacement Therapy)

4.23 pm

Dr. Howard Stoate (Dartford): I beg to move,

That leave be given to bring in a Bill to provide for women requiring hormone replacement therapy to pay a single prescription charge for both single and cyclical hormones, regardless of the preparation they are taking.

Hormone replacement therapy has three major benefits. It effectively treats the symptoms of the menopause. There is a likely, but not yet proven, link with reducing the risk of heart disease. The most important benefit to women's long-term health is that it effectively reduces the incidence of osteoporosis in women after the menopause.

After the menopause, all women lose calcium from their bones. For many, the loss is much more severe, resulting in osteoporosis, which is often known as brittle bone disease. The condition reduces bone density and increases the likelihood of fractures, back pain and curvature of the spine. It causes not only much pain and suffering but huge physical, psychological and social cost to sufferers and their families.

The effects on the national health service are also considerable. There are 60,000 hip fractures in the United Kingdom every year, or one every 10 minutes. Sadly, by the time that I have sat down, someone else will have fallen down and broken a hip. Eighty per cent. of hip fractures are in women over 50. Treating a fractured hip costs £4,800. That is £4,800 every 10 minutes. One in five of those who suffer a hip fracture will go on to require long-term residential nursing home care costing, on average, £19,000 a year. That is one extra nursing home place taken every hour as a result of osteoporotic hip fractures alone.

At the menopause, HRT is a logical and appropriate intervention for the prevention of osteoporosis. It is proven to reduce bone loss in women, and it can delay or even prevent the onset of osteoporosis, thus significantly reducing the risk of fragility fractures.

The Department of Health local health action sheet advises GPs to counsel women on the risks and benefits of HRT at the menopause, and lists HRT as an effective drug therapy for the prevention and treatment of osteoporosis. The effectiveness of HRT in preventing reductions in bone density and reducing fractures is beyond doubt.

If we are to meet our targets set out in the Department of Health Green Paper "Our Healthier Nation" for reducing the huge burden of accidents, we need to encourage more women who would benefit from HRT to use it. Current opinion holds that giving HRT for periods of up to 10 years yields significant benefits, with minimised risk. The suggestion that HRT causes women to wear lurid outfits and to act strangely in the national media are purely anecdotal.

There are different types of HRT, and different types suit different women. Women who have undergone a hysterectomy can be prescribed the single hormone oestrogen. This attracts a single prescription charge. Women who are completely past the menopause can use combined therapy with little or no side effects. This also attracts a single prescription charge. Then there is the perimenopausal group—those women who are either still

[Dr. Howard Stoate]

or have just finished, menstruating. The other two therapies are usually not suitable for such women, and cyclical treatment is required. If unopposed oestrogen is given to such women, there is a significant risk of endometrial cancer. Thus, they must take two different hormones—oestrogen and a progestogen—separately at different times in their cycle. Although that treatment is usually contained in one treatment pack, it attracts two prescription charges.

Many of my constituents in Dartford, and several hon. Members of the House, have approached me about that anomaly. Why, they ask, should some women, for purely medical reasons, face the double charge? My experience as a GP tells me that some people find the double charge not only inexplicable but a significant cost burden which can put them off taking the treatment altogether. Professor David Purdie, of the British Menopause Society, estimates that 50 per cent. of post-menopausal women would benefit from HRT, but that only 10 per cent. of the group are using the therapy. That means that 40 per cent. of post-menopausal women are not benefiting from a therapy which could bring them relief from their current symptoms and reduce the risk of osteoporosis in later life. Our task should be to reduce the figure of 40 per cent. as much as possible by encouraging women who decide, after discussion with their GP, that HRT is right for them to use it.

Women in the group most likely to require cyclical therapy are aged 50 to 60. Although 86 per cent. of prescriptions are issued free, women in that age group are very likely to pay for their own prescriptions. Nor is this a small problem. Figures that I have obtained from the House of Commons Library show that, of the 5.8 million prescriptions for HRT in 1997, 62 per cent. were charged as one item. That means that 38 per cent., or 2.2 million prescriptions, attracted a double charge. That is a clear disincentive, preventing a wider take-up of HRT.

"Our Healthier Nation" contained welcome initiatives for reducing fractures among the elderly. Osteoporosis is a major cause of fractures, and an important plank of any strategy to tackle it has to be a greater take-up of HRT. I welcome the Green Paper and the strategies contained in it, and I congratulate the Government, and especially the Minister for Public Health, on a document that details how we can put into practice the old adage, "Prevention is better than cure."

When more women are aware of the benefits of HRT and can decide whether it is right for them, and when the double prescription charge disincentive is removed, the incidence of osteoporosis can be reduced. That will reduce the cost to the NHS of treating osteoporosis and, more important, reduce the pain and suffering that it causes.

The Bill tackles a clear anomaly in the system, and it will go a long way towards increasing the use of HRT by those women who could benefit from it. I ask hon. Members to endorse the Bill, which will directly benefit the lives of many of their constituents.

Question put and agreed to.

Bill ordered to be brought in by Dr. Howard Stoate, Ms Christine Russell, Mr. Gareth Thomas, Mr. Stephen Pound, Mrs. Teresa Gorman, Dr. Evan Harris and Mr. John Austin.

PRESCRIPTION CHARGES (HORMONE REPLACEMENT THERAPY)

Dr. Howard Stoate accordingly presented a Bill to provide for women requiring hormone replacement therapy to pay a single prescription charge for both single and cyclical hormones, regardless of the preparation they are taking: And the same was read the First time; and ordered to be read a Second time on Friday 11 June, and to be printed [Bill 80].

DELEGATED LEGISLATION

Mr. Deputy Speaker (Mr. Michael Lord): With permission, I shall put together the motions relating to delegated legislation.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

VALUE ADDED TAX

That the Value Added Tax (Buildings and Land) Order 1999 (S.I., 1999, No. 593), dated 9th March 1999, a copy of which was laid before this House on 9th March, be approved.

Question agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

That the Value Added Tax (Finance) Order 1999 (S.I., 1999, No. 594), dated 9th March 1999, a copy of which was laid before this House on 9th March, be approved.—*[Mr. Jamieson.]*

The House divided: Ayes 305, Noes 153.

Division No. 137] **[4.31 pm**

AYES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Banks, Tony
Barron, Kevin
Battle, John
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Stuart *(Middlesbrough)*
Benn, Rt Hon Tony
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Rt Hon Gordon *(Dunfermline E)*
Brown, Russell *(Dumfries)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Rt Hon Stephen
Cabom, Richard
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell–Savours, Dale
Canavan, Dennis
Cann, Jamie
Caplin, Ivor
Caton, Martin
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire

Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Geraint *(Croydon C)*
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Dowd, Jim
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hood, Jimmy
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kemp, Fraser
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kingham, Ms Tess
Kumar, Dr Ashok
Lawrence, Ms Jackie
Laxton, Bob
Leslie, Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Linton, Martin
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McDonagh, Siobhain
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Merron, Gillian
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
Olner, Bill
O'Neill, Martin
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Giles
Rammell, Bill
Rapson, Syd
Reid, Rt Hon Dr John *(Hamilton N)*
Roche, Mrs Barbara
Rooker, Jeff
Ross, Ernie *(Dundee W)*
Roy, Frank
Ruane, Chris
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stringer, Graham
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Temple-Morris, Peter
Todd, Mark
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*

Tellers for the Ayes:
Jane Kennedy and
Mr. David Clelland.

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Baker, Norman
Baldry, Tony
Beggs, Roy
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Campbell, Rt Hon Menzies *(NE Fife)*
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clark, Rt Hon Alan *(Kensington)*
Clark, Dr Michael *(Rayleigh)*
Clifton-Brown, Geoffrey
Collins, Tim
Cormack, Sir Patrick
Cotter, Brian
Cran, James
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice & Howden)*
Donaldson, Jeffrey
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forsythe, Clifford
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Gale, Roger
Garnier, Edward

Gibb, Nick
Gill, Christopher
Goodlad, Rt Hon Sir Alastair
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Harris, Dr Evan
Hawkins, Nick
Heald, Oliver
Heath, David *(Somerton & Frome)*
Hogg, Rt Hon Douglas
Horam, John
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Jones, Ieuan Wyn *(Ynys Môn)*
Jones, Nigel *(Cheltenham)*
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Llwyd, Elfyn
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Maples, John
Maude, Rt Hon Francis
May, Mrs Theresa
Moss, Malcolm
Norman, Archie
Öpik, Lembit
Ottaway, Richard
Page, Richard
Paice, James
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Robertson, Laurence *(Tewk'b'ry)*
Rowe, Andrew *(Faversham)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Simpson, Keith *(Mid–Norfolk)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, Sir Teddy
Tonge, Dr Jenny
Townend, John
Tredinnick, David
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Webb, Steve
Wells, Bowen
Welsh, Andrew
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mrs. Eleanor Laing and
Mr. John M. Taylor.

Question accordingly agreed to.

SOCIAL SECURITY

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

That the draft Social Security (Incapacity, Earnings and Work Trials) Pilot Schemes Regulations 1999, which were laid before this House on 10th March, be approved.—*[Mr. Jamieson.]*

Question agreed to.

Orders of the Day

Employment Relations Bill

As amended in the Standing Committee, further considered.

Clause 28

EMPLOYMENT AGENCIES

4.43 pm

The Secretary of State for Trade and Industry (Mr. Stephen Byers): I beg to move amendment No. 59, in page 14, leave out from beginning of line 10 to end of line 40 on page 15 and insert—

'. Schedule *(Employment Agencies)* shall have effect.'.

Mr. Deputy Speaker (Mr. Michael Lord): With this, it will be convenient to discuss the following amendments: No. 1, in page 14, leave out lines 12 to 21.

No. 36, in page 14, line 21, at end insert—

'(ed) regulating the conduct of hirers in paying appropriate fees to such agencies and businesses for supplying workers for permanent or temporary employment.'.

No. 2, in page 14, line 21, at end insert—

'Provided that regulations under this section shall only be made with the purpose of protecting employees' rights and not otherwise to interfere with the commercial relationship between such agencies or businesses and employers'.

No. 35, in page 14, line 21, at end insert—

'Provided that regulations under this section shall only be made in such a way as to avoid prejudice to the ability of the private recruitment industry to continue to expand its role in the labour market.'.

No. 3, in page 14, line 43, leave out from beginning to end of line 5 on page 15.

No. 34, in page 15, line 38, at end insert—

'(6A) In section 12—

(a) in subsection (5), at the beginning insert "Subject to subsection (6) below,";

(b) after subsection (5) insert—

"(6) Regulations under section 5 shall not be made unless a draft of them has been laid before, and approved by Resolution of, each House of Parliament.".'.

Government new schedule 2—*Employment Agencies*

Mr. Byers: I shall speak to amendment No. 59 and new schedule 2, but reserve my comments on the amendments tabled by the Opposition until I wind up the debate later this evening.

I shall explain the motives behind amendment No. 59 and the changes that we intend to introduce through new schedule 2. The proposals make changes that we believe are necessary to the employment agency standards inspectorate's powers of entry and to allow it to take away copies of documents.

It was observed during the passage of the Employment Agencies Bill in 1973 that it was modelled in part on the Croydon Corporation Act 1960. I do not know whether many hon. Members are experts on the Croydon Corporation Act 1960 but, if they are, they will know that the inspection powers follow the lines of governing agencies in the Edwardian era. The wording can be traced

back further to the Manchester Corporation Act 1903. I know that the hon. Member for Buckingham (Mr. Bercow) is an expert on that, and I am sure that he will regale us in great detail with sections of that Act. As the proceedings move towards midnight, we shall look forward to that with great pleasure.

Paragraphs 4(2) to 4(5) of new schedule 2 amend section 9 of the 1973 Act to ensure that its powers are appropriate to the beginning of the next century. Modern inspection powers are all the more important now that bureaux no longer have to be licensed. New section 9(1A) enables the Department of Trade and Industry's inspectors to enter relevant business premises, as defined in new section 9(1B). Those provisions extend the range of premises that the DTI's inspectors may enter in the course of their duties.

On the face of it, that seems a draconian power, but we hope that it will help employment agencies. The present wording of the 1973 Act allows DTI inspectors to enter premises to examine documents only if those premises are being used by an employment agency, even though, for practical reasons, the agency may have documents in another building. The changes will introduce flexibility to ensure that documents can be retained elsewhere provided that they can be inspected at reasonable notice and in a reasonable way.

New section 9(1C) takes into account the fact that we are now living in the computer age and allows for computerised information to be held remotely, provided that it is accessible from the relevant premises. The DTI's inspectors will not be able to take documents away with them, but new proposals will allow them to take copies of relevant documents.

Paragraph 4(4) amends section 9(2) of the Employment Agencies Act by replacing the existing provision against self-incrimination with a new provision that takes into account the judgment of the European Court of Human Rights in the case of Saunders *v.* the United Kingdom.

Dr. Norman A. Godman (Greenock and Inverclyde) *rose—*

Mr. John Bercow (Buckingham) *rose—*

Mr. Byers: I give way to my hon. Friend.

Dr. Godman: Will the provisions have any effect on subcontractors, some of whom are utterly unscrupulous, who employ foreign nationals to work in our offshore oil and gas installations? Many of the employees concerned are taken on for disgracefully low wages and their terms and conditions of employment are, or should be, utterly unacceptable in an industrial society such as ours.

Mr. Byers: My hon. Friend has raised two distinct issues. On levels of pay, he will be aware—he drew the situation to my attention—that people working in the circumstances that he described were not covered by the National Minimum Wage Act 1998, but we introduced in the House a few days ago an order—

Mr. Tim Boswell (Daventry) *indicated assent.*

Mr. Byers: As the hon. Gentleman indicates from a sedentary position, we introduced an order that will extend the provisions of the National Minimum Wage Act to individuals working in precisely those circumstances. Unfortunately, those provisions will not take effect tomorrow, when the national minimum wage will come into force for the bulk of employees, but on 1 May. Although that measure will take effect a month later, I am sure that it will be widely welcome.

We are trying to deal with my hon. Friend's second point, about abuse and exploitation, through the regulations that we shall introduce through the Bill. I can give him some comfort by saying that, when we introduce the proposals by way of regulation once we have consulted on the detail, he will be satisfied that we have addressed those concerns.

Mr. Bercow: The Secretary of State's historical exegesis has been much enjoyed so far by a packed House. On the subject of the notice required before premises are visited and inspected, will he assure the House that he will be guided by one or other of the many precedents in other legislation? It would be helpful if he could tell us at this point by which he will be guided.

Mr. Byers: This legislation stands on its own, and precedents will no doubt be created when it comes to be interpreted. It is far better to allow the courts to consider the wording that the House is putting in place and for them to interpret it accordingly. However, there are rules of statutory interpretation, which will apply to any legislation. It is wholly appropriate that the courts adopt that particular approach, and they will do so in the context of this legislation as they do with all other legislation.

Mr. Bercow: That was a marvellously fluent response, but I am afraid that the fog has, if anything, increased. I intend no discourtesy to the Secretary of State, but will he give the House an idea of what he would consider in this context to be a reasonable period of notice?

Mr. Byers: I have studied law for far too long not to know that one should not try to define what is meant by "reasonable" in any hypothetical situation. It must always be—*[Interruption.]* I see that the Opposition Whip, who is a lawyer, agrees with that approach.

Mr. John M. Taylor (Solihull): I was amused by it.

Mr. Byers: That probably speaks volumes. Reasonableness will always be a matter for the courts to decide in the circumstances of any particular case. The important point to bear in mind is that, if that is what is required, the test of reasonableness, to which the hon. Member for Buckingham referred, must be considered in the circumstances of the case.

I was saying that, in relation to self-incrimination, we have to take into account the decision of the European Court of Human Rights in the case of Saunders *v.* the United Kingdom, and these measures do precisely that.

Mr. Ian Bruce (South Dorset): In opposition, one is always keen to ensure that one makes a positive contribution to a Bill. I wonder whether the proposal was always intended to be concerned with self-incrimination. When I made a speech on precisely that point in Committee, the Minister for Small Firms, Trade and

[Mr. Ian Bruce]

Industry was unaware that, by allowing this sort of inspection, one was effectively giving an unwarranted—I use that word in both its senses—access to people's records. That is extremely important as, once enacted, the Bill will extend the offences that can be investigated by the investigator so that they cover almost anything.

Mr. Byers: My approach is that if good ideas that can improve the Bill are put forward in Committee—from whichever party they come—we should try to incorporate them on Report. This may well be an example of that happening. It is good practice and one which I intend to follow so that we end up with better legislation.

I hope that Government amendment No. 59 and new schedule 2 strike a careful balance between the needs of regulation and the regulated. I am sure that the majority of bureaux will welcome the modernisation of record-keeping and inspection powers and the up-to-date safeguards that we are putting in place while ensuring that we, as a Department, exercise our inspection powers.

This is a good opportunity to pay tribute to the majority of private recruitment agencies. They play a key role in meeting the demand for flexible and multi-skilled staff. They provide hirers with the means of coping with fluctuating demand, as well as providing specialist skills in recruitment. They also help find work for many people who might otherwise be unable to participate in the labour market. Employment agencies can play a valuable role. Indeed, the industry is one of the economy's success stories. It has grown continuously in recent years. Most measures show that it has more than tripled in size since 1992, and provisional figures for the third quarter of 1998 show growth of more than 20 per cent. over the previous year.

We believe that the existing framework of regulation no longer meets the needs of the industry or of its clients and therefore needs to be changed. There is much good practice and much that the industry should be commended for. We are wholly committed to maintaining flexibilities in the labour market, but underpinned by minimum standards for those in work. However, its role can continue to expand only if it is based on fair and non-restrictive terms applying to both hirers and workers.

I am pleased that, when we introduce new regulations to underpin this measure, we shall be removing three sets of regulations and replacing them with one set. We shall see a number of regulations fall by the wayside. There will be an overall reduction in the amount of regulation as a result of the proposals that we are bringing before the House.

Mr. Bercow: The Secretary of State's last point is of particular interest. In the light of the prospective reduction in regulation that he envisages, will he be a little more specific and tell us precisely what impact it will have on the net figure of 2,380 additional regulations that have spewed forth from the Government since 1 May 1997? What is the new figure? Will the right hon. Gentleman open Pandora's box and tell us?

Mr. Byers: Not in the precise terms in which the hon. Gentleman invites me to respond. However, in the final three years of the Conservative Government—I will remind him of the figures because they should be placed on the record—we saw more than 10,000 regulations introduced.

Mr. Bercow: That was Hezza's fault.

Mr. Byers: It may have been the fault of the right hon. Member for Henley (Mr. Heseltine) as President of the Board of Trade.

We shall see a significant reduction in regulation. We shall see three sets of regulations with seven schedules reduced to one set with four schedules. There will be a relatively significant reduction in the number of pages of regulations, from 22 to 18. We are moving in the right direction. Instead of regulation escalating all the time—this applies to Governments of our persuasion and also to those of Conservative persuasion—at least with this measure we are beginning to see a reduction at long last. I hope that this is the beginning of a substantial reduction in the pages of regulations, the sets of regulations and the schedules that implement regulations.

Mr. Phil Woolas (Oldham, East and Saddleworth): It may be worth while to point out, for the record, that it was not only the right hon. Member for Henley (Mr. Heseltine) who oversaw the deregulation unit. Also involved were the right hon. Member for Horsham (Mr. Maude) and the then hon. Member for Tatton, Mr. Hamilton. I wondered whether the hon. Member for Buckingham (Mr. Bercow) would shake his head so vigorously given that information.

Mr. Byers: When the hon. Member for Daventry (Mr. Boswell), who leads for the Opposition on these matters, was a Minister with responsibility for corporate affairs in the Department of Trade and Industry, he had a pretty bad record on regulation. We will reveal the figures in due course. Conservative Members will have to wait a while before we can open that particular Pandora's Box. I am sure that we will look forward to that with equal pleasure.

As I have said, the Bill begins the reduction of regulation. We want to do so in a way that modernises the approach to employment agencies. We do not want to create a revolution in the way in which the recruitment industry operates. The draft consultation document shows that we are seeking, in the main, to clarify existing standards and to eliminate those that are outdated.

Mr. Ian Bruce: I am extremely surprised that the Secretary of State should say that there will be only a slight amendment to the regulations. Surely he understands the principle that interfering with a contract between an employment agency and the person doing the hiring of either permanents or temps, and banning temp to permanent fees, wholly undermines an industry which has 200,000 permanent employees and ensures that 900,000 people are in temporary work. We are seeing a fundamental change which could lead to the abolition of employment agencies.

5 pm

Mr. Byers: I think that I mentioned in my introductory remarks that I am leaving my detailed comments on those matters to when I reply to specific amendments. That seems to be appropriate. I shall respond when I have heard the arguments of Conservative Members.

We have produced draft regulations—and, indeed, are consulting upon them—because we have no doubt that improvements can be made. The consultation is genuine and if people can show me evidence of difficulties along the lines of those to which the hon. Member for South Dorset (Mr. Bruce) referred, I will be prepared to look again at our approach to this matter. I do not have a closed mind and we have an opportunity to create a framework within which employment agencies, which have a crucial role to play, can work well and honestly in the future. I believe that we can achieve that and I want to achieve it together, rather than seek divisions on what is a genuine approach to the way in which we can move forward.

I know that the recruitment sector has a number of concerns. I hope that I will be able to offer some reassurance that our proposals are sound and will provide a basis for a strong and confident industry, which can look forward to a prosperous future. Many people will see opportunity in our proposals and I look forward to hearing their views, as well as those of Conservative Members and of hon. Members generally. I am sure that, based on those views, we will be able to introduce regulations that support the industry. I await with interest comments from Conservative Members on their amendments.

Mr. Boswell: I thank the Secretary of State for moving his amendment and I agree with the way in which he proposes to handle this rather complex group of amendments, which consists of a Government amendment, a Government new schedule and six amendments tabled by Conservative Members. If he has undertaken any detailed textual criticism of those amendments, he will know that they all have slightly different provenances. Nevertheless, all refer to an issue of considerable concern.

For reasons that may become apparent, I am becoming increasingly familiar with the ways of lawyers. It was perhaps a tribute to the Secretary of State's skills in that respect that he was able to move his amendment to what is undoubtedly the most contentious clause of the Bill in tones of such sweet reasonableness. We will probably have to take him at his word and answer him in his own terms.

I should record my considerable concern about the proposed means of proceeding. The Government are bent on consulting on new regulations. It would be welcome if, as a result, they turned out to be simpler, briefer and less intrusive on the activities of employment agencies, but on Tuesday of last week we had the remarkable experience on opening our post of being invited to consider 60 pages of a pre-consultation document, which was evidently delivered to us in circumstances of great secrecy and privilege. There was no realistic possibility of our studying the document before our proceedings began.

I should say at this point that the whole House will be waiting for the contribution of my hon. Friend the Member for South Dorset (Mr. Bruce), who knows about these things and will no doubt have a great deal to say on the details—indeed, I defer to his knowledge of the matter.

Be that as it may, the infelicity about consultation—it would have been nice if we had had it in time for us to think about the results before we debated them—has been compounded by the Government's introduction of new schedule 2. There may be other occasions on which we would want to discuss the general handling of the Bill, but the new schedule runs to three pages of fairly closely typed print and it had been introduced without explanation, although the Secretary of State has now provided that. We are pleased to have had his explanation and I am even more gratified that it was coincident with my feeble understanding of what was intended.

We think that we know what we are about; as the Secretary of State said, it has to do with inspection and evidence. It is worth flagging up the point that it is becoming a habit for the Government to take the meat out of clauses, use them as paving measures and put all the meat into new schedules. New schedule 2 includes the meat of what we have been debating plus the new inspection provisions.

Perhaps we need not debate that method of drafting now, but there are concerns of substance and procedure relating to the new schedule. I was a little concerned when the Secretary of State said that it would make matters easier for agencies. When one hears that, one is always a little suspicious.

An example that might be congenial to the Secretary of State—and to his predecessor, the right hon. Member for Hartlepool (Mr. Mandelson)—is a chilling description I once heard of a visit late at night by the then nationalist South African police, which was described as the "friendly knock" of the police. I am sure that the Secretary of State will want to reassure the House that his inspectors do not work on that basis.

The schedule embodies and extends new powers. Even if the Secretary of State has the greatest of good will, the powers may cause difficulties, particularly where agencies may not be sympathetic to the conduct of the legislation or anxious to be entirely compliant with it or the wishes of inspectors.

The Secretary of State is a lawyer, and I am not, and he has access to advice that I do not have. On Second Reading, he issued a certificate to the House that the provisions of the Bill were compliant with the European convention on human rights. He referred to convention cases that informed Government decisions. He has now tabled a new schedule, with direct implications for human rights.

I did not participate in the debates on the Human Rights Act 1998, and I am not clear whether the new schedule is automatically certificated as compliant with the convention, whether it is deemed to be compliant or whether it has not been considered. Clearly, the Secretary of State would like it to be compliant, as would the Opposition. However, the matter should be explained to the House.

Government amendment No. 59 has some superficial similarity to some of the amendments that we have tabled to delete subsections of clause 28. However, the Secretary of State proposes the insertion of an even bigger schedule. That schedule has arrived at the last minute, and the gap between the conclusion of the Committee and Report has been sadly compressed. We have not had enough time to table probing amendments to the schedule; nor have we had the opportunity to consider fully the matter with our advisers, who might wish to reconsider and make suggestions for another place. The Bill passes from our control shortly, but that does not mean that the issues should not be addressed.

[Mr. Boswell]

Paragraph 3 of the proposed schedule refers to classes of cases that the Secretary of State may prescribe as exceptions. However, no reference is made to any criteria by which the Secretary of State should decide the cases. It will be important—if only because he will wish to avoid judicial review—for him to do so on a proper, procedural and principled basis. He might wish to explain to the House the kind of criteria that would be appropriate.

Paragraph 3(c) could abolish what is known in the trade as temp to perm fees, and would drive a coach and horses through the custom and practice of the operation of employment agencies and businesses in this country. I shall return to that when I deal with the amendments that my right hon. and hon. Friends and I have tabled.

The Secretary of State referred to inspection and new powers. It is characteristic of the drafting of this legislation that paragraph 4 of new schedule 2 inserts new subsections in the Employment Agencies Act 1973, one of which provides a power to

"enter any relevant business premises".

No restrictions are prescribed. There is no reference to entry at any reasonable time—not necessarily on notice—or entry with any reasonable force that might be appropriate to secure access. I think that there ought to be such restrictions. Nor is there any requirement for an inspector who has had to force an entry to make good any damage that he may have caused.

Paragraph 4(3), interestingly, states that an officer

"may require any person on the premises . . . to inform him where and by whom the record, other document or information is kept".

That is a reasonable requirement if the person knows, but it is not very reasonable if the person does not know. I feel that there should be a safeguard to cover those who, in good faith, may not have such knowledge. At present, the requirement applies to

"any person on the premises",

not any person who is likely to have the information in question. That could be a cleaning lady, a tea lady or some other member of staff. Indeed, in some cases data protection legislation might make it impossible for a person to release the information.

The proposed subsection (1B)(c) of section 9 refers to an officer having "reasonable cause to believe" that premises are being used

"for the carrying on of a business by a person who also carries on or has carried on an employment agency or employment business".

The Secretary of State mentioned that extension of powers, and I understand it. I know that, as a term of art, officers are expected to act reasonably at all times, but I am not sure whether an officer should be required to make a formal declaration to that effect, or whether it should be assumed, if he goes on to look at other premises, that he has reached such a conclusion. I suspect that, as a safeguard in terms of human rights, he ought to be required to make a formal statement.

Let me make two more points about the new schedule. Both have been made in earlier debates, but I think they are important. Paragraph 4(6) refers to a restriction on the disclosure of information. That is a widening provision, in that the release of information would no longer be tied to matters

"pursuant to or arising out of the Act".

I am not sure that that is very safe. In Committee, the proposal coincided with press reports suggesting that, for example, the Child Support Agency and the Inland Revenue would be able to work more closely together.

There are some important safeguards, in terms of civil liberties, relating to the release of information by one Department to another. I think that, as a lawyer, the Secretary of State will want to ensure that those provisions are considered properly, and are proportionate only to any particular need.

My final point about the new schedule relates to the offences provisions, which have also been referred to in earlier debates. The Government want to increase the qualifying time from within six months following the offence in question to either

"within 3 years after the date of the commission of the offence"

or

"within 6 months after the date on which evidence sufficient in the opinion of the Secretary of State to justify the proceeding came to his knowledge."

I shall not repeat the arguments that have already been presented, but I feel that three years would be a bit long in some cases. Evidence might be destroyed, and difficulties might be caused even for parties acting with good will.

5.15 pm

Let me now deal with the Opposition amendments. We are not at all happy with the current drafting of clause 28. Amendment No. 1 proposes the omission of lines that redraft the Employment Agencies Act 1973, because we prefer the status quo. We do not think that the Government have yet made out a case for change. The 1973 Act was in itself a departure from the norm of non-partiality in business activities—the general principle that particular business sectors should not be subject to legislation unless there is a problem that must be dealt with.

The Government of the time were prepared to countenance legislation that imposed specific restrictions in relation to agencies, with which the Secretary of State is familiar. I shall not reopen that debate. Although some of his hon. Friends might have disagreed had they been present, the Secretary of State implied that employment agencies and businesses had conducted themselves well, that they were useful and that he wanted to help them; and I think that the legislative umbrella under which they operate has itself worked reasonably well. The Secretary of State owes it to the House to say a little more about why the Government consider this change necessary, especially as it will further restrict the activities of employment agencies.

The following three amendments are all designed to curtail what might be termed over-enthusiasm with regulations. Amendment No. 36 provides for

"regulating the conduct of hirers in paying appropriate fees to such agencies and businesses".

It is less about the fees themselves than about the way in which hirers go about their business. Is it "oppressive", as I think the lawyers would say? Is it unfair? Or is it the reasonable conduct that a well-founded, properly run agency should be undertaking?

Amendment No. 2 takes a slightly different approach. It deals with the purpose of regulations, and suggests that they should be restricted to

"the purpose of protecting employees' rights and not otherwise to interfere with the commercial relationship".

The Bill provides for such interference. If the Secretary of State can make out a case for saying that, without such provision, it would be impossible to safeguard employees' rights, and that, in the circumstances, it is reasonable, we shall consider it; but subversion of the basic operation of the market is something which, given his rhetoric, the Secretary of State appears not to want. Certainly Conservative Members do not want it.

Amendment No. 35 stresses the importance of preventing regulations from prejudicing

"the ability of the private recruitment industry to continue to expand its role in the labour market."

It is a useful amendment. Indeed, those are useful agencies, and they should not be seen as being unduly restrictive. The Secretary of State says that he wants to help them; well, he should put his money, or his regulations, where his mouth is.

Amendment No. 3 deals with the main issue: an agency's ability to claw back recruitment fees if employer and employee conclude a private arrangement for permanent employment—the so-called temp to perm arrangement. Such fees are analogous to the fee that would have been levied had the employer taken on the employee from an agency on a permanent basis in the first place. My hon. Friend the Member for South Dorset is an expert; but I cannot see that it is wrong to secure that in principle. The two cases are virtually the same. It is not a restraint of trade. The Government may, even if they do not intend to, preclude that arrangement and they should not do so.

The thrust of our concerns is summarised in amendment No. 34, which, in effect, subjects any subsequent regulations to the affirmative resolution procedure. I have mentioned our considerable disquiet about the way in which the legislation was chucked at us. Now that there will be consultation, there are opportunities for the Government to redeem themselves.

In fairness to the Government, in other areas, they have shown a readiness to listen to proposals, either voluntarily, or as a result of proposals that we have put to them. For example, the affirmative resolution procedure will be invoked in relation to clause 3, which deals with black lists, on which we spent some time last night. The Government have also promised that the affirmative resolution procedure will be used in relation to clause 16.

Apparently, the Government are no longer set against the use of that procedure. I agree with that because these are important matters of principle to get right. We say modestly that, even if we are not the world's greatest experts on these matters, we have an important lay role in saying that legislation does not seem to be quite right and that, if the Government want to get it right, they should look at it again.

I have set out an initial response to the Government's new schedule and expressed some concerns about the powers that it sets out. The amendments set out several ways in which the danger, as we see it, of restricting and regulating the important employment agency sector out of sight and out of existence could be curtailed.

We have noted the Secretary of State's rhetoric, but we remain deeply suspicious of it—the alleged intentions are not consistent with what is being delivered in the Bill. We await not only the contributions of other hon. Members, but the right hon. Gentleman's response on the amendments because, at the moment, we are far from satisfied and may have to put that dissatisfaction to the test.

Mr. Ian Bruce: I have seldom had a speech trailed so thoroughly. I hope that I will not disappoint colleagues, who have been told of my supposed expertise.

I repeat what I have said in all such debates: I have a declaration of non-interest, although people may believe that I have an interest. I should tell the House exactly the position. I ran an employment agency for 12 years. It is a limited company which, until the licensing of employment agencies was cut, had a licence. It is supposed to be an employment agency, but has not traded for the 11 years that I have been a Member of Parliament.

Although I advised the Federation of Recruitment and Employment Services until the general election, I am not an adviser to that organisation now. I think that I am right in saying that I do not have a single penny of income coming from any employment agency source. I hope that, in making that clear, I am also showing that I have some 12 years' experience of trying to make my living running an employment agency. That is important information.

We started consideration of clause 28 in the dark about what the Government intended. They had had consultations with a number of organisations, including FRES. Indeed, FRES was quite calm about what was happening because it did not believe that the Government intended to implement the policy in the Labour 1983 manifesto, which was to abolish employment agencies as a matter of urgency. When one hears the rhetoric coming from Government, one is encouraged to believe that new Labour recognises that employment agencies and employment businesses are part of the flexible labour market that it is now supposedly signed up to.

Mr. Michael Fabricant (Lichfield): There has been talk about the history of the legislation. Does my hon. Friend recall that my pair—if we had pairs—the right hon. Member for Manchester, Gorton (Mr. Kaufman), referred to the 1983 Labour manifesto as the longest suicide note in history? Does my hon. Friend think that the Bill will turn out to be the same?

Mr. Bruce: Unfortunately, the Labour party has become adept at not telling people what its real intentions are. It is called spin; it is good at it. Many of us will learn from it when it comes to the next general election. It has been careful not to sign suicide notes, but that does not mean that there is no conspiracy. However—I hope that the Secretary of State is listening—I was pleased with what he said about genuinely consulting on the Government's document.

We did not know what the Government's intentions were. We had a clue. It was in a press notice that was dated 25 September 1998 and released by the right hon. Member for Hartlepool (Mr. Mandelson) when he was Secretary of State for Trade and Industry. It said that, in the modernisation—a wonderful word, but I always prefer

[Mr. Bruce]

"improvement"; we are always keen to see improvement and everything can be improved—of employment agencies, issues to be covered included the

"need to ensure proper standards on reference checking",

no one has any worries about that,

"rules requiring agencies to pay workers promptly and fully",

again, one has no arguments about that; it was already covered in the previous legislation,

"and an obligation on agencies holding clients' money to safeguard it properly."

Who could argue with those things? A few cowboys might have been worried about that, but, clearly, FRES and all employment agencies that were not cowboys and were running their businesses properly were not concerned at all.

The press release said that we would see a consultation document by the end of 1998. As my hon. Friend the Member for Daventry (Mr. Boswell) pointed out, that consultation document arrived on the Tuesday morning that I made my initial speech on clause 28. We did not have the opportunity—perhaps during one of the pauses for breath while I read the document—to see some of the things that were in the consultation document. In fact, it stood the Employment Agencies Act 1973 on it head.

The House should understand that that Act was a Conservative private Member's Bill, but that the regulations that came from the Act were enacted in 1976 by the then Labour Government. I have a little advice on that. The Minister at the time was Harold Walker, now Lord Walker of Doncaster, who served as a distinguished Deputy Speaker of the House. I understand that he put his reputation on the line because he had understood what the industry was saying and resisted old Labour's push to get him to interfere with the proper working relationships in the industry. Perhaps he was new Labour, even back then. He decided that it was not an industry which we should attack, but one that should flourish.

Amendment No. 35 includes the somewhat strange words:

"Provided that regulations under this section shall only be made in such a way as to avoid prejudice to the ability of the private recruitment industry to continue to expand its role in the labour market."

Those words come directly from the draft consultation document. That is confidential, but I hope that the Secretary of State will not object to its words being used in the amendment. That is what the Government say they want to do, but, under the regulations—certainly, the draft regulations seem to suggest it—they will close the industry, or at least damage it seriously.

5.30 pm

Mr. Bercow: My hon. Friend is a tremendous authority on these subjects. Given that this is our final opportunity to debate employment agencies, does my hon. Friend agree that it is regrettable that the hon. Member for Corby (Mr. Hope) is not present? In the Standing Committee, the hon. Gentleman cited an example of appalling bad practice by an employment agency, giving the impression that it was in his constituency. Does my hon. Friend recall, however, that when challenged, the hon. Gentleman was not prepared to confirm that the culprit agency was in his constituency, or to name it? The effect is that a cloud of suspicion hangs over all employment agencies in Corby or in close proximity to it. Should that matter not be cleared up as it has created considerable uncertainty and confusion?

Mr. Bruce: My hon. Friend has jumped ahead to a point I had intended to reach. The hon. Member for Corby (Mr. Hope) has three times given his example on the Floor of the House. At least, I assume it was the same example; each time he told the tale, it altered slightly.

Mr. Bercow: It did not improve in the telling.

Mr. Bruce: It certainly did not. The Federation of Recruitment and Employment Services believes that such a case did exist some years ago. The agency involved was investigated, and it ceased to practise some years ago. The federation's disciplinary procedures also make it clear that any agency employing such practices would be declined membership or kicked out of FRES. That was appropriate self-regulation before the minimum wage came in, and the minimum wage regulations also deal with the matter.

It is fallacious to suggest that regulations are required in the new Bill. None of the regulations suggested by the Government seeks to deal with the matter. When we considered the regulations in advance, it seemed that the new clauses would do so. The federation and other bodies were not concerned because bad practice will always occur—perhaps in 1 or 2 per cent. of businesses, or even more. No one in the industry wants the Government to stop taking action against bad practice, but that is not dealt with in the draft regulations.

Mr. Bercow: If it is accurate, my hon. Friend's intelligence on this matter is extremely helpful to the House. Although he is not psychic, does my hon. Friend surmise that his intelligence might explain the absence of the hon. Member for Corby, who will be well aware that it would be a serious matter knowingly to mislead the House? Might the hon. Gentleman know that the example that he gave in a bid to whip up hysteria is dead and bogus, and that he dare not reproduce it this afternoon?

Mr. Bruce: In Committee, we shot the hon. Gentleman's fox. The record makes it is clear that employment agencies in Corby can hold their heads up high. Although their Member of Parliament has slagged them off, they have proved that they are of the highest standard.

Mr. Ian Stewart (Eccles): The hon. Member for Buckingham (Mr. Bercow) has tried to vilify a Labour Member by claiming that my hon. Friend the Member for Corby (Mr. Hope) did not give details of a particular company. If Conservative Members read *Hansard* for Standing Committee E, however, they will find that Members on their own side stated that several agencies fitted the bill, but did not give any details. It is all in *Hansard*.

Mr. Bruce: The hon. Gentleman should check his facts. I have a complete set of the Committee *Hansard* which I should be happy to give him if he would like to check.

Miss Julie Kirkbride (Bromsgrove): Would the hon. Member for Eccles (Mr. Stewart) care to tell us in which columns we can find the allegations that we made against employment agencies in our own constituencies?

Mr. Bruce: I am grateful to my hon. Friend for making that point, but we should not embarrass the hon. Member for Eccles (Mr. Stewart), whose contribution to the Committee was very valuable. He has told me off several times for praising him too much. Apparently, genuine praise from this quarter is unwelcome, and he is once again embarrassed by it. His contribution to the Committee was extremely good, as were those of several of his colleagues. I should mention the excellent whipping of the Bill, which got it out of Committee exactly on time, although I do not want to damage anyone else's reputation by saying so.

I acknowledge that new schedule 2, which abolishes clause 28 by replacing it with a much longer schedule, goes some way towards solving the problem of allowing inspectors to enter premises to investigate almost any crime. The new schedule was published only on Thursday, and I did not see it until this week. I do not know of anyone who has read it in detail and produced a definitive view of how it affects employment agencies.

That is not the right way to introduce legislation. The new schedule has not been examined line by line, and we do not have the time to do so on the Floor of the House. I am sure that the Government have tabled the new schedule in good faith to try to deal with problems raised in Committee. However, a two-and-a-half page new schedule is replacing a page-long clause, and we have not examined it in detail. That puts Parliament in a difficult position. We are telling employment agencies that we have, during the few days of Report and Third Reading, created a new schedule that has not been properly debated.

Amendment No. 34 seeks to provide for positive resolution on this point. I hope that the Minister will give us that comfort. We rightly pay tribute to the Government when they do listen, and they were quick in Committee to say that they would allow positive resolution on virtually all other issues raised. This is a major part of the Bill—perhaps even a Bill within the Bill—and it requires time in Committee.

I am worried that draft regulations may be published in a few weeks' time, examined and reported on in May or June, and made on the last day of Parliament, which is exactly what happened with regulations on holiday pay contained in the working time regulations. The regulations would then come in a month later without any chance of discussion, even though we would be able, under the positive resolution procedure, to discuss them when we return in October. If the Minister considers the matter honestly, he will know that people could not ask their Members of Parliament what those regulations meant to them. That is no way in which to introduce major change in an industry that has many employees.

Until quite late in the proceedings, I had not appreciated that, interestingly, the Government have made a regulatory impact assessment of the Bill. Although the House should welcome the Government making such assessments, the problem is that—as hard as I looked—I could not find in that document one word about the regulations' effect on employment agencies. Extraordinarily, there was also no mention in it of cost compliance. Ministers have acknowledged that they are planning to introduce many regulations on the issue, but they have not even addressed the issue in the document. I hope that the Government will do the other place the courtesy of providing some type of impact assessment.

We are not talking about a minor part of our economy. The Government themselves believe that, on any one day, 900,000 temporary workers are out working. Therefore, today, 900,000 workers will finish their work, probably at about 5.30 pm, and will expect to be paid for that work. About 200,000 people are employed as permanent staff in employment agencies—attempting to find permanent jobs for people—and in employment businesses, which attempt to hire people out. They comprise about 3 per cent. of the United Kingdom work force.

To get even close to the number of people who would be affected by the regulations, we would have to add together the number of all those employed in the national health service, which is three quarters of a million people, and in the motor industry. We could also add in the number of Members of Parliament. We have to be extraordinarily careful about passing restrictions that will affect all those who take temporary work and the 380,000 people who gain permanent work each year through employment agencies.

Many people who study employment in the United Kingdom and the world say that ever more people are working in service industries. Some people might even say that employment agencies have no positive impact—other than to help other businesses to do more effectively what they do—and that it is a purely service industry. However, closing down or restricting that industry would affect the employment not only of the 200,000 people who work in it, but of the 900,000 people who gain temporary work through it. Such action could also restrict the speed at which the 380,000 people whom it helps to look for permanent work find jobs.

Mr. John Hayes (South Holland and The Deepings): My hon. Friend is making his point well, but I should like to develop it a little further, and link it to one of his earlier points. Restricting the industry would disproportionately affect certain types of work and jobs. Employment agencies provide particular types of work to a very large group of employees, and are the principal source of employment in certain types of jobs. Restricting the agencies would therefore have a disproportionate effect on certain parts of the labour market, and it is difficult to imagine another type of agency filling the gap.

Mr. Bruce: I am grateful to my hon. Friend—he has provided a neat point at which to give an example. I shall use as an example the operation of hon. Members' offices—with which we are all familiar. Let us say that, on a Monday morning, an hon. Member discovers that his or her secretary has taken ill or has had a home emergency. We might decide that, for the next week or so, we shall not answer our correspondence, but catch up later—perhaps expecting those who work for us to work that much harder. It is very difficult for parliamentary secretaries to work any harder than they do; we all know the volume of correspondence that they deal with. Those who work in business are faced with the same decision on whether temporarily to take on someone to help with the work.

[Mr. Bruce]

It is good for the United Kingdom economy, for employment and for temporary employees if a temporary employee can arrive at a workplace within hours of someone picking up a telephone and saying, "We have a problem; someone has not come in today. Can you get someone down here to take over?"

The temp will be told over the telephone how much he or she will be paid. The amount often varies, depending on the job. Very often, secretarial temps might work as a personal assistant on one day, as a clerical assistant the next day, and in answering the telephone on another day.

Employment agencies try to get the best possible rate for the job. Many Labour Members seem to think that agencies try to pay the temp the lowest possible amount and to charge him or her out at the highest possible amount. In reality, everyone knows what a temp is being paid when he or she walks through the door. It is very much a cost-plus situation. If one is paying £7 an hour and employer's national insurance, the amount charged by an agency is that amount plus whatever mark-up it is trying to get. Therefore, very often, it is in temp agencies' interests to obtain higher wages for temps. Sometimes, however, agencies cannot send someone out at the desired rate, but will accept a lower rate, of which they will inform the temp. The individual does not accept the job until he or she knows the rate.

5.45 pm

The regulations would prevent someone going from a job paying £7 an hour to a subsequent job paying £6 an hour until that individual had come in to the agency and signed a contract saying that he or she agrees the variation. Under current regulations, within 24 hours—it is a very tight time frame—a rate can be agreed over the telephone, and, in that evening's post, the temp will receive a contract stating how much they will be paid, and the company will receive a contract stating how much it will be charged. Under the new regulations, temps would have to sign a piece of paper stating, "I'm aware of the change, and I agree to it." If it is all done by post, they will be able to start work in about three days' time.

Mr. John Healey (Wentworth): Does the hon. Gentleman accept that everyone does not know what a temp is earning when they walk through the door? One of the problems for employers who use employment agencies is that they do not necessarily know—and often cannot find out—how much the temp they have engaged via an agency is being paid. Therefore, employers also have no idea of the commission that is being taken by an agency. Does he accept that the regulations and new schedule 2 will help in that process—which many clients find to be an opaque one?

Mr. Bruce: I do not think that the regulations will necessarily allow an employer to know the rate. People often say that one should not put up on a board what everyone in the organisation is earning, but that one should pay people as if that information will be put up on a board—in other words, one must be fair. Temps certainly do know the various available pay rates.

Perhaps the Government's desire to deal with pay rate variations is based on the fact that two temps may go to the same organisation to do the same job, but be charged out and paid at different rates. Such a situation sometimes disturbs the work environment. Those in the industry might say, "Unless one is paying temps at a sensible rate, they will leave one agency and go to another."

We thought that the Government were concerned about people's ability to be flexible in marketing themselves, by going from one agency to another. However, in the regulations, they seem to be trying to deal with almost everything but that.

Mr. Fabricant: Does my hon. Friend agree that the Government seem to assume that the 900,000 people who are temping are doing so because they have been thrown on the scrap heap of life, and that they are being exploited by temporary agencies? More often than not, however, people seek temporary work because they enjoy the flexibility that temp work provides. They are able to do different jobs on different days, whereas, on other days, they are free to look after their children, to do the shopping, or whatever. They enjoy that flexibility, which would be restrained and constrained by the Government's proposals.

Mr. Bruce: I believe that Ministers and some of the members of the Standing Committee understand that. However, generally people are hostile to temping. People must understand that there are those who temp because that is how they want to do their business. There is also a group of people who do not want to temp, but want a permanent job.

There would be unintended consequences if the Government stop the temp-to-perm fees.

Mr. Hayes: Will my hon. Friend give way?

Mr. Bruce: I shall just develop my point. I do not want to lose track of what I am saying. *[Interruption.]* All right, I will give way.

Mr. Hayes: I shall give my hon. Friend pause for breath and thought. The key point is that not only is there a group of people who are happy with the flexibility my hon. Friend described—he is right about that—but employers are well aware of that fact, and are aware of the good agencies and those that are not so good. I have found from my business and commercial experience that employers build up a relationship with two or three agencies on which they know that they can call because they are reliable. There is no mystery about that, and there is not a great deal of mystery about the standards of those agencies and the prices they charge or pay. It is not always a jungle out there, which is what some Labour Members would have us believe. There is a fair amount of knowledge on the part of the temps and those using them which tempers the worst excesses that are sometimes caricatured by Labour Members.

Mr. Bruce: Having had my train of thought disturbed I shall now return—

Miss Kirkbride: I congratulate my hon. Friend on his wonderful command of the detail of this legislation. His speech is illuminating for Conservative Members and, I suspect, for Labour Members. I should like to be clear about what he is saying about the notification period for

a change in the hourly rate. There are many people who enjoy temping who may be cross if they cannot have a job that suits their arrangements in a particular week because of the notice period. I am not sure what my hon. Friend is saying about the time involved in the notice period if a telephone call is not enough.

Mr. Bruce: The current regulations are quite clear. If the terms of employment are to be changed from one week to another, an agency can ring someone and say that the terms are different—hopefully, they will be better. However, if someone is working as a personal assistant in a top company for a few weeks and then has to accept a copy typing job because that is all that is on offer, the pay will not be as much. The person may then say, "If there is nothing else for me, that is fine." A fresh contract will then be sent by first-class post and the employment agency will have done what it needs to do.

Under the regulations suggested by the Government, once they had agreed by telephone to work for a certain amount of money, it would be an offence for people to carry out that work until they had signed a contract to say that the terms were different and that they were willing to accept that. We are talking about people who might be contacted at 10 o'clock in the morning because somebody has not turned up for work because of ill health.

Under the proposed regulations, that individual would either have to go to the agency to sign the contract and perhaps lose a day's work or, if that were not possible, they would have to wait to receive the contract in the post, sign it and then return it. It would then be Wednesday or Thursday before they could work. They could not go until the contract is in the hands of the agency because it would be an offence not to have a signed contract. The bureaucracy is silly.

It is important for hon. Members to understand what sort of people might want to temp and what sort might want permanent jobs. Married women with children of school age are often able to come back to do secretarial work without having to work during the school holidays. They may also want time off if their child is to have an operation or to deal with any other domestic emergency. The temp controller ensures that that is taken into account.

During the school holidays, undergraduates or students at technical college may be available for work and some of them may have secretarial skills. They are available at exactly the same time, perhaps with an overlap, as the children are away from school. That is a perfect flexible market. There are two groups of workers, one that wants only temporary contracts, and the other willing to temp, but wanting a permanent vacancy. The regulations are attempting to stop the temp-to-perm process. Temp people would be sent only to where there is a permanent vacancy and a shortlist of those who want permanent work would be sent later.

A company that wants to take on permanent staff now can ring an employment agency and ask for a temp. If that temp proves to be good, the company may not advertise or ask the agency to send a shortlist, but may take them on as a permanent member of staff. The normal way of dealing with that is that a permanent fee is charged. It may be that £10 or £20 is being made on the margin while those people are temping and a recruitment fee is paid at the end of that time. I do not want to see the unintended consequence of employment agencies sending out only those who want to be temps and providing a separate shortlist of those who want permanent work.

Some people may become unemployed as temps simply because they are looking for permanent work. Temping is a good way for people to get back into permanent employment and to keep their skills up to date. Sometimes those returning to work, particularly women, want to work at a lower skill level because they do not believe that they have sufficient skills. From running employment agencies I have found that people who say that they can no longer do any shorthand or typing often turn out to be brilliant shorthand typists. Those skills can then be developed while working as a temp, specifically to get back into permanent work. There comes a time in women's careers in particular when the age of their children is the crucial factor in deciding whether they need to stay at home during the school holidays. If the children can stay on their own or go elsewhere, women do not need to stop work during the school holidays.

I am worried that the Government's proposals for the temp-to-perm process will mean that employees are no longer used in that flexible way. In fact, I would go a step further. I believe that this is crucial and that the Government do not understand what they are doing. If a company wants a temp urgently, it can ring the agency and ask for one. The agency may be making a few pounds an hour on top of the cost of delivering that individual. The company may believe that that is a bit steep, but agree to it because it has to have that person.

If there is no requirement for that company to pay a permanent fee, it could decide to employ that person directly as a temp. The employment agency would have used its skill in advertising, interviewing and checking skills and so on. That is a reason to prevent employers who are using the skills of the employment agency from employing an individual directly without paying the agency what it has agreed to pay under the terms of the temp contract. A company might cease the temp contract early and take the person on as a temporary worker, working directly for the company.

That is the temp to perm arrangement which would ensure that any individual trying to run a temporary employment business could be undermined by employers, who would say, "No, I don't have to pay a fee if I take this person directly on to the books." That would have unsatisfactory consequences, in particular for what the Government are trying to do.

6 pm

Employment rights are what the Government are about. Although we would not go down the regulatory route, we understand that they have a mandate to deliver that. Let us imagine the situation. Someone starts off at a temp bureau and undertakes a series of temporary assignments for one employer. After three months, he or she would receive all the usual employment rights—one qualifies for some after one month and for others after six. If individuals decided to swap and change, rather than stay with the one contractor—if they worked for one company for one week, under contract to the agency, were directly employed by the company for three weeks and then returned to the agency for another one week contract or whatever—that would break up the continuity of employment and deprive them of the employment rights that the Government have been struggling to give them. It would ruin their holiday pay, sick pay, maternity pay

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and all the other benefits that the Government say that they want. Those would be the unintended consequences of this measure.

I will not speak at great length about what one hon. Member has tried to tell people about the £1 an hour penalty clause. As I said, the employment agency industry works through its reputation for being fair to the employers to whom it is providing staff and to its employees.

I started off with three employment agencies in one town and I ended up with one. Unfortunately, my agencies were so successful that another five started up. We paid our temps more money and we gave employers a better service. That is how one succeeds. I had a temp controller who insisted that we should constantly try to get higher rates for our people and better people because that was the way forward. Employers wanted really good temps—well paid and well motivated—and that was the right way forward.

It is no business of the Government or of Parliament to decide how much people should be charged. In general, minimum wages do not affect employment agencies that much, but the minimum wage regulations have already been introduced. There is no requirement in this legislation or in the regulations to suggest that the Government are trying to decide that. They say that they are simply going down this route to stop restraint of trade when people who are taken on on a temporary contract do not convert to permanent employment because the company has to pay a fee. Clearly, that is not correct, because employment agencies make about 20 per cent. of their permanent placements directly through that route. I assure the Minister that it is a great deal more profitable to give a permanent job to temps, in particular outside London where plenty are available, than to take on a permanent employee directly.

It is suggested that some agencies, instead of charging a direct, normal, permanent recruitment fee, charge more to stop temps moving across. It would not upset employment agencies if the Government introduced regulations to stop that practice and to prevent employment businesses from charging more for a temp to go permanent than for someone who had been sent for an interview for a permanent post. Indeed, the businesses might suggest that people who temp for longer periods could go to the employer at a reduced rate—many companies already do so.

We thought that the Government were working on measures to deal with contract workers—people who work in an employment business, but are really being supervised to do a particular job of work. I am minded of organisations that provide telephonists. In this place, the telephonists are employed not by the House of Commons, but by a company that provides a service to the House. That also happens at Buckingham palace, the Treasury and—dare I say it—No. 10 Downing street. Recently, the company that everyone wants all employment agencies to resemble lost the contract at No. 10. Surprisingly, the Government seem to be almost recommending a number of the measures that we thought they were worried about, for example, zero-hours contracts. When someone works for Manpower—let us use that example, to avoid confusion—he or she is taken on on a zero-hours contract to be a permanent employee, but only when he or she works. That is one way around the regulations.

I thought that the House was upset about the fact that burger bars and suchlike use zero-hours contracts. Certainly, we think that a temp should know that he or she is being hired for so many hours, give or take a few. The arrangement should be fairly flexible and the temp should know that the contract might end early—someone who thought that he or she might be off ill for a fortnight could come back early, so the contract would end. Generally, temps who are sent in to do a week's work end up doing two, three or four weeks. It is the job of the temp controller and the employment business—the agency—to keep people working as much as possible, which is surely what the Government want.

The draft regulations would have another unintended consequence for people on a contract for services. The Government have noticed that, where carers go to individual homes, the little old lady who is receiving the care becomes the employer and is not charged the whole fee as though the entire contract is for services. The wages and national insurance are in effect paid by the little old lady and are shown separately on the invoice, while the margin that the company charges is put on the invoice and value added tax is charged only on that margin. That is a way to ensure that value added tax is not charged on top of the hourly rate paid to people who work for someone who cannot claim back VAT. No one goes through that convoluted rigmarole when putting temps into a company that is VAT registered and can claim the VAT back. The Government may want to ensure that the employment relationship is clear. Employment agencies are not in the business of attempting to get out of their responsibilities for employees. I urge the Minister to consider carefully before collecting VAT from old ladies who are buying care in their own homes because they have been given money by the Government to do so. No one intended them to pay VAT.

Perhaps supplying labour should be zero-rated. After all, when someone works for wages, he or she does not charge the employer VAT for having done so. There have been cases that prove that employment agencies can work around that anomaly—sometimes the Revenue wins, sometimes it loses—and ensure that individuals do not have to pay VAT that cannot be claimed back because they are not a business.

References are another issue. I do not think that employment agencies are too worried about a sensible regime on references. However, we get into all sorts of problems when tight regulations are involved. Let me give some suggestions. When someone comes to an employment agency, it is not certain that that person will be employed by it. People have interviews and the agency tries to place them. It is often not convenient, particularly if someone wants a permanent position, to seek references for that person at that point. The best method must be to telephone the company that the person is supposed to be working for and asking, when that person has supposedly given notice, for a reference over the phone or in writing. If people are lying about who they work for, that is when one usually finds that they are wrong 'uns. One cannot take the reference until the contract has been signed. People who were not wrong 'uns would lose their jobs if one rang up their employers for references before they had

given in their notice. That would destroy the employer's confidence in them. It is important that the regulations deal with real, sensible things.

It is not necessary to go to the nth degree and check whether secretaries have the Royal Society of Arts qualifications that they say they have. After all, if one places a temp who claims to have shorthand, RSA stage III and all the rest of it, but clearly does not know one end of a typewriter from the other, that person's contract will cease, and the employment agency will not get paid for putting the person in. Under the minimum wage regulations, the agency will still have to pay such temps, despite their having lied through their teeth about their qualifications. The practical aspects are probably more important.

Of course, if one sends someone out as a heavy goods vehicle driver, one wants to see the HGV licence—indeed, to see the real licence, photocopy it and get the guy to sign that for the record. That is good, common-sense practice. If employment agencies send people out without the appropriate licence, the legal document necessary, under common law, they could be liable for what happens. We must be careful not to have too much bureaucracy.

There is something amazing about the regulations. As one reads them to try to find what the Government are up to, one finds that, right at the end, they want to repeal the regulation that stops an employment agency that has placed someone permanently in a company ringing that person up a month later to say "You've done your month. We do not have to give any money back. Do you fancy another job?" That is very bad practice. Employment agencies do not think that that should happen. The regulation stops that, but the Government want to repeal it. That is extraordinary. It is there to stop the cowboys and is in the interests of employment agencies that do the job properly, but it is being removed.

Mr. Hayes: I am interested by my hon. Friend's last point, because that happened to me in my commercial experience. This reinforces his argument that employers soon get to recognise the agencies that behave like that and do not use them. Firms set up relationships with agencies for particular sorts of employees—indeed, we frequently used agencies when we needed a receptionist or telephonist. Companies will stick with agencies that conduct themselves professionally. Repealing this regulation will only foster the cowboys whom we would rather avoid.

6.15 pm

Mr. Bruce: My hon. Friend's point is sensible.

We would be out of order if we considered in detail the draft regulations that the Minister was kind enough to give us. They cannot be covered on Report, despite the fact that we did not have them to deal with properly in Committee. I hope that I can get his attention so that he can give some pledges when he replies and do what he said that he would do at the outset. He should consider the regulations from the point of view of allowing employment agencies to continue to thrive and flourish.

The Opposition do not believe in over-regulation. We think that self-regulation and many other things work very well. However, we accept that the Government have a mandate to regulate for what they see as employees' rights. Employment agencies are not going to resist what the Government have a mandate to produce, but they must be able to operate sensibly. We must understand that a temporary employee or someone applying for a permanent job can act independently of employment agencies and businesses. They can take out temporary contracts with employers. Much bar work and casual labour work in the leisure industry are done in that way. Some employees work through employment agencies. I contend that, in law, individuals, whether employed directly by an employer or by an employment agency, should be treated equally. However, I allow that individuals working in an agency might feel that they do not have enough power of negotiation and might wish the Government to protect their rights. Sensible regulations have therefore been accepted by employment agencies over many years, and they have worked successfully. The industry has developed.

The industry is usually relaxed about regulation. When I ran an employment agency in Yorkshire, it was great to have a licence. If Mrs. Smith decided to run an employment agency because she used to be a temp and thought it would be a great way to make money, which is how my two rivals started, I could close it down for three months. After its first advert for temps, I could ring the Department of Employment and say that someone was starting an employment agency. The Department would send an inspector or write a letter to say that a licence was necessary. A licence could be got without difficulty, but it used to take at least three months. The local authority had to check for planning permission; lots of forms had to be filled in—all the usual bureaucracy. It was great. I paid about £100 a year and had a restraint of trade on anyone who wanted to start competing with me.

Before I started my employment agency, I had been made redundant and had decided to start a management consultancy. As part of the base for that, I was going to have an office services bureau which would make lots of money. I set up the bureau and had people with typewriters and everything else. I spent all the money. I thought that I was a great marketing expert, but, however my cheap my service, I could not grow the bureau fast enough.

I thought, "God, what am I going to do?" The guy who was made redundant with me told me that he was doing interviews for employment agencies. He told me that I should start an employment agency because I would make a fortune. It was foolish; I had an office services bureau sitting there and had interviewed a lot of secretaries. Then I realised that I had an asset in the group whom I had employed and the group whom I could not employ, but who were really good, and that I could start an employment agency. I started almost overnight by ringing a few local companies and saying that I had some super secretaries for their vacancies and asking whether I could send some people around. That is how I started my employment agency. I suspect that if I had not got those early placements, I would have gone out of business very quickly. It is amazing how one can spend money setting up a business.

If I had had to wait the three months that the old system used to allow for, I would never have started. The two existing businesses would still be working today and BOS Recruitment would never have been born. That shows how employment agencies and the Federation of

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Recruitment and Employment Services can be keen on ensuring that there are regulations to protect existing agencies and not necessarily to allow new entrants.

Mr. John Redwood (Wokingham): I am grateful to my hon. Friend, who is speaking with great knowledge on this important subject. I wonder whether he thinks that the Government should look again at this rather cumbersome and lengthy draft new schedule in the light of the recently agreed Cabinet policy, which we heard about earlier this week, that regulations should be both necessary and proportionate. I know that my hon. Friend feels that in some ways regulation is necessary, although not always for the best of reasons, but is the new schedule proportionate? Can he draw on his experience to tell us whether the Government should take it back because it is clearly not proportionate to the problem that they have identified?

Mr. Bruce: The Government often come out with extremely good statements of intent. They say that they want to ensure that regulations are proportionate and do not go overboard, but, in trying to regulate, they suddenly discover that regulations beget regulations, and that loopholes appear that then require another set of regulations. That is why the draft consultation document, which runs to 70 pages, was necessary just to say what clause 28 would do. The Government have discovered that they needed to write new schedule 2 because clause 28 was not long enough.

Mr. Byers: I welcome the right hon. Member for Wokingham (Mr. Redwood) to this important debate. It is a shame that he was not here at the beginning of the debate, given its importance. Had he been here, he would have heard me announce that, as a result of our amendment, we are reducing three sets of regulations to one and seven schedules to four. I hope that the right hon. Gentleman welcomes that approach.

Mr. Bruce: Although the point was made to my right hon. Friend, I am sure that he will allow me to answer on his behalf. I am sure—

Mr. Byers: Let him answer.

Mr. Bruce: My right hon. Friend cannot make a speech while I am making a speech, if the right hon. Gentleman will allow me. I am sure that you will remind him of that, Mr. Deputy Speaker. I allow that the Government set out to reduce the number of regulations, but since last Tuesday, when we discussed clause 28 in Committee, the Government have produced new schedule 2, which is twice the length of clause 28. On the Tuesday before we started discussing clause 28, we received draft regulations of 70 pages.

If the Government went through the existing regulations and struck through 50 per cent. of what was there, of course the industry would say that that was good. The words might even be clearer. But that is not what happens. The Government go off with good intentions of simplifying the regulations for employment agencies. I wrote an article for *The Interviewer* magazine in which I asked whether we should be concerned about the regulations or should panic about them. The industry is now panicking. I cannot pass out the draft regulations to all and sundry, because they still have not been made public. When the one person to whom I have shown them saw them, she panicked about what they contained. I accept that the Secretary of State is sincere in saying that he wants to remove regulations, but I am afraid that it is not happening.

Mr. Redwood: Of course I would have liked to be here to hear the remarks of the Secretary of State and my hon. Friend, who is speaking so well, but I went to the shadow Cabinet. Perhaps the Secretary of State agrees that, given the momentous events unfolding here and elsewhere, it was important that I was at the meeting. I was subsequently briefed by my hon. Friend the shadow Minister of State, who was here to listen to the earlier part of the debate.

Does my hon. Friend agree that the length of the regulations is not the only issue, although he rightly says that the latest version is long? The impact on business is also an issue. Only last night, the Secretary of State turned down the opportunity to exempt all small business from this rigmarole. That is why we are still unhappy about the proposals. We would prefer it if he exempted small business from the regulations so that their incredible cost is not imposed on it.

Mr. Bruce: My right hon. Friend makes an extremely powerful point, which I will not attempt to paraphrase.

When the Labour party was in opposition, it wrote in its 1983 manifesto that it would make employment agencies and businesses illegal. I suspect that such a measure could be encapsulated in a small number of regulations, but I predict confidently that if the Minister wants to restrict what contracts can be made between an employment agency or business and an employer who wants to take on staff, the regulations that we have now will pale into insignificance.

No one bothers to go to law about regulations that are reasonable and sensible, but if the Government try to outlaw practices that are normal and sensible and have worked well over the years, their regulations will be tested in the courts. I know that the Secretary of State's officials will be spending an awful lot of time, paper and ink in producing the regulations.

Miss Kirkbride: I served on the Standing Committee with my hon. Friend. The draft regulations were presented to us on the morning when we were meant to debate clause 28. That was breathtaking in itself. They were not to be made available to the employment agency industry. With his superior knowledge, does my hon. Friend have any idea when the industry might see the regulations? It would be wrong if the Bill were to pass through both Houses and become law before the industry could make its representations. However clever my hon. Friend is, there may be things that he has not noticed, and that it is necessary to draw to the attention of the Government.

Mr. Bruce: I would like to answer my right hon. Friend—I am sorry, I meant my hon. Friend; I am sure that, one day, she will become my right hon. Friend—on the Government's intentions. When I was asked the same question by the Federation of Recruitment and

Employment Services, I rather cynically said that it would be when the Government had already got their Bill through the House of Lords and it had become an Act. We wanted to alert people, but when we asked the Under-Secretary whether we could make it public, he said, "No, we are not too keen on that." The 200,000 people in permanent employment for agencies and businesses would make the lorry drivers, farmers and the rest look like nothing demonstrating outside this place. It was clear that their employment would be under threat. Perhaps they do not know it yet, but the 900,000 people who do temporary work through employment agencies and the 380,000 who find permanent jobs every year through agencies may find that they no longer receive such an effective service.

If legislation is introduced that stops an employment agency making money in one way, agencies are bound to make it in some other way. Employment agencies are not something that can print money: they have to make a profit and they compete with other people. I know that because I ran one for a long period. In the first three or four years, I dared not show my bank manager what I was doing, because I was living off my savings. It takes an awful lot of money to set up an agency. If the Government are sincere in saying that they want employment agencies and businesses to be part of the flexible labour market in the United Kingdom—I accept the words in the draft document—the regulations that come after those comforting words must be wholly different from what the Government intend now.

The Minister has a mandate to regulate to protect employees who work through employment agencies and businesses. We do not argue against that, but the Government cannot reduce the employment opportunities of individuals.

I have given way extensively, and perhaps that has extended my remarks more than I intended.

6.30 pm

Mr. Ian Stewart: Will the hon. Gentleman give way?

Mr. Bruce: How could I resist the hon. Gentleman?

Mr. Stewart: Earlier, the hon. Gentleman asked why my hon. Friend the Member for Corby (Mr. Hope) was not in the Chamber and why, in a statement to the Committee, my hon. Friend had not given the name of a particular company. I intervened to point out that the hon. Gentleman had mentioned two companies without giving their names. I was asked to give the details from *Hansard* and I shall do so now—

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. The hon. Gentleman must not make such long interventions.

Mr. Bruce: I invite the hon. Member for Eccles to buy me a drink after the debate and we shall discuss the matter; I am sure that we shall be able to sort it out. I suspect that, by not naming the companies, I was acting positively and trying not to advertise particular organisations—for example, those that now provide services in No. 10 Downing street. If I advertised such companies, I am sure that their principals would be only too pleased. The hon. Gentleman is a sportsman—

Mr. Stewart: And a friend.

Mr. Bruce: He is also a friend—in the real sense of that word—and will no doubt put me right later.

Mr. Jonathan Sayeed (Mid-Bedfordshire): My hon. Friend the Member for South Dorset (Mr. Bruce) began with what he described as a declaration of non-interest, but his remarks were clearly not a declaration of a lack of interest. It was a useful education for the House to spend a valuable hour or so listening to a former practising owner of an employment agency. I thank my hon. Friend for adding to my knowledge.

I have come across employment agencies in the past, but on the other side of the fence because I have used the temporary staff whom they sent me. The recruitment and staffing service industry is highly fragmented; I understand that the largest company has only about 15 per cent. of the market. Consequently, the industry is highly competitive and, as an employer, when I have looked for staff, either to work temporarily or to take on as a full-time employee, by shopping around, I have found the right people at the right price. Like my hon. Friend in his business, I developed a relationship with a series of different suppliers.

That demonstrates that restrictive practices do not exist in that industry and that price sensitivity is rather important. It also demonstrates that employers want the right person, and they are prepared to pay for that. The right person is not merely someone who can do the job, but someone who is happy to do the job. A temp who believes that she, or he, is being diddled by the temp agency is not a happy employee and will not do the job well.

The Government are making a mistake in trying to restrict the fees of agencies, and that is borne out by my experiences as an employer. I would never want to take on a badly paid temp, because he or she would not work well. I would not be interested in taking on a temp from a cowboy agency; I want people who have been properly vetted and can do the job that I ask them to do. I do not mind paying for that, or for the flexibility that it offers. If I decided that a person was so good that I wanted them to take full-time work, I would not mind paying the agency for having found that person for me.

Miss Kirkbride: As an employer with his own business, my hon. Friend has experience that we now hear less about in the House. For hon. Members who have not had that experience, will he elucidate the difficulties that he might find in recruiting the right person if he went out into the market rather than going through an employment agency? Did he find that using an agency was better? How difficult did he find it to try to attract the right people using his own resources?

Mr. Sayeed: I thank my hon. Friend for those pertinent questions. In the past, I have tried to save the 10 or 15 per cent. charged by employment agencies. That was a mistake, because I spent too much time trying to interview people and checking their skills, their qualifications, their

[Mr. Saveed]

CVs and references. That was a waste of my time. Horses should stick to courses and, unlike my hon. Friend the Member for South Dorset, my course was not choosing the right people to send to the right companies.

When I was running one company, it was so large that I set up an internal organisation to deal with recruiting, but I must admit that it was a bit of a failure and did not always attract the right people. One of the reasons is that, to attract the right people—especially in specialist areas—one has to broadcast one's message widely. I closed down that side of the business and went back to using professional recruiters. That is especially pertinent for the recruitment of specialist staff.

That brings me to my next point and to my problem with the Government's proposals. It is clear that the Government intend to penalise companies that restrict a temporary worker's ability to take a job directly with the hirer. Why do the Government want to do that? I should like to explain to them why it is a mistake from an employer's point of view. Often, temporary workers move, or are transferred, from one agency to another because it is simpler for the hiring company. Then, the employment agencies make arrangements between themselves about how to split fees. If one employs a large number of temps from different agencies, one often wants to consolidate them with one agency; it helps with the payroll and cuts down on administration. It is proper that, when a temp is transferred from one employment agency to another, the company losing the temp has a right to charge the company to which the temp is going. The Government appear to want to restrict that right. That is a mistake.

If we want employment agencies to be able to source, check and invigilate personnel so that companies can hire from them the best-qualified staff, the employment agencies must be rewarded for their work.

Mr. Redwood: My hon. Friend's experiences as an employer are most interesting. Does he agree that all Members of Parliament can join in this debate? It would be good to hear the views of Labour Members. Every Member of Parliament hires a secretary; many have more than one secretary and many have research assistants. Members often have to use the services of employment agencies when their staff are ill, on parental leave, or away for other reasons. Does my hon. Friend agree that the debate is relevant to all Members of Parliament, and that the experience of Labour Members might be useful in pointing out that the measure might be a step too far, because it would damage their capacity to find the temporary staff they need?

Mr. Sayeed: As I would expect, my right hon. Friend has made a most cogent point. However, we may well find that the researchers and secretaries of many Labour Members are hired by the trade union movement, which has supplied £100 million to the Labour party over the past few years. Labour Members might therefore be rather less interested than Conservative Members in the direct hiring of personnel.

The Bill will cause damage. The Government want to prevent employment agencies from benefiting from a temporary worker who becomes a permanent member of staff, but it is important that an agency is able to benefit from a company taking on as a permanent member of staff someone it has been sent as a temporary member of staff. The reason is simple: unless an employer has to pay the employment agent for providing it with a person of such quality that it might want to take on that person as a permanent member of staff, the likelihood is either that the agent will send someone who is just about adequate, and that is all; or that the employer will use that as a way of recruiting full-time members of staff at a cut price. The consequence of that is that the employment agent's quality of selection will decline. Therefore, it is a mistake for the Government to pursue the notion of restricting an agent from benefiting from a temporary worker's ability to take a job directly with the hirer.

We all want high standards of both staff and employment agents. We do not want workers to be exploited, in either their conditions or their pay. We clearly want action to be taken against restrictive practices in the contract between the employer and the employee, or the hirer and the employment company. Given that, the contract should count as a clear agreement between two consenting parties. There is no coercion in the employment and recruitment industry—it is too fragmented for there to be coercion. Consequently, provided that the industry abides by good practice, it should be left to get on with its important and valuable work.

Mr. Nick St. Aubyn (Guildford): I, too, believe that the House is indebted to my hon. Friend the Member for South Dorset (Mr. Bruce) for his detailed and knowledgeable speech. Like my hon. Friend the Member for Mid-Bedfordshire (Mr. Sayeed), the experience that I bring to the debate does not nearly match that of my hon. Friend the Member for South Dorset, but I speak as one who has used employment services. I am aware that I have not yet spoken on the Bill, but I have a specific interest in employment agencies and in a subset of that group. However, in Surrey, London and in the west country, I have had experience of using employment agencies and I can attest to their value in terms of finding people to work both in the workplace and in the home.

Until I listened to this debate, I had not realised that the incompetence displayed by Ministers at the Department of Trade and Industry extended not only to the area that I am about to touch on, but across the board. It would appear that there is a total misconception about the point of temporary workers and the purpose to which agencies are put: both exist to oil the wheels of an enterprise economy, and they are not a threat to the regulated dirigiste economic system to which too many Labour Members still aspire.

Miss Kirkbride: My hon. Friend made me think of something. I suspect that Conservative Members do not have the figures, so it would be illuminating to hear the Government's figures on the number of full-time jobs found in the regular economy through employment agencies compared with the number found by the Employment Service, which is a nationalised state industry. I suspect that those figures will bear out the claim that the free market economy created by the employment agencies and their supporting ideology has been far more successful.

6.45 pm

Mr. St. Aubyn: I am grateful to my hon. Friend, because we do know that the number of people finding jobs through employment agencies has trebled since 1992; we also know that, during that period, the Conservative Government deregulated the sector. No one can believe that those two facts are purely coincidental. After last year's announcements by the right hon. Member for Hartlepool (Mr. Mandelson), when he was Secretary of State for Trade and Industry, it became clear that the Government's policy was far from being one of modernisation. In fact, they are turning the clock back to 1973, whereas we modernised in 1996; that is what is happening through legislation such as the Bill before us today. As the chopping and changing goes on, with new amendments tabled on Report, we see that the Government have no clue what they should be doing, or why they are even beginning to do it.

I have a particular area of concern, and that is the employment of au pairs, a matter which I raised in the House a few weeks ago.

Mr. Gerald Bermingham (St. Helens, South): If the hon. Gentleman's memory stretches back to the mid-1980s onward, he will recall that tenure of employment shifted from permanent to non-permanent or short-term employment. That is what gave rise to the growth of the agencies, because people who had lost their job through downsizing and so on were desperate to find anything to bridge the gap until they found something. That is the insecurity that was built into employment practices during that decade.

Mr. St. Aubyn: I am sure that you would rule me out of order, Mr. Deputy Speaker, if we started to debate the changes in employment practice in the 1980s. However, we have a successful economy, which the Conservatives bequeathed to the current Government; it is capable of generating new jobs and, in the flexible workplace, many of those jobs will be temporary.

Mr. Ian Bruce: Opposition Members might care to learn that, during that decade, the number of temporary workers increased from 6 per cent. of the working population to 7 per cent. In France, where temporary employment is effectively illegal beyond three months, the number of people on temporary contracts is 25 per cent. of all employees. That demonstrates what happens when the Government try to overregulate the market.

Mr. St. Aubyn: I am grateful to my hon. Friend. In addition, the average time that people spent in a job barely decreased at all under the Conservative Governments, because temporary employment was, and still is, so often converted into full-time employment. The very provisions that threaten us today would jeopardise, not help, that process of conversion to full-time employment.

Miss Kirkbride: My hon. Friend's remarks are stirring great interest and we are extremely keen to hear of his experiences with au pairs. One of the reasons for the success of employment agencies and why they would be damaged by the Bill is that, now that we have a more specialised labour market, the sort of measure that the Government are trying to introduce—

Mr. Deputy Speaker: Order. I find that, when the hon. Lady intervenes, she tends to make a little speech. We cannot have little speeches during interventions.

Mr. St. Aubyn: In that case, Mr. Deputy Speaker, I shall not be tempted down the path suggested by my hon. Friend.

I should preface my next remarks by saying that my wife and I have never employed an au pair. However, a great many au pairs are employed in my constituency, and representatives of several successful and long-standing agencies that create that employment came to see me some weeks ago when, on another occasion, the DTI got it completely wrong—so wrong that, on the same day as the Secretary of State announced that his minimum wage regulations would not apply to au pairs, one of my hon. Friends received a letter from the Home Office saying that au pairs would indeed be affected by the minimum wage legislation.

Mr. Boswell: Is it not because the Government were so arrogant in their assumptions in respect of the minimum wage legislation and so determined to confine the number of exceptions to the minimum that they have had the greatest legal difficulty in scrambling free from the chains that they have loaded on themselves and on an important sector of the economy?

Mr. St. Aubyn: My hon. Friend is right. The jury is out, and we cannot predict how the Government's masters in Brussels will interpret their wriggling on the hook of the regulations that they created. We have received several unsatisfactory letters from the Secretary of State and his colleagues trying to wriggle off that very hook. I am concerned that the regulations being rushed through the House may contain hidden legal traps that will come to light only when the officials in Brussels scrutinise the legislation and reinterpret it in the context of the many directives that the Government have signed.

I must touch briefly on the issue of au pairs. The previous Government, quite correctly, deregulated employment agencies. However, that action had some unintended consequences in the case of au pairs, and some agencies are not delivering the goods. I draw a real distinction between agencies that provide employment in the workplace and those that provide help in the home. As my hon. Friend the Member for Mid-Bedfordshire made clear, adults can assess the quality of employees in the workplace. Companies will continue to use the services of an agency that delivers the goods and will rapidly cease to use those agencies that deliver second-rate employees. The market system will solve the problems.

When it comes to au pairs, the customer is the child in the home who is clearly in no position to assess the appropriateness or otherwise of the care provided. The logic of that argument extends to those who care for the elderly. Will the Secretary of State explain how he believes that the new regulations will affect au pair agencies? Will they continue to be exempt under the published regulations or will they come within the remit

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of his Department? If they do, there may be an opportunity to improve the present situation slightly, but the Government will risk damaging the entire au pair scheme.

I draw the Secretary of State's attention to the comments of the Under-Secretary of State for Education and Employment, the hon. Member for Barking (Ms Hodge). In responding to a recent Adjournment debate, she made it clear that she believed that au pairs who work for British families are taking advantage of one of life's big opportunities and must take their chances—I almost paraphrase her words. That approach could not contrast more starkly with the apparent attitude of the Department of Trade and Industry, which believes that employees must be mollycoddled from beginning to end by a Government who know exactly what is good for them. Regulations of the type that the Government propose will prove impossibly bureaucratic.

The Government might also consider the experience of the previous Government in promoting a helpline. In a deregulated system, a helpline is an efficient and cost-effective means by which those who have had bad experiences with employment agencies can alert the authorities and others to the risks that they pose. More practical assistance in the form of promoting that helpline would do more to improve the good-quality employment agencies in this country than the over-burdensome regulations with which we are threatened today. When the Government republished their advice to au pairs, they did not bother to include in their leaflet any information about the helpline that au pairs could call if they found their position unsuitable.

We must also consider that the Government might use the new regulations to force employment agencies to become second-class tax inspectors and tax collectors. A very good volunteer agency in my constituency works hard to find carers for the elderly, who would otherwise not be able to afford the service. That agency has experienced many difficulties because the local Inland Revenue office compels it to keep detailed records. The agency is required by law to provide information about the background details of all potential carers who pass through its doors.

Will the Minister assure the House that the remit of the regulations will not be too wide? We have heard that there might be an unfriendly knock on the door and that the regulations offer wide scope for inspecting business records. How can we be sure that, under the guise of these regulations, there will not be cross-fertilisation with the Inland Revenue and undue and unfair pressure applied to those who run the agencies to become tax inspectors and spies for a Government Department? If the Government are tempted down that road, many people will cease using employment agencies. They will relinquish the benefit of being properly assessed for work for which they are suited and the chance of discovering from employers where their best work prospects lie.

Mr. David Ruffley (Bury St. Edmunds): Would my hon. Friend care to comment on the arrogation of power to the Inland Revenue that has occurred under this Government—particularly the way in which the Inland Revenue has assumed the operation of the working families tax credit?

Mr. Deputy Speaker: Order. We are discussing the regulations as they relate to the Employment Relations Bill. The Inland Revenue may be debated during consideration of the Finance Bill, but not during this debate.

Mr. St. Aubyn: I look forward to debating the Inland Revenue's new approach for many hours when my hon. Friend and I consider the Finance Bill.

I have no doubt that the Government will be tempted to misuse the regulations. They have succumbed to temptation before, and the drafting of the latest regulations gives one absolutely no confidence that pressure will not be applied. As a result, many of those who might have used employment services will follow other routes and a grey market in temporary employment will be created.

Miss Kirkbride: My hon. Friend's remarks are very worrying. Many of my constituents rely on the assistance of carers, who are provided by temporary employment agencies. It is very important that the industry is regulated properly. Such people provide a lifeline for the elderly, who are incapable of looking after themselves.

Mr. St. Aubyn: I am grateful to my hon. Friend. Many hon. Members wish to contribute to the debate, and I hope that we will have the benefit of the views of those Labour Members who are deeply concerned about such matters. Unfortunately, not many of them have the experience of my hon. Friend the Member for South Dorset (Mr. Bruce), but I hope that they will not be too timid to contribute to this vital discussion.

The proposals and draft regulations require more scrutiny than can be provided on Report. They demonstrate how out of touch and incompetent the Government are in the vital area of employment law.

7 pm

Mr. Byers: This has been an interesting debate. In the past few hours, we have discussed in detail the important role that employment agencies play in the current labour market. I shall seek to address the various concerns and questions that Opposition Members have raised.

I shall begin by addressing the concerns expressed by the Opposition spokesman, the hon. Member for Daventry (Mr. Boswell). He asked specifically whether the new schedule would be in accordance with the European convention on human rights. I touched on that in my opening remarks, when I referred to the need to meet the requirements in relation to self-incrimination, which were set out in the decision in the case of Saunders v. the United Kingdom. We are confident that the new schedule complies with the convention, and I am pleased to give that assurance.

Mr. Boswell: While I am grateful for that substantive assurance, I also asked the Secretary of State a procedural question about whether a Minister who tables a new schedule automatically considers whether it complies with the convention, whether that compliance is assumed or

whether, in this particular case, the right hon. Gentleman has studied the new schedule's compliance and he gives that assurance on a one-off basis.

Mr. Byers: When a Bill is presented to the House, the responsible Minister has to sign a statement to the effect that the measure complies with the European convention on human rights. It follows that any amendments or new schedules that are tabled by the Government will also comply with that convention, or they would not be tabled. I am certainly happy to assure the hon. Gentleman that this new schedule complies with the convention.

The hon. Gentleman also expressed concerns about the powers of inspectors relating to entry into premises, including the time of day at which such entry could take place. We heard about the knock in the middle of the night which might not be a friendly knock and the difficulties that individuals could be placed in if they were requested to provide information but lacked the necessary knowledge to do so.

The hon. Gentleman will be aware that under the existing section 9 of the Employment Agencies Act 1973, there is a limit on the hours during which inspectors may visit. Those are restricted, in classic legal jargon, to "all reasonable hours". That is the sort of phrase which allows lawyers to make lots of money. Under the proposals before the House, those words would remain in the section. It is appropriate that there is a discretion to determine what is reasonable in the particular circumstances being considered by the court at the time. The existing precedents have established that a reasonable time is during a business's normal trading hours, and we continue to take that view. We can go further and say that in these situations it should be normal practice for inspectors from my Department to visit by appointment. That is good practice, and I intend to give that advice to inspectors on behalf of the Department of Trade and Industry.

The hon. Gentleman also raised a point about whether forcible entry could be made, with damages arising as a result. I am informed that forcible entry is not allowed in the provisions that the House is considering. I hope that those clarifications are helpful to Conservative Members. We try our best.

Mr. Boswell: It is right that we should record our thanks where appropriate, so I say to the Secretary of State that we are very satisfied with the assurances that he has given so far. If he continues in that vein, it may affect the tenor of subsequent events.

Mr. Byers: I am conscious that if I go too far in that vein, I may well be the third Secretary of State for Trade and Industry to depart from office during this Parliament, so I shall move on quickly and try to find a point on which I can disagree with the hon. Gentleman.

Mr. Ian Bruce: Will the Secretary of State give way?

Mr. Byers: Before I resign or afterwards?

Mr. Bruce: The right hon. Gentleman will note that his two Labour predecessors were not as accommodating as he is, so perhaps he is ensuring his longevity in the job. However, I suspect that if he gets the legislation wrong for the people from employment agencies who are out in Parliament square, that may truncate his career.

Mr. Byers: We shall try to do our best for employment agencies as we do for other organisations, bearing it in mind that our Government were elected to act for all our people and not just a privileged few, unlike Conservative Members. Those words should help to extend my tenure.

The hon. Member for Daventry also expressed concern about a delay in the time in which someone could be prosecuted. The reason for that delay is that there will be circumstances in which individual workers may have to wait a considerable time before they feel able to complain, for example, about non-payment of wages. When a complaint is made in those circumstances, it is appropriate that a prosecution can be made.

The hon. Member for South Dorset (Mr. Bruce) made an extremely informative contribution, which I am sure was welcomed by most, or at least some, hon. Members. He took us through his experiences in the employment agency service, which was beneficial. I accept his point about an impact assessment for regulations that might be introduced. There was no impact assessment for the regulations that were produced last week because those were in draft form. When the definitive version is produced, an impact assessment will be published along with the regulations.

On pay rates and notice of changes, I want to ensure that the regulations are as practical as possible for agencies. The present regulations contain no requirement to notify workers of their rate of pay, and we receive many complaints about that. That notification is good practice and is given by many agencies. There are contracts that include such notification, but there is no regulation to require that to happen. It is appropriate to ensure that that aspect is covered by regulation. Obviously, the regulation will build on the good practice to which the hon. Gentleman referred.

Mr. Bruce: I certainly stand to be corrected, but my understanding is that one has to send a contract of employment to an individual. If that contract did not include the rate of pay among its conditions of employment, it would be invalid under employment contract legislation.

Mr. Byers: That legislation would require a written contract of employment to be provided, but the hon. Gentleman's point was that a telephone call could reveal that a job was available and that it was important, at that stage, that people knew the rate of pay at which they were being hired. That is the issue which we seek to deal with in regulations.

The hon. Gentleman made an important point about temporary to permanent fees. I make it clear that we do not propose to prohibit the charging of those fees, but there is a need to control the circumstances in which they can be charged. The use of temp to perm clauses without any restriction can have serious consequences for individual workers and stand in the way of a free and flexible labour market. I shall explain why that is the case.

There is broad agreement that it would be wrong to allow the imposition on workers of terms that restrict them from taking up employment. Placing financial

[Mr. Byers]

penalties on hirers who wish directly to employ workers whom they originally obtained through an agency has a similar effect to imposing direct restrictions on employees themselves because fees can be set so high that employers are deterred from hiring any workers who have been supplied by a particular employment agency. We seek to overcome that difficulty.

Mr. Sayeed: Can the Secretary of State give us any examples of that? I am not aware of any employment agency that has ever so end-loaded a contract with a fee as to try to force a person whom they are contracting out to another company to remain in temporary employment rather than going on to full-time labour.

Mr. Byers: Such an example was given in Committee by my hon. Friend the Member for Corby (Mr. Hope). He reported the case of a worker who formerly worked for a transport agency and was offered a better paid job by a distribution company. The transport agency through which he had previously worked had included in his contract an "introduction fee" of £2,500, many times the cost of recruiting a worker in that sector. As a result, that worker was unable to take up that particular post. That is an example of the difficulties that can be caused and which we are seeking to overcome.

Mr. Ian Bruce: We are getting to the nub of the issue. A penalty clause—one that makes it more expensive to recruit someone via a temp to perm arrangement—might well require some regulations. I do not think that the industry would be unhappy with that, but surely the Minister is saying that all such temp to perm fees would be outlawed. I have already said why that would mean that a temp could be taken on just for a week and then be followed by another temp. If someone is recruited under a temp to perm arrangement, I think that the industry wants a fee to be paid, as though that person had gone directly from the employment agency into a permanent job.

Mr. Byers: I said at the beginning that there would be no prohibition on the use of temp to perm clauses, but we are seeking to remove the potential for abuse of that system, whereby individuals can effectively have a price placed on their head and, as a result, find it very difficult to enter employment. That is the point I am seeking to clarify.

Miss Kirkbride. If the right hon. Gentleman is saying that he will allow temporary to permanent fees, will he say how he will judge what is an appropriate fee? Will it be based on a percentage of salary? What guidance can he give as to the level of fee that he would find acceptable?

Mr. Byers: These are issues on which I am prepared to take advice and to consult the industry. The level will need to be reasonable in the circumstances. That is the approach we intend to take. We want to prevent individuals from being exploited and denied employment opportunities. There is common cause among the parties that that is the mischief which we must address.

Mr. David Chidgey (Eastleigh): While the Secretary of State is undertaking his investigation and consultation, will he take note of an issue that has come to my attention and which affects the teaching profession? Apparently there is increased casualisation of the teaching profession—*[Interruption.]* I hope that he is able to take on board what I am saying, although he is clearly being distracted.

There is increasing evidence of growing casualisation in the teaching profession. More and more teachers are finding that they cannot get permanent contracts, only supply work. That in itself is not too much of a problem, but difficulties arise because an increasing number of schools, instead of operating their own lists of supply teachers, are going to employment agencies which are able at short notice to fulfil—

Mr. Deputy Speaker: Order. I know that the hon. Gentleman is speaking about a highly technical matter, but the House's rules are clear: interventions must be brief. The hon. Gentleman has been as brief as I can allow him.

Mr. Byers: In that brief intervention, the hon. Member for Eastleigh (Mr. Chidgey) made his point. All I can say is that my right hon. Friend the Secretary of State for Education and Employment has some radical measures that will make teaching a much more attractive profession, which may help some of the individuals to whom the hon. Gentleman referred.

I hope that I have made the Government's intentions clear in respect of temp to perm fees.

The hon. Member for South Dorset raised a number of issues around the regulations, and we shall consider them as part of the consultation process. They were not really questions for me so much as general matters relating to the subject. His points were well made, and we shall consider his comments in the consultation exercise.

In speaking to amendment No. 34, the hon. Member for Daventry encouraged me to endorse the affirmative procedure for the regulations. I set great store by the regulations, and there is merit in ensuring that they are open to effective scrutiny. Clearly, if things remain as they are, there will be an opportunity for Opposition Members to pray against them, and we may well have a debate in the House or in Committee. If the regulations are subject to the affirmative procedure, such a debate will be guaranteed.

I cannot agree to amendment No. 34 this evening, but there is significant merit in the suggested approach. I should like to consider that approach; perhaps we shall be able to respond more positively in another place. I hope that I have been able to address Opposition Members' concerns on this very important matter.

7.15 pm

There is no prejudice against employment agencies on the part of the Government. We believe that they have an important role to play in a flexible and prosperous labour market. Very often, they deal with people who, for private reasons, choose to be temporary and do not wish to take permanent contracts. Employment agencies are a growth sector, one which we want to ensure can properly address the challenges that lie ahead in the next century.

For those reasons, I invite the House to support Government amendment No. 59 and new schedule 2, but to resist the Opposition amendments.

Mr. Redwood: I am aware that we have had a longish debate, but I should like to make a few brief points in reply to the Secretary of State and in order to give guidance to Opposition Members in the light of his comments.

I found the Secretary of State's set of replies by far the best that I have ever heard him give. I am grateful to him for going some way to meet the concerns of my right hon. and hon. Friends. I thought that his response to my hon. Friend the Member for Daventry (Mr. Boswell) was particularly good. We are reassured about the hours of visits and by the fact that the right hon. Gentleman has checked with lawyers about the European convention on human rights—we do not want the taxpayers or the Government to be faced with an expensive court case. We are also reassured that no forcible entry is allowed under the regulations.

We accept the right hon. Gentleman's reassurances in the spirit in which they were intended. They show that the Report stage can be valuable in clarifying such matters, as we gave the Secretary of State the opportunity to put his assurances on record. Many people in the affected industry will be interested to read his remarks, and I am sure that they will be greatly heartened by them.

In response to my hon. Friend the Member for South Dorset (Mr. Bruce), however, I fear that we did not get quite as much as we would have liked, as I am sure the Secretary of State will understand. My biggest worry about the late arrival of the new schedule and the associated changes is the absence of a proper cost assessment.

I quite understand why the Secretary of State is in a difficult position. He saw that the original proposals were not going to work very well, and understandably wished to amend them. Because of the pressure of time on the business of the House, he has not had enough time to go through everything properly and come to the House with an impact assessment of the costs. That is of course a pity because it follows the recent famous statement by the Minister for the Cabinet Office—made not so many hours ago—to the effect that one of the most important things for the Government was to ensure that any new regulation would be accompanied by a proper assessment of the costs for those affected. We now have one of the first examples of new regulations with no impact cost assessment.

I am worried about the possible costs. I understand that the proposals are well intentioned and that the Secretary of State considered their length in terms of the number of words and pages in an attempt to make them a little more user-friendly, to use the management jargon beloved of this Government. However, I would find it much more reassuring if we had a proper cost assessment from the Government so that we could see how much each employment agency is likely to face by way of additional compliance costs. We could then work out the impact on their charging policies and on the number of people they could afford to employ themselves. There is a worry that the cost could get out of control.

Previous Government exercises have revealed that the Government often understate the compliance costs, sometimes quite dramatically. We certainly felt that to be the case with the competition legislation. Indeed, we now learn from businesses around the country that it is proving much dearer to take the right advice from lawyers in preparation for the new regime than the House was originally told at the time.

The Bill is still quite complicated and we need to be cautious about the costs that it might entail. That is my worry. I am glad that the Secretary of State made it clear that he does not wish to prohibit the charging of fees where there is a move from temporary to permanent employment. We would hope that the idea that someone obtains a temporary job and that that leads to permanent employment could be actively promoted.

That movement often occurs even though the temporary staff member has been found through an employment agency. Many employment agencies would regard that as a success. However, understandably, they wish to protect their business interests to a realistic degree. That being so, the Secretary of State's clarification that there is no prohibition on the charging of fees was most welcome.

As the Secretary of State has said, there may need to be some control over the abuse of clauses limiting or controlling the movement from temporary to permanent employment. I concede, as do my hon. Friends who know the employment agency industry better than I, that there could be such cases.

It is clear that these matters are confusing when even my hon. Friend the Member for South Dorset and others who are well versed in them were not clear about the Government's intention from the amendment paper and the draft schedule. I ask the Secretary of State, with his draftsmen and lawyers, to reconsider the language of their proposals. It is not clear to us from the draft legislation before us that the right hon. Gentleman will achieve his quite sensible objective.

We should also like a little more information, when the Bill returns to this place, on how abuses can be controlled. We would want to ensure that abuses were narrowly defined so that a new burden was not placed on those carrying out these activities.

The Secretary of State made the sensible comment that he wants fewer restrictions because he would like to see a more flexible market. If we introduce the crude instrument of the law into a series of detailed and often different negotiations and contracts between individuals and firms, we shall end up with a worse answer rather than a better one.

When we have had time to study the schedule at greater length, I suspect that we will find that it is not loophole proof. The Secretary of State and his advisers may well find, following further consultation, that it is necessary to introduce additional amendments. He may find that it is possible to find a way round the provisions, which he has put forward in something of a hurry. To me, that implies that we need effective scrutiny of the regulations that will follow. We have only the bare bones before us tonight, even though there is quite a lengthy schedule and a series of amendments. We know that a series of regulations have to follow.

The Secretary of State did not give us a firm guarantee that we would definitely have a decent debate on the ensuing regulations, which we think is the minimum required given that what is before us came very late, did not go through the normal Committee process and may contain drafting problems. For that reason and others, we

[Mr. Redwood]

cannot simply accept the Secretary of State's amendments. Similarly, we cannot leave our amendments, which were meant well, to try to improve this draft legislation, without pressing them to a vote.

Mr. Bercow: I am sorry to trouble my right hon. Friend, but what he says about the absence of a commitment to a debate on the Floor of the House is of the utmost importance. That debate must be prior to the implementation of the regulations. Does my right hon. Friend agree that the consultation period for the regulations should be no less than three months, and that the private sector should have three months' notice of the date of implementation, in contradistinction to the period that was provided for the working time regulations, which understandably caused a great furore?

Mr. Redwood: My hon. Friend has made a helpful point. It might be one that Ministers will be sympathetic towards. I am sure that the Secretary of State did not welcome arriving in the Department to discover that a mass of labour market and other regulations had been rushed through without proper consultation and that many problems had emerged as a result. I pay tribute to him again. There have been occasions when he has tried to sort out problems that he inherited from his predecessor. I think immediately of the au pair mess. We read in the newspaper that the right hon. Gentleman was extremely angry about what had happened. However, it is the Secretary of State's job to stay on top of all that and have the appropriate dialogue with his officials to ensure that the process of regulation and government runs as smoothly as possible.

The right hon. Gentleman may find that the latest proposals that are before us are still not the answer, as my hon. Friends have illustrated. It would greatly help him to agree at this stage—I shall willingly give way if he wishes to intervene—to the proposal of my hon. Friend the Member for Buckingham (Mr. Bercow). My hon. Friend is suggesting that three months' consultation would be a very good idea and that we need proper time to scrutinise the Government's proposals to ensure that they are right. Better to have regulations in six months' time that are right, all the issues having been thought through, than to have botched regulations in three months' time, which would entail the House having to undertake its work again when the Government finally admitted that they had got them wrong.

Given the Secretary of State's new-found love tonight for a sensible parliamentary dialogue and process, and given the co-operation of both sides of the House on some elements of these proposals, I would think it only reasonable for me to ask for, and perhaps for him to accept, a longer consultation period and then a proper debate on the Floor of the House about any regulations. That would complete the job in the way to which we are accustomed, or would like to be accustomed, and in the way that would be best able to secure a sensible future for employment agencies.

I was heartened that the Secretary of State had honeyed words for employment agencies. That has not always been true of members of the right hon. Gentleman's party. However, now that the Government are using these agencies along with Members on both sides of the House and many people in the private sector, it makes sense for the Government and the Opposition to unite in saying that the agencies have a valuable role to play in our economy. They may need a modicum of sensible regulation to stop abuse but we need to be careful about over-regulating them.

We need to be careful about changing regulations in case words go adrift or because lawyers are cleverer than legislators, because there are too many loopholes or in case there are crudities in the approach to introducing law that would result in rich lawyers but limitations on the flexible labour market that the Secretary of State says he would like, which I would definitely like and which I have, in the past, tried to help on its way as a legislator on the Government Benches.

The Opposition welcome the concessions so far, think that we need a few more, would have liked the guarantee of a proper debate and would have liked a guarantee of a sensible period for reflection and consultation with the industry. As we have not yet received those promises from the Secretary of State, I would urge my right hon. and hon. Friends to vote against Government amendment No. 59 to show that we would have liked additional matters to be cleared up.

Question put, That the amendment be made:—

The House divided: Ayes 319, Noes 127.

Division No. 138] **[7.27 pm**

AYES

Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allan, Richard
Allen, Graham
Anderson, Janet *(Rossendale)*
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Martin *(Tatton)*
Benn, Rt Hon Tony
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Rt Hon Stephen
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Canavan, Dennis
Cann, Jamie
Caplin, Ivor
Caton, Martin
Chapman, Ben *(Wirral S)*
Chidgey, David
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Cotter, Brian
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Cov'try S)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John

Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ennis, Jeff
Etherington, Bill
Ewing, Mrs Margaret
Fearn, Ronnie
Fisher, Mark
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Patrick *(Bedford)*
Hanson, David
Harman, Rt Hon Ms Harriet
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hood, Jimmy
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kingham, Ms Tess
Kumar, Dr Ashok
Lawrence, Ms Jackie
Laxton, Bob
Leslie, Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Linton, Martin
Livingstone, Ken
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McDonagh, Siobhain
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Sheff'ld Heeley)*
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
Öpik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Rapson, Syd
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Squire, Ms Rachel
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Temple-Morris, Peter
Tipping, Paddy
Todd, Mark
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Welsh, Andrew
White, Brian
Whitehead, Dr Alan
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*

Tellers for the Ayes:
Mr. Jim Dowd and
Mr. Mike Hall.

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, Rt Hon James
Baldry, Tony
Beggs, Roy
Bercow, John
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Rt Hon Alan *(Kensington)*
Clifton-Brown, Geoffrey
Colvin, Michael
Cormack, Sir Patrick
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice & Howden)*
Donaldson, Jeffrey
Dorrell, Rt Hon Stephen
Duncan, Alan
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forsythe, Clifford
Forth, Rt Hon Eric
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hamilton, Rt Hon Sir Archie
Hammond, Philip

Hayes, John
Heald, Oliver
Hogg, Rt Hon Douglas
Horam, John
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Letwin, Oliver
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Ottaway, Richard
Page, Richard
Paice, James
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Robertson, Laurence *(Tewk'b'ry)*
Rowe, Andrew *(Faversham)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Simpson, Keith *(Mid–Norfolk)*
Soames, Nicholas
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Townend, John
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wardle, Charles
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mrs. Caroline Spelman and Mr. Tim Collins.

Question accordingly agreed to.

New Schedule 1

BALLOTS AND NOTICES

Introduction

1. The Trade Union and Labour Relations (Consolidation) Act 1992 shall be amended as provided by this Schedule.

Support of ballot

2.—(1) Section 226 (requirement of ballot before action by trade union) shall be amended as follows.

(2) In subsection (2) (industrial action to be regarded as having support of ballot only if certain conditions are fulfilled) in paragraph (a)(ii) for "231A" substitute "231", omit the word "and" at the end of paragraph (b), and after paragraph (b) insert—

"(bb) section 232A does not prevent the industrial action from being regarded as having the support of the ballot; and".

(3) After subsection (3) insert—

"(3A) If the requirements of section 231A fail to be satisfied in relation to an employer, as respects that employer industrial action shall not be regarded as having the support of a ballot unless those requirements are satisfied in relation to that employer."

Documents for employers

3.—(1) Section 226A (notice of ballot and sample voting paper for employers) shall be amended as follows.

(2) In subsection (2)(c) (notice of ballot must describe employees entitled to vote) for "describing (so that he can readily ascertain them) the employees of the employer" substitute "containing such information in the union's possession as would help the employer to make plans and bring information to the attention of those of his employees".

(3) After subsection (3) insert—

"(3A) These rules apply for the purposes of paragraph (c) of subsection (2)—

(a) if the union possesses information as to the number, category or work–place of the employees concerned, a notice must contain that information (at least);

(b) if a notice does not name any employees, that fact shall not be a ground for holding that it does not comply with paragraph (c) of subsection (2).

(3B) In subsection (3) references to employees are to employees of the employer concerned."

Entitlement to vote

4. In section 227 (entitlement to vote in ballot) subsection (2) (position where member is denied entitlement to vote) shall be omitted.

Voting paper

5.—(1) Section 229 (voting paper) shall be amended as follows.

(2) After subsection (2) (voting paper must ask whether voter is prepared to take part in a strike or industrial action short of a strike) insert—

"(2A) For the purposes of subsection (2) an overtime ban and a call–out ban constitute industrial action short of a strike."

(3) At the end of the statement in subsection (4) (statement that industrial action may be a breach of employment contract to be set out on every voting paper) insert—

"However, if you are dismissed for taking part in strike or other industrial action which is called officially and is otherwise lawful, the dismissal will be unfair if it takes place fewer than eight weeks after you started taking part in the action, and may be unfair if it takes place later."

Inducement

6. After section 232 insert—

"Inducement of member denied entitlement to vote

232A. Industrial action shall not be regarded as having the support of a ballot if the following conditions apply in the case of any person—

(a) he was a member of the trade union at the time when the ballot was held,

(b) it was reasonable at that time for the trade union to believe he would be induced to take part or, as the case may be, to continue to take part in the industrial action,

(c) he was not accorded entitlement to vote in the ballot, and

(d) he was induced by the trade union to take part or, as the case may be, to continue to take part in the industrial action."

Disregard of certain failures

7. After section 232A there shall be inserted—

"Small accidental failures to be disregarded

232B.—(1) If—

(a) in relation to a ballot there is a failure (or there are failures) to comply with a provision mentioned in subsection (2) or with more than one of those provisions, and

(b) the failure is accidental and on a scale which is unlikely to affect the result of the ballot or, as the case may be, the failures are accidental and taken together are on a scale which is unlikely to affect the result of the ballot,

the failure (or failures) shall be disregarded.

(2) The provisions are section 227(1), section 230(2) and section 230(2A)."

Period of ballot's effectiveness

8. In section 234 (period after which ballot ceases to be effective) for subsection (1) there shall be substituted—

"(1) Subject to the following provisions, a ballot ceases to be effective for the purposes of section 233(3)(b) in relation to industrial action by members of a trade union at the end of the period, beginning with the date of the ballot—

(a) of four weeks, or

(b) of such longer duration not exceeding eight weeks as is agreed between the union and the members' employer."

Notice of industrial action

9.—(1) Section 234A (notice to employers of industrial action) shall be amended as follows.

(2) In subsection (3)(a) (notice relating to industrial action must describe employees intended to take part in industrial action) for "describes (so that he can readily ascertain them) the employees of the employer who" substitute "contains such information in the union's possession as would help the employer to make plans and bring information to the attention of those of his employees whom".

(3) After subsection (5) insert—

"(5A) These rules apply for the purposes of paragraph (a) of subsection (3)—

(a) if the union possesses information as to the number, category or work-place of the employees concerned, a notice must contain that information (at least);

(b) if a notice does not name any employees, that fact shall not be a ground for holding that it does not comply with paragraph (a) of subsection (3)."

(4) In subsection (7)—

(a) insert at the beginning the words "Subject to subsections (7A) and (7B),", and

(b) in paragraph (a) the words "otherwise than to enable the union to comply with a court order or an undertaking given to a court" shall cease to have effect.

(5) After subsection (7) insert—

"(7A) Subsection (7) shall not apply where industrial action ceases to be authorised or endorsed in order to enable the union to comply with a court order or an undertaking given to a court.

(7B) Subsection (7) shall not apply where—

(a) a union agrees with an employer, before industrial action ceases to be authorised or endorsed, that it will cease to be authorised or endorsed with effect from a date specified in the agreement ("the suspension date") and that it may again be authorised or endorsed with effect from a date not earlier than a date specified in the agreement ("the resumption date"),

(b) the action ceases to be authorised or endorsed with effect from the suspension date, and

(c) the action is again authorised or endorsed with effect from a date which is not earlier than the resumption date or such later date as may be agreed between the union and the employer."

(6) In subsection (9) for "subsection (7)" substitute "subsections (7) to (7B)". '.—[*Mr. Byers.*]

Brought up, read the First and Second time, and added to the Bill.

New Schedule 2

SCHEDULE

EMPLOYMENT AGENCIES

Introduction

1. The Employment Agencies Act 1973 shall be amended as provided in this Schedule.

General regulations

2.—(1) Section 5 (power to make general regulations) shall be amended as follows.

(2) In subsection (1) there shall be substituted for paragraphs (f) and (g) and the proviso following paragraph (g)—

"(ea) restricting the services which may be provided by persons carrying on such agencies and businesses;

(eb) regulating the way in which and the terms on which services may be provided by persons carrying on such agencies and businesses;

(ec) restricting or regulating the charging of fees by persons carrying on such agencies and businesses."

(3) After subsection (1) there shall be inserted—

"(1A) The reference in subsection (1)(eb) of this section to services includes a reference to services in respect of—

(a) persons seeking employment outside the United Kingdom;

(b) persons normally resident outside the United Kingdom seeking employment in the United Kingdom."

Charges

3. For section 6(1) (restriction on demand or receipt of fee for finding or seeking to find employment) there shall be substituted—

"(1) Except in such cases or classes of case as the Secretary of State may prescribe—

(a) a person carrying on an employment agency shall not request or directly or indirectly receive any fee from any person for providing services (whether by the provision of information or otherwise) for the purpose of finding him employment or seeking to find him employment;

(b) a person carrying on an employment business shall not request or directly or indirectly receive any fee from an employee for providing services (whether by the provision of information or otherwise) for the purpose of finding or seeking to find another person, with a view to the employee acting for and under the control of that other person;

(c) a person carrying on an employment business shall not request or directly or indirectly receive any fee from a second person for providing services (whether by the provision of information or otherwise) for the purpose of finding or seeking to find a third person, with a view to the second person becoming employed by the first person and acting for and under the control of the third person."

Inspection

4.—(1) Section 9 (inspection) shall be amended as follows.

(2) In subsection (1) (power to inspect)—

(a) for paragraph (a) there shall be substituted—

"(a) enter any relevant business premises;", and

(b) after paragraph (c) there shall be inserted—

"; and

(d) take copies of records and other documents inspected under paragraph (b).".

(3) After subsection (1) there shall be inserted—

"(1A) If an officer seeks to inspect or acquire, in accordance with subsection (1)(b) or (c), a record or other document or information which is not kept at the premises being inspected, he may require any person on the premises—

(a) to inform him where and by whom the record, other document or information is kept, and

(b) to make arrangements, if it is reasonably practicable for the person to do so, for the record, other document or information to be inspected by or furnished to the officer at the premises at a time specified by the officer.

(1B) In subsection (1) "relevant business premises" means premises—

(a) which are used, have been used or are to be used for or in connection with the carrying on of an employment agency or employment business,

(b) which the officer has reasonable cause to believe are used or have been used for or in connection with the carrying on of an employment agency or employment business, or

(c) which the officer has reasonable cause to believe are used for the carrying on of a business by a person who also carries on or has carried on an employment agency or employment business, if the officer also has reasonable cause to believe that records or other documents which relate to the employment agency or employment business are kept there.

(1C) For the purposes of subsection (1)—

(a) "document" includes information recorded in any form, and

(b) information is kept at premises if it is accessible from them."

(4) For subsection (2) (self-incrimination) there shall be substituted—

"(2) Nothing in this section shall require a person to produce, provide access to or make arrangements for the production of anything which he could not be compelled to produce in civil proceedings before the High Court or (in Scotland) the Court of Session.

(2A) Subject to subsection (2B), a statement made by a person in compliance with a requirement under this section may be used in evidence against him in criminal proceedings.

(2B) Except in proceedings for an offence under section 5 of the Perjury Act 1911 (false statements made otherwise than on oath), no evidence relating to the statement may be adduced, and no question relating to it may be asked, by or on behalf of the prosecution unless—

(a) evidence relating to it is adduced, or

(b) a question relating to it is asked,

by or on behalf of the person who made the statement."

(5) In subsection (3) (offence)—

(a) for "or (b)" there shall be substituted ", (b) or (d)", and

(b) after the words "paragraph (c) of that subsection" there shall be inserted "or under subsection (1A)".

(6) In subsection (4)(a) (restriction on disclosure of information) in sub-paragraph (iv) (exception for criminal proceedings pursuant to or arising out of the Act) the words "pursuant to or arising out of this Act" shall be omitted.

Offences

5. After section 11 there shall be inserted—

"Offences: extension of time limit

11A.—(1) For the purposes of subsection (2) of this section a relevant offence is an offence under section 3B, 5(2), 6(2), 9(4)(b) or 10(2) of this Act for which proceedings are instituted by the Secretary of State.

(2) Notwithstanding section 127(1) of the Magistrates' Courts Act 1980 (information to be laid within 6 months of offence) an information relating to a relevant offence which is triable by a magistrates' court in England and Wales may be so tried if it is laid at any time—

(a) within 3 years after the date of the commission of the offence, and

(b) within 6 months after the date on which evidence sufficient in the opinion of the Secretary of State to justify the proceedings came to his knowledge.

(3) Notwithstanding section 136 of the Criminal Procedure (Scotland) Act 1995 (time limit for prosecuting certain statutory offences) in Scotland proceedings in respect of an offence under section 3B, 5(2), 6(2), 9(4)(b) or 10(2) of this Act may be commenced at any time—

(a) within 3 years after the date of the commission of the offence, and

(b) within 6 months after the date on which evidence sufficient in the opinion of the Lord Advocate to justify the proceedings came to his knowledge.

(4) For the purposes of this section a certificate of the Secretary of State or Lord Advocate (as the case may be) as to the date on which evidence came to his knowledge is conclusive evidence.

Offences: cost of investigation

11B. The court in which a person is convicted of an offence under this Act may order him to pay to the Secretary of State a sum which appears to the court not to exceed the costs of the investigation which resulted in the conviction."

Interpretation

6. In section 13(2) (definition of employment agency) for "workers" (in each place) there shall be substituted "persons".'.—[*Mr. Byers.*]

Brought up, read the First and Second time, and added to the Bill.

Schedule 1

COLLECTIVE BARGAINING: RECOGNITION

7.45 pm

Mr. Graham Brady (Altrincham and Sale, West): I beg to move amendment No. 46, in page 19, line 25, leave out from second 'to' to end of line 26 and insert

'the matters listed in section 178(2)(a).'.

I am pleased that the amendment has been selected, as it is an important example of the Report stage doing exactly as it should; ensuring that there is proper scrutiny of the amendments made in Committee. A cursory glance at the report of the Committee proceedings of 16 March would demonstrate how quickly the Government amendments relating to this part of the Bill were made, with relatively little debate. I must admit that that was an occasion when I was not present in Committee, for which I apologise.

It is important that we focus on this critical aspect of the Bill, which defines those aspects of employment relationships that ought to be considered to be a part of the Bill's collective bargaining proposals.

The amendment relates to section 178 of the Trade Union and Labour Relations (Consolidation) Act 1992. The Act refers to the terms and conditions of employment, or the physical conditions in which any workers are required to work. The objective is to specify the precise dimensions of the issues that are appropriate to the collective bargaining proposals.

That is complicated by the Government amendments made in Committee. In Committee, the Minister said:

"The amendments ensure that the Bill achieves the policy set out in the White Paper. We tabled them because we realised that the original wording went wider than originally intended. The union and the employer are free to include other matters in the collective bargaining agreement—that is a deliberate feature of the legislation, to encourage voluntary agreements by giving the parties room for manoeuvre."—[*Official Report, Standing Committee E*, 16 March 1999; c. 359.]

I welcome the Government's actions in defining those aspects of the Bill more tightly.

Mr. Fabricant: I am a little puzzled. What is voluntary about the scheme if, under the Bill, just 40 per cent. of those actually voting can force collective bargaining on both employees and management?

Mr. Deputy Speaker: Order. The hon. Gentleman is going wide of the amendment before us, which is narrow.

Mr. Brady: I am grateful for your guidance, Mr. Deputy Speaker. I suspect that my hon. Friend may have some opportunity to go down that route in looking at later amendments that are relevant to automatic recognition, which may leave him slightly less baffled than he is at the moment—at least if the Government have the wisdom to accept those later amendments.

The Government's original intention, as set out in the White Paper, "Fairness at Work", was for collective bargaining procedures to cover pay, hours and holidays as a minimum. The White Paper went on:

"There are conflicting views on whether training should also be included. The Government would welcome responses on this point. The parties may add other items if they wish."

That is all very fine, but the Bill, as amended, raises a number of significant questions.

As it stands, the Bill specifies that negotiations relating to pay, hours and holidays should be those that are included in collective bargaining arrangements, but new subsection (6) states that the effect of that will be subject to sub-paragraph (7), which says that wider matters can be included by the parties subject to their agreement, but that in turn is complicated by the exception provided in paragraph 27(3).

Mr. Eric Forth (Bromley and Chislehurst): I hope that my hon. Friend will explain the effect of the removal of the reference to subparagraph (7). Is he satisfied that the connection between subparagraphs (6) and (7) will be as strong? I fear that the amendment may destroy the effect of sub-paragraph (7).

Mr. Brady: I am grateful to my right hon. Friend for raising that specific aspect of amendment No. 46. *[Interruption.]* He is indeed a fine example of the products of the Scottish education system, and does it great credit. I am sure that that is what the hon. Member for Moray (Mrs. Ewing) was trying to suggest from a sedentary position.

Sub-paragraph (7) expressly gives the parties the right to vary agreements. Surely the specification of such terms in legislation is unnecessary, given the voluntary tradition of labour relations in this country. What are the Government driving at? By implication, does not the Bill in its present form perversely suggest to those who may come into contact with it in the courts that any elements that do not carry a specific endorsement of the right to engage in wider issues on a voluntary basis constitute a presumption against it?

It is being considered appropriate to say that it is possible for the parties to engage in wider voluntary agreements, but that specific power is not conferred in other parts of the Bill. It could be said that the implication is that there is no power or freedom for the parties to engage in free bargaining in whatever manner they choose. I hope that the Minister will deal with that, and, in particular, with the exemption relating to paragraph 27(3), which is consequential on the amendment.

The fact that paragraph 27(3) does not apply to voluntary arrangements raises further questions. What scope will the Central Arbitration Committee ordinarily have, under other parts of the schedule, to dictate the conduct of collective bargaining?

Mr. Bercow: In the light of those last remarks, I wonder whether my hon. Friend is encouraged by paragraph 140 of new section 81. Page 35 of the explanatory notes refers to the scope for "collective or workforce agreements". Some adumbration of the significance of that from the Secretary of State would be extremely helpful.

Mr. Brady: I am grateful to my hon. Friend, although my memory is not as photographic as his and the explanatory notes are not at the forefront of my mind.

The Parliamentary Under-Secretary of State for Trade and Industry (Mr. Michael Wills): Shame.

Mr. Brady: I freely admit that the fault is entirely mine, and that it does me no credit; but I was educated south of the border, albeit at a very fine grammar school. I know that you would not want me to pursue matters relating to the English education system, Mr. Deputy Speaker, so I shall not do so. *[Interruption.]* I am sure you know very well that I was educated at Altrincham grammar school, Mr. Deputy Speaker. I have made many references to it in the House, and I shall continue to do so—but not on this occasion. You will be pleased to hear that, Mr. Deputy Speaker.

The aim of amendment No. 46 is to probe the Government's thinking. What led them away from the relatively definitive terms in the "Fairness at Work" White Paper? What—with no reference in Committee to the inclusion of training—led them to think that training should be excluded, presumably following the consultation that resulted from the White Paper? Whatever that was, it then led the Government to move on to the first draft of the Bill, which widened the scope of collective bargaining for these purposes to a considerable extent by including all the matters referred to in section 178 of the Trade Union and Labour Relations (Consolidation) Act 1992. That took the Bill into the spheres of discipline, workers' membership or non-membership of trade unions, facilities for trade union officials, machinery for negotiation and consultation, and numerous other matters.

It was clearly a deliberate move on the Government's part to move from a tight definition in the White Paper to a wide definition in the first draft of the Bill. Having given only limited explanations in Committee, they have seen

[Mr. Brady]

fit to table amendments further tightening the scope of collective bargaining for these purposes. I must say that I welcome that.

Mr. Fabricant: Might not the Government have decided to narrow the field on which collective bargaining can be fought out because collective bargaining is being imposed on both parties? True collective bargaining, as Adair Turner has said, should be based on trust and mutual consent.

Mr. Brady: My hon. Friend makes an important point, and makes it cogently. Such matters should indeed be conducted on a voluntary basis, with no imposition of collective bargaining arrangements that one or the other party may not want. It must be said that, given the automatic recognition procedures provided by the Bill in its present form, collective bargaining arrangements may not be wanted by either party. Perhaps that is part of the reason why the Government chose to tighten the definitions, but why has training been excluded? So far, we have heard no answer to that question.

8 pm

Why has it been considered necessary to include sub-paragraph (7)—which deals, as far as I can see, with something that would in any case have been presumed in the wider context of employment law—yet then apply paragraph 27(3) to only part of the collective bargaining arrangements, which allows the parties to be directed in how to conduct certain elements of collective bargaining, but not others? Even if there is statutory collective bargaining within the terms of the Bill, that collective bargaining will be better conducted freely and openly, as decided by the parties, rather than in a way that is constrained by the CAC's intervention. That is a point of considerable concern.

The passage of the Bill has "form." I have sought to outline its history. It began with the "Fairness at Work" White Paper. It has had extensive public consultation, particularly in relation to the training provisions. Further comment was implicitly invited by the Government in paragraph 8 of the White Paper. It has become a Bill, which goes far wider. The Government have seen fit to amend the Bill in a way that comes much closer to the tighter terms of section 178(2)(a), which is entirely appropriate.

Given that these matters were not extensively debated in the Standing Committee and that the Minister has given rather scant explanation for the to-ing and fro-ing of Government thinking on the matter, I look forward to hearing what the Minister has to say. I hope that some assurance will be given on my particular concern. By including sub-paragraph (7) and by specifically providing for voluntary flexibility, the Bill may, by implication, mean that, where there is no explicit permission for voluntary variations or voluntary flexibility in arrangements between employers and employees, flexibility does not exist. It is a legal point, but I should be grateful for the Minister's reassurance on it.

Mr. Boswell: My hon. Friend the Member for Altrincham and Sale, West (Mr. Brady) has, as those of us who have had the privilege of serving with him on the Standing Committee had anticipated, moved the amendment with characteristic perspicacity and modesty. He has sought to get a clearer view from the Secretary of State and from his advisers as to the legal effect of the schedule, which he rightly says was not extensively debated in Committee.

I make two or three more general points; I am conscious that we wish to make progress in the consideration of the Bill. My hon. Friend has laid out the scene and other colleagues wish to contribute. Therefore, I need not delay proceedings unduly.

The general principle on which my hon. Friend is surely right is that parties should be able, wherever possible, to reach voluntary arrangements for collective bargaining. That is not an issue across the Chamber; it is generally understood. Those arrangements should be as flexible and appropriate as the circumstances permit. I think that that is understood, too.

There is, however, a difference between us as to whether statutory arrangements should be made for the imposition of collective bargaining in particular cases of failure, where it does not seem possible to achieve those by voluntary agreement. The point that my hon. Friend makes is that the Government need to make it clear why they have selected the scope of collective bargaining that is to be imposed after the procedures that are set out in great detail in schedule 1. Ultimately, a declaration by the CAC as to what was required would be needed.

Two tensions can be identified. First, if collective bargaining is to be imposed—as my hon. Friend the Member for Lichfield (Mr. Fabricant) said, it should be a voluntary matter—it should be imposed on the narrowest possible scope, and there should be as much freedom outwith that as possible. That is an understandable principle.

The second point to some extent conflicts with that. It is usually better, where legal concepts exist and have been codified in the 1992 trade union legislation, not to depart from those without good reason. At least their scope and definition have become matters of general awareness among practitioners of employment law, trade unions, employers and others. If we introduce a new set of definitions, we will get ourselves into a muddle.

My hon. Friend the Member for Altrincham and Sale, West has identified that there is a tension. It is for the Secretary of State to explain, after my hon. Friends have made their comments, exactly how he intends his provisions to work.

Mr. Forth: It is of course with enormous trepidation that I enter the debate, surrounded as I am by those who spent many hours discussing the Bill in Committee, but I wanted to take the opportunity to raise a couple of questions with the Secretary of State.

I am intrigued by the fact that the amendment would remove the reference to sub-paragraph (7). I want to ask two questions about that. First, does that weaken the link that currently exists, as I read it, between sub-paragraphs (6) and (7)? I want some reassurance on that. At least, I thought that I wanted some reassurance until I started to consider the implications of sub-paragraph (7) itself.

I read sub-paragraph with extreme difficulty. It says:

"If the parties at any time agree matters as the subject of collective bargaining".

It does not say how they will agree those matters. The term "agree" always raises more questions than it answers. We are left wondering—unless it is spelt out somewhere else that I have not found yet—exactly what mechanism there is to give effect to that agreement.

It is simply assumed that agreement will be reached. As we all know, that is easy enough to say. It is much more difficult to achieve, particularly in what are sometimes tense or confrontational environments.

Therefore, even though sub-paragraph says:

"If the parties at any time agree matters",

that is not the end of the matter. I hope that the Secretary of State will be able to satisfy me as to how he envisages that agreement will be reached in the different contexts in which discussions take place in the workplace environment.

Mr. Ian Stewart: The right hon. Gentleman will be aware that collective bargaining agreements and recognition of procedural agreements are arrived at by negotiation between the economic partners. It is right that those agreements will be completely reviewed only from time to time. In the in-between time, some agreements may be reached. That is normally done by exchange of letters between the parties. When the whole agreement is reviewed at a future date, earlier agreements are incorporated.

Mr. Forth: I am grateful for the hon. Gentleman's explanation. I am interested that he believes that that answers all the possible questions that might arise from the words that I have read out. That may be the case, but I need the Secretary of State's confirmation of that. I want to hear him say that that, as the hon. Gentleman has suggested, concludes the matter. It does not necessarily conclude the matter, however, because the schedule continues to say that

"references to collective bargaining are to negotiations concerning the agreed matters, but this does not apply in construing paragraph 27(3)."

That seems to take us into deeper waters. The paragraph in question brings in the CAC, and refers to its specifying

"to the parties the method by which they are to conduct collective bargaining."

According to my reading of the provisions, there is a danger that we shall get into a vicious circle, going round and round and round. I am sure that that was not intended by those who drafted the Bill, and I hope that the Secretary of State will assure me that is not the Bill's effect. However, I am worried that my hon. Friend's amendment appears to remove the consequential link between paragraph 2(6) and paragraph 2(7), and that point must be explored.

The lack of a satisfactory definition of "agree" may also give rise to problems, unless the hon. Member for Eccles (Mr. Stewart) was right. The reference to paragraph 27(3) may in addition be inconclusive when it comes to closing the loop that I have identified. Indeed, it may perpetuate that loop.

The amendment, well intentioned as it is, could complicate matters and weaken this part of the schedule. A cursory reading implies those consequential effects of the amendment, and I look forward to hearing the Secretary of State set these matters straight so that we may make ready progress.

Mr. Fabricant: One of my greatest fears is that when I drop dead, my tombstone will read, "He meant well." That phrase also sums up the Bill. It means well, but what will be its effect? More to the point, what will be the effect of its definition of collective bargaining?

I did not serve on the Bill's Standing Committee. However, I have had experience of running a company, a point that I mentioned at some length last night. One thing that I have learned is that collective bargaining is dynamic, as my hon. Friend the Member for Altrincham and Sale, West (Mr. Brady) would agree. If it is to be dynamic, it cannot be constrained by a narrow definition of what can be discussed, particularly if it is not entered into freely, as may be the case under the Bill.

My hon. Friend the Member for Daventry (Mr. Boswell) has identified, with his customary incisiveness and perception, two tensions in the Bill. If collective bargaining is imposed, there must be freedom to scale many heights and to discuss matters that develop one into another. To reach a voluntary agreement between the two parties, as the hon. Gentleman whose constituency I do not know has said—

Mr. Ian Stewart: Eccles.

Mr. Fabricant: I am sorry.

Mr. Forth: Go on, give us your Eccles impression.

Mr. Fabricant: To continue, there are two economic forces—labour and capital, in the shape of the employer. If they are to reach agreement, it cannot be imposed. An imposed agreement is a frail agreement which will not stand the test of time.

Mr. Bercow: I understand my hon. Friend's point that agreement cannot be imposed. However, on reflection, would he not accept that the prospect, which it seems to me his argument conjures up, of substantial numbers of employers across the country manning the barricades, in support of the extension of the range of matters over which collective bargaining can and should take place, is remote in the extreme? I accept that my hon. Friend has a fertile imagination, but it is difficult to envisage such a circumstance.

8.15 pm

Mr. Fabricant: I do not like to argue with my hon. Friend, but that question was rather circuitous, with at least three double negatives in it. If he would like to repeat it more simply so that I can understand what information it is that he wants of me, I shall happily give way again.

Mr. Bercow: I am grateful to my hon. Friend to whom I apologise if, inadvertently, I have, at a not particularly late hour, led him astray. The purport of my inquiry was simple. Does he believe, on reflection, that many employers will want, and argue for, an extension of the range of matters subject to collective bargaining beyond those set out by the Government?

Mr. Fabricant: I truly believe that if collective bargaining, by which I mean bargaining of any kind, is voluntarily entered into by both parties, each should be free to discuss whatever it wishes. As we debate the Bill,

[Mr. Fabricant]

similar bargaining is going on in Belfast, and we all hope that it will succeed. If it is to be successful, however, it is impossible to set constraints, saying, "We will discuss these issues, but under no circumstances will we discuss those ones." That is no way for bargaining to work.

If two parties are forced to discuss matters, forcing them to debate two or three issues to the exclusion of others will doom the bargaining to failure. I find it strange that the Government, who rightly identify the importance of training, have chosen to exclude it from collective bargaining. What is the motivation for that? Is there something cynical behind it, or something subtle? Is there some sub-plot that we do not understand? Or, as I suspect, are the Government simply naive? The Secretary of State, nice as he is, does not come from a management background, although the Minister for Small Firms, Trade and Industry comes from both a management and a broadcasting background, which is as fine as a background can be.

There are tensions in the Bill, then. If we make a change in statutory provisions, it will, if my brief reading of the Committee *Hansard* is correct, be made with very little discussion. Will the Secretary of State tell us the philosophy behind the changes and the basis on which he will make changes to statutory provisions in place since 1992?

Finally, some costs must arise from the matters raised in this debate and the debate on Government amendment No. 59. I asked early last night what the costs of balloting would be, and I have heard no reply. I am suspicious that the Government have not done their sums, as they have failed to do on many other occasions. They have not taken into account the costs for corporations large—a corporation employing more than 20 people—or small.

Mr. Bercow: I am sorry to trouble my hon. Friend once again, but I am concerned about the potential opening of the floodgates if his argument in favour of extending the range of matters that may be subject to collective bargaining is adopted. Does he agree that, if his idea is followed—employers do not want the range of matters to be extended beyond what the Government envisage, but some organised employees do—the only way in which the matter may be resolved is by a determination by the Central Arbitration Committee? Is he not concerned that, if the Central Arbitration Committee is in future composed of—from our point of view—undesirable or unreliable persons, the consequences could be hazardous for firms in the British economy?

Mr. Deputy Speaker: Order. In dealing with arbitration issues, we most definitely are going wide of amendment No. 46, which is narrowly drawn.

Mr. Fabricant: I disagree with my hon. Friend the Member for Buckingham (Mr. Bercow), who argues on the premise that imposition of collective bargaining is already a fact. For all we know, the Government may see reason. Heaven knows, we may even win in a Division on Third Reading and defeat the Bill. The very imposition of collective bargaining is undesirable. We are arguing that, if it is imposed, it should be wide-ranging. However, if my hon. Friend is asking me whether that is what employers and employees want, I should say no, as I do not believe that collective bargaining should be forced on anyone.

I remind the House that great friends of Labour—although I do not think that they will be friends for much longer—such as News Corporation, and especially Rupert Murdoch, are only too aware that, had the Government's current proposals been law, Mr. Murdoch would not have been able or motivated to save *The Times*, after its staff had been on strike for six months, or to crack the stranglehold of the print unions.

Mr. Bercow: Perhaps my hon. Friend was envisaging a breaking of the stranglehold?

Mr. Fabricant: No, I prefer a cracking of the stranglehold, as it is more illustrative and imaginative.

Mr. Ian Stewart: How would the hon. Gentleman resolve a situation in which a company has 100 employees, all of whom are trade union members and wish to have a collective bargaining agreement with the employer, but the employer does not wish to have such an agreement?

Mr. Fabricant: The hon. Gentleman has got to the crux of the matter. The situation will be resolved because it is impossible to run a company in those conditions. If I were running a company in which 80 or 90 per cent. of employees were members of a trade union, it would be impossible not to have bargaining. That is the reality. I am not against the closed shop—although I shall not stray too far into that issue, which is beyond the scope of amendment No. 46, although it addresses the issue that the hon. Gentleman raised.

Many companies—such as Unilever's subdivisions—prefer dealing with only one trade union, but they do so by voluntary arrangement, which is convenient for both trade union and employer.

Mr. Forth: I am not ready for this.

Mr. Fabricant: My right hon. Friend, who lounges on the same Bench as me, disagrees, but he is being a little naive in the matter. If such arrangements are not imposed by law, they may be advantageous.

Mr. Forth: My hon. Friend is being unduly provocative at this stage in the proceedings. He seems, uncharacteristically, to have forgotten or overlooked the rights of individuals. He seems to be taking us back to the dark days when a cosy arrangement between an employer and unions could sweep away the rights of individual employees. I am sure—knowing my hon. Friend as I do—that he would not want that to happen; would he?

Mr. Fabricant: My right hon. Friend makes a valid point. However, as in all these matters, one has to balance various tensions—to use the word used by my hon. Friend the Member for Daventry. If both an employer and a group of employees feel that there is an arrangement by which a majority will be able to operate collective bargaining, anarchy may be avoided. If there is no agreement on that basis, there may be anarchy.

I tell the hon. Member for Eccles (Mr. Stewart) that, in practice, the type of situation that he described does not occur.

Mr. Ian Stewart: It does.

Mr. Fabricant: If the hon. Gentleman would like to give me an example in which it does, I should be interested to hear it.

Mr. Stewart: The hon. Gentleman is trying to approach the matter reasonably. In 20 years as a practitioner and negotiator in industry, I have often encountered many situations in which recognition has been applied for but rejected, although more than 80 per cent. of employees were union members.

Mr. Fabricant: I hear what the hon. Gentleman says. Nevertheless, I asked him for a specific example, but he failed to give me one.

I do not want to take up any more of the House's time. I have made it clear that I believe that collective bargaining may be successful only if both parties wish to enter into it, and both parties are free to explore a number of different matters. I do not think that the Government can impose successful collective bargaining, just as I do not think that the Government can create wealth—which is created by entrepreneurs, and by the hard sweat of labour.

As I said, the Government's proposals are just another example of their good intentions—which, sadly, will harm and not enhance labour relations.

Mr. Byers: If amendment No. 46 is pressed to a Division, I shall ask the House to reject it—which will disappoint some right. hon. and hon. Opposition Members, although probably not the right hon. Member for Bromley and Chislehurst (Mr. Forth), who would be alarmed by the amendment's effect in extending the matters subject to collective bargaining. If the amendment is pressed to a Division, the Government Whips may have some difficulty in keeping some of my hon. Friends from supporting the amendment, which was tabled by the hon. Member for Altrincham and Sale, West (Mr. Brady).

Mr. Brady: I advise the right hon. Gentleman not to continue on that tack—as he is beginning to tempt me to press the amendment, and I might otherwise be easily placated.

Mr. Byers: I should warn the hon. Gentleman that, although there are many measures in the Bill dealing with security of employment, they do not protect hon. Members. If he were to press the amendment, he may well find his own security of employment threatened.

Mr. Brady *rose—*

Mr. Byers: I should like to press on and reply briefly to the debate, as the situation is fairly straightforward.

The Bill provides that, where there is recognition through the statutory procedure, collective bargaining will be required in matters of pay, hours and holidays. There is nothing to stop employers and employees agreeing to increase the topics beyond those three specific ones, but it will be a matter for decision and for agreement to be reached. We believe that that is the appropriate approach to take.

The White Paper, "Fairness at Work", made it very clear that those were the three, very discrete topics on which we should expect there to be negotiations in collective bargaining, when it is subject to the statutory procedures. We did not want to go beyond that, as we recognised that the provisions would have to be tightly focused. However, there was a residual issue on training, on which we consulted separately.

Mr. Bercow: In view of what the Secretary of State said about the potential scope for voluntary extension of the matters subject to collective negotiation, will he confirm that this is an example of a situation in which paragraph 141 on page 35 of the explanatory notes to the Bill would apply?

Mr. Byers: I have to concede to the hon. Gentleman that, off hand, I cannot recall the precise details of that page—for which I do apologise. What I do know is that amendment No. 46 would extend the three specific topics that we have in mind. There is nothing to prevent the parties from agreeing to that, but when the hon. Member for Altrincham and Sale, West moved the amendment, he referred specifically to the reasoning behind the proposal for training being dealt with in a slightly different way. In the White Paper, we identified this issue as one on which we wanted genuine consultation, which has now taken place. Our view is that it would not be appropriate to extend the three areas to include training, and thereby make it four areas—my numeracy skills are improving. It would be better if training were dealt with by consultation. There is a requirement elsewhere in the Bill that if a union is recognised, it will have to be consulted on training. So the matter is covered in that way.

To clarify the position for the benefit of hon. Members who were not on the Committee or who could not attend when this matter was debated, I confirm that the collective bargaining procedures that go through the statutory process are restricted to pay, hours and holidays. By agreement that can be extended, but it is otherwise restricted to those three areas.

8.30 pm

Mr. Brady: I am grateful to the Secretary of State for giving way, because he is being most helpful. I detect that he is drawing his remarks to a close, and I want ask him to deal with the matter of the inclusion of sub-paragraph (7)—with his legal background he should be well able to do so—which seems to me to be otiose. It provides a right to voluntary extension, but, as I understand it, that would ordinarily be assumed.

Mr. Byers: My understanding is that sub-paragraphs (6) and (7) address two different situations. Sub-paragraph (6) states that references to collective bargaining are to negotiations relating to pay, hours and holidays, but sub-paragraph (7) addresses the situation in which parties agree further matters as the subject of collective bargaining. We need to cross-reference to paragraph 27(3), which states:

"If at the end of the agreement period the parties have not made such an agreement the CAC must specify to the parties the method by which they are to conduct collective bargaining."

[Mr. Byers]

That is if there is eventually a failure to agree, whereas paragraph 2(7) deals with a situation in which an agreement has been reached. That distinction needs to be made. For those reasons, we need paragraph 2(7), because it addresses a different situation in which there is a statutory recognition and the parties enter discussions to extend collective bargaining beyond the three areas. If those discussions subsequently break down, they revert back to the Central Arbitration Committee to establish procedures by which an agreement can be reached. I hope that that has clarified the matter for the hon. Member for Altrincham and Sale, West.

Mr. Bercow: I should like to clarify the Government's fixity of purpose in this matter. An employer may be forced against his will to engage in the collective negotiation provided for in the Bill. Is it the right hon. Gentleman's position that that negotiation should be obliged to take place even if an employer, as a conscientious objector, begins procedures to wind up his company?

Mr. Byers: If there is statutory recognition, an employer will be under an obligation to address only the matters of pay, hours and holiday. Employers do not have to embark on a discussion or negotiation to extend collective bargaining beyond those three discrete areas. Our concern about amendment No. 46 is that it would extend it beyond those three areas.

I hope that I have addressed the concerns of the hon. Member for Altrincham and Sale, West. In the light of the observations that I have made and the clarification of Government thinking that I have given, I hope that he will feel able to withdraw the amendment.

Mr. Brady: I am grateful to the Secretary of State, and to colleagues on both sides of the House who have contributed to a helpful debate. As I began by saying, this issue was not fully investigated in Committee, and it has been helpful to have on the record wider and fuller discussion on the points raised.

We had excellent contributions from my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) and from my hon. Friend the Member for Lichfield (Mr. Fabricant), as well as interventions from my hon. Friend the Member for Buckingham (Mr. Bercow), who was at one point uncharacteristically illiberal. He seemed to be seeking to constrain the rights of parties voluntarily to enter into agreements. I would certainly not follow him in that direction.

The Secretary of State, in an obviously jocular way, suggested that the Government's current overlarge majority might become larger. I can set his mind at rest on that. Yesterday, he invited my right hon. Friend the Member for Wokingham (Mr. Redwood) to stand against him in Tyneside, North. The Secretary of State is welcome to stand against me in Altrincham and Sale, West at the next general election. We would probably gain some support from the elements of his party who would vote for my amendment to achieve its ends.

The Secretary of State is right to say that the Government's amendment draws these matters tighter than amendment No. 46. The Government were right to do that. My purpose in tabling the amendment was to explore some of the wider issues around the Government's amendments. We have had a useful debate, and we have had helpful reassurances from the Secretary of State. His style is always persuasive—even if the substance is not—and, in a spirit of generosity, I can say that I have been reassured and to some extent persuaded by him. Therefore, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendment made: No. 66, in page 20, leave out lines 3 and 4 and insert—

'(3) For the purposes of sub-paragraph (1)(a), any worker employed by an associated company incorporated outside Great Britain must be ignored unless the day the request was made fell within a period during which he ordinarily worked in Great Britain.

(3A) For the purposes of sub-paragraph (1)(b), any worker employed by an associated company incorporated outside Great Britain must be ignored in relation to a week unless the whole or any part of that week fell within a period during which he ordinarily worked in Great Britain.

(3B) For the purposes of sub-paragraphs (3) and (3A), a worker who is employed on board a ship registered in the United Kingdom shall be treated as ordinarily working in Great Britain unless—

(a) the ship is registered at a port outside Great Britain,

(b) the employment is wholly outside Great Britain, or

(c) the worker is not ordinarily resident in Great Britain.' —*[Mr. Wills.]*

Mr. Boswell: I beg to move amendment No. 7, in page 20, line 35, leave out '10' and insert '15'.

Mr. Deputy Speaker (Sir Alan Haselhurst): With this, it will be convenient to discuss the following amendments: No. 20, in page 22, line 43, leave out '10' and insert '15'.

No. 21, in page 23, line 15, leave out '10' and insert '15'.

No. 22, in page 33, line 2, leave out '10' and insert '15'.

No. 23, in page 33, line 26, leave out '10' and insert '15'.

No. 24, in page 35, line 3, leave out '10' and insert '15'.

No. 25, in page 35, line 26, leave out '10' and insert '15'.

No. 26, in page 36, line 19, leave out '10' and insert '15'.

No. 27, in page 37, line 7, leave out '10' and insert '15'.

No. 28, in page 42, line 22, leave out '10' and insert '15'.

No. 29, in page 43, line 2, leave out '10' and insert '15'.

No. 30, in page 43, line 34, leave out '10' and insert '15'.

No. 31, in page 45, line 31, leave out '10' and insert '15'.

No. 32, in page 50, line 16, leave out '10' and insert '15'.

No. 33, in page 51, line 47, leave out '10' and insert '15'.

Mr. Boswell: For those who were studying the progress of the amendment paper, I should point out that we tabled this amendment early on and had a brisk debate in Standing Committee on the morning of 16 March. The background to the amendments is concern about the reasonable period of notice for an employer to respond to the request of a union or unions for collective bargaining. During the debate in Committee, a number of hon. Members and I challenged the 20-day period which the Secretary of State had assigned. With no disrespect to the hon. Member for Dudley, South (Mr. Pearson), it is a pity that he is not present now. In Committee, he dealt with

some of the briefing that had been received by members of the Committee from the Engineering Employers Federation. He said:

"I have some sympathy for the case that the Engineering Employers Federation is making, particularly in relation to small businesses. I am not sure that I would want to go as far as it does and ask for 20 working days' notice. However, a response period of two working weeks could unnecessarily cause problems for some small employers".

He went on:

"A compromise of three weeks would be more flexible."

He then, no doubt, alarmed some of the Government Whips by saying:

"I am minded to support the amendments of the hon. Member for Daventry."—[*Official Report, Standing Committee E*, 16 March 1999; c. 373.]

It was kind of him to say that. We would not hold it against him. He was unable to sustain that in a Division, because we did not give him the opportunity to do so, but he would have that opportunity were we to press the amendment to a Division tonight.

Mr. Ian Stewart: The Minister convinced him.

Mr. Boswell: I am not wholly sure that he did, as he did not speak again, but we shall leave that as it is. It is for the hon. Gentleman to speak for himself.

We press amendments with different degrees of force and conviction, either in a probing way or, as in this case, with a rather strong feeling. The important thing is that Governments should legislate for an appropriate period.

One concern, which I think was in the hon. Gentleman's mind, and was certainly in my mind when I tabled the amendment suggesting a longer period of 20 days, rather than the 10 days that the Government have prescribed as the first period of response—forgive me if I read the signals wrongly a moment ago; there are rather a lot of figures in the schedule—was that that might not be a reasonable period in which a small employer could respond.

As small employers do not necessarily have elaborate support and administrative systems and legal and other advice on tap—circumstances that have been discussed elsewhere during our consideration of the Bill—if they received a letter out of the blue from a union requesting the initiation of recognition procedures, they might have some difficulty in responding within only 10 days. Therefore, they would be on the way to what, in shorthand, I will call delinquency, and a decision might be taken over their heads.

Some might receive a letter or a phone call and deal with it immediately—it is good business practice to get on with one's correspondence, as I hope all hon. Members would—but there are such things as pressures to get an order out, as the hon. Member for Dudley, South mentioned in his brief intervention, and people might go away on holiday or letters might be mislaid, although that might not be an easy matter with which to deal. There are many situations in which a response may not be immediate. I readily concede to the Secretary of State, before he bases his argument on it, that a mere failure to respond within 10 days does not automatically lead to the imposition of statutory collective bargaining. There are a variety of hoops through which to go.

However, I think that the feeling in Committee was that the period has been drawn unreasonably tightly for the small employer. I mentioned the hon. Member for Dudley, South, but the general tone was that the Committee was not averse to the amendment. In order to pick up what I described in Committee as a growing consensus, I have tabled these amendments which prescribe not 20 working days or four working weeks, which we set out in Committee, but a more modest, compromise version, of 15 working days or three working weeks. I hope that that will commend itself to the Minister.

Another possible approach was adumbrated by the Under-Secretary in his response to the debate. He explained the Bill's various interlocking provisions and suggested that it was not necessary to extend the period in general terms. However, towards the conclusion of his remarks—perhaps as a debating point, but it was an interesting point—he said:

"If he"—

the hon. Member for Eastleigh (Mr. Chidgey), who is temporarily out of the Chamber—

"is suggesting that we take a general power to amend all aspects of the schedule, we shall consider that interesting suggestion."

Immediately before that, he said:

"we shall consider a general evaluation of the law."—[*Official Report, Standing Committee E*, 16 March 1999; c. 376.]

I have detected no general amending power in the schedule, even in those many pages, and we have heard no further details of a general evaluation of the law. Events may show that 10 days is an adequate period for a first response, but I am inclined to think that it is not. In Committee, I tabled a proposal for a 20-day period. That may have been unduly generous because, again, I immediately concede to the Secretary of State, before he makes the argument, that we do not want to send a signal that people should put such a letter behind the clock and hope that it will go away; they need to respond.

The amendments therefore suggest that 15 working days is appropriate. There is no science in the precise number. We are trying to produce what the Secretary of State said that he intends to produce: a sensible working understanding of how the legislation might work. It is an attempt to maintain its credibility and coherence. The worst possible initiation for his legislation would be a technical slip by a comparatively innocent, well-intentioned employer who did not respond in the prescribed period and was caught in a process from which he could not readily escape. I fear that that will happen.

8.45 pm

Mr. Stewart: In 20 years, I have not come across an experienced full-time officer who would act in the way that the hon. Gentleman describes. That is because such officers immediately seek to form good relationships with employers. It would not be to a trade union's advantage to press the issue in the way that he described, unless the employer was antagonistic in the first place.

Mr. Boswell: I thank the hon. Gentleman for his intervention. He made many constructive comments from his deep industrial experience in Committee. I understand what he is driving at. I am sure that he describes the typical situation. If a union decided, in normal circumstances, that the moment had come to go for collective bargaining under the new rules, it would ring

[Mr. Boswell]

up the employer to say so and ask him to negotiate. It would send a formal letter confirming that as evidence to establish its position vis-a-vis any subsequent statutory proceedings. That is not an issue between us, but, with respect, he describes the situation that has existed for most of his experience, when there has not been a statutory collective bargaining procedure; it has been an option. We may debate more widely elsewhere whether that is a good idea. Unions have had to be conciliatory to elicit positive responses from employers.

I am worried about where industrial relations between union members, a union representative and employers are comparatively poor, which neither the hon. Member for Eccles (Mr. Stewart) nor I want, and where there is no statutory recognition. Someone might think that the right way to get such recognition would be to bang in a formal application and dare the employer to resist it. In those circumstances, the union might think that it would help its case if the employer failed to respond in the statutory first period. If it sent a letter in a buff envelope requesting collective bargaining, unheralded by a warning telephone call, it would add to the file, if nothing else, if it were able to say that the employer took no notice of it.

Mr. Stewart: That situation would not arise because it would not be to the trade union's advantage to go for a legally imposed agreement. As the hon. Gentleman said, the scope of voluntary agreements is much wider and more attractive than that of legally enforced ones.

Mr. Boswell: I readily agree with the hon. Gentleman in respect of what I hope is the normal case. We will consider later whether we should beef up the context in which the Central Arbitration Committee will work. We have tabled an amendment on the promotion of good industrial relations in the procedure, which we will debate in the proper place. Despite his positive experience and, I am sure, his positive practice when he represented a union in such matters, there will be cases where people try it on, whether out of malice or for another reason.

Mr. St. Aubyn: Does my hon. Friend agree that a longer period would be to the advantage of the unions in such cases, because an employer who was presented with almost a fait accompli would be far more likely to say no and go for the extended 28-day secondary period than the one who had the extra time to give the proposal the proper consideration that it deserved?

Mr. Boswell: Indeed. I commented in a rather more vernacular way in Committee on that precise point, when I said that the employer might respond to such an approach by saying:

"'If you think that is where I am going, sunshine, I don't want anything to do with it.'"—[*Official Report, Standing Committee E*, 16 March 1999; c. 378.]

That is perhaps the point that my hon. Friend has in mind.

I say to the hon. Member for Eccles that there are cases in which relations are rather poor, and we do not believe that the statutory procedure will deal with them. We wish it well in the sense that we hope that it will, but it is precisely in such circumstances that the various provisions of the law will be required to work. Therefore, we think that a more reasonable period for the first response would be appropriate.

I want to draw my remarks to a close, but there is one other aspect of the matter to which I wish to draw attention. We laboured long and hard and, the Under-Secretary will concede, not unconstructively for many hours in Committee. We had a good, balanced debate on the issue. The Opposition made some compelling points. There was a degree of what might loosely be termed "emerging consensus" in favour of 15 days. It would not subvert the Government's intentions to accept the amendment, and I rather hope that they will.

Mr. Fabricant: I think that I will take issue with my hon. Friend for the first time this evening. He normally has an analytical mind, but he said that there was no science in the proposal that he was making today. I suggest that there is a little science in it. As we know, the Bill does not apply to small businesses. The definition of a small business under the terms of the Bill is any business with 20 employees or fewer. I would say that, in practice, firms of 50, some would say 100, employees or fewer were still small businesses. Small businesses operate under difficult conditions. It is only too apparent that a letter can be received from a union requesting collective bargaining at a time when people are away on maternity or paternity leave or on holiday, and it can be difficult for the employers to respond within two weeks.

We heard from my hon. Friend the Member for South Dorset (Mr. Bruce) about the importance of the temporary labour market. We all accepted in the Chamber a few hours ago that that is important for the mobility of labour and to enable people such as married women to enter and leave jobs flexibly. However, it is a fallacy to assume that key people who are away on holiday or maternity leave can be easily replaced. They cannot. I can well envisage a smaller company that comes within the ambit of the Bill in which some key person is away when the request from a union is received, so that the two-week limit is exceeded.

The hon. Member for Eccles (Mr. Stewart), who has temporarily left the Chamber, has said that it is unlikely that a trade union will wish to cause difficulty in relations with the company by taking action that would precipitate a court appearance, but, if that is the case, one can argue that the provisions in the Bill are not necessary. The fact that the provisions are there demonstrates that it could happen. Although I have not tabled an amendment, given our debate last night about the size of companies, the Secretary of State might consider the following alternative. If he were to be rigid and say that, for large companies, two weeks—10 working days—are long enough, he might consider those companies that fall within the ambit of the Bill, but have fewer than 50, or fewer than 100, employees. Why could they not be allowed a full month—20 working days?

Mr. Boswell: My hon. Friend will recall that there is already a break in the seamless uniformity of the Bill, because a different regime for the initiation of collective bargaining procedure is allowed for small firms with 20 or fewer employees. It would be easy to extend that exemption to small firms with a rather higher number of employees so as to include those time limits.

Mr. Fabricant: My hon. Friend makes a most helpful suggestion. Indeed, there is nothing seamless about

the legislation; it is digital in its step functions from one area to another. It would be consistent with the shape of the Bill if another such step function were introduced. It would at least be an acknowledgement by the Secretary of State that a small company can be one that has more than 20 employees.

Mr. Boswell: I am sorry to trouble my hon. Friend again. His use of the word "digital" prompts me to ask whether he has any information about the Government's appointment of their digital e-envoy. That was scheduled for 31 March, so they have three hours and four minutes to make an announcement.

Mr. Fabricant: My hon. Friend makes an interesting point, but I see that you, Mr. Deputy Speaker, are looking at me as if to say that this is not an area into which I should move. I shall not do so, but would add that I was expecting a statement yesterday about the Freedom of Information Bill. That did not occur either, but I shall say no more on that matter.

If the Secretary of State were to acknowledge tonight that a large company is not one with 21 or more employees, that would show that he understands the pressures under which companies work. Of course many small companies—many large companies—allow people to take two-week holidays. I ask the Secretary of State to imagine that the accounts director or the bookkeeper of a small company has gone away on holiday not expecting any important communications to arrive, but that something important does arrive and by the time that the bookkeeper—I use that word advisedly—returns, the two-week period for dealing with that communication has expired.

Mr. St. Aubyn: I listened carefully to my hon. Friend's remarks and noted his concentration on the number of workers for the purpose of defining a small business. Does he think that the Government would find it more acceptable if large, medium and small businesses were defined according to turnover?

Mr. Deputy Speaker: Order. That has nothing to do with the amendment.

Mr. Fabricant: I shall not pursue my hon. Friend's point, Mr. Deputy Speaker.

However, the capability of a company to respond within two weeks is based less on turnover than on the number of people employed by that company. For example, there is an American corporation—I had better not mention its name; it is based in Seattle and it is not Microsoft—which has a paid-up value of £44 billion, but has only 24 employees. Nearly all of us use that company's software to allow us to see television pictures.

Mr. Deputy Speaker: The hon. Gentleman is woolgathering. He should come back to the amendment.

9 pm

Mr. Fabricant: My point is that it is not a company's turnover or profitability that defines its ability to deal with the notice from a union requesting collective bargaining, but the number of people employed by that company. The definition of a small and a large company in the Bill reflects the Secretary of State's acknowledgement that companies employing fewer than 20 should be subject to a different number of legal requirements than a company employing more than 20. However, I believe that a company employing 21 people should not be regarded as a large company.

The amendment requesting three weeks—15 working days—in which to deal with the notice from the union is not unreasonable in respect of a smaller company. If the Minister rejects the amendment, large public companies, such as Unilever, will continue to be well able to deal with requests within a two-week period; but I would ask him to consider that companies of an interim size—employing up to, say, 50 employees—should be allowed rather more time.

Accepting the amendment would demonstrate a recognition of the fact that companies operate in difficult times and that the implementation of this Bill and others that have recently been enacted—including one that will come into force tomorrow, the name of which I shall not mention, lest you rule me out of order, Mr. Deputy Speaker—might restrict the number of employees employed by a company, force the individuals employed by that company to work even harder and so restrict the amount of time available to them to comply with the requirements of the Bill.

I simply ask the Secretary of State to demonstrate tonight that he is not the enemy of small business, but its friend. I ask him to show not only a little flexibility and a little heart, but a little of the mind and intelligence needed to ensure that small businesses survive. I ask him to accept the amendment, or at least introduce some suitable compromise on the basis that I have suggested.

Mr. Byers: This issue was debated at some length in Standing Committee. There is clearly a strongly held view among Opposition Members that 15 days—or perhaps 20—is the appropriate period, but I am not sure that that is correct. It is a question of balance, and we believe that 10 days is right in the circumstances. We have heard the argument and considered the issues, but the Government's view remains the same. I am sorry that I cannot agree with Opposition Members' points, but I hope that, having had the debate, they will withdraw the amendment.

Mr. Boswell: I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. Boswell: I beg to move amendment No. 8, in page 23, line 48, at end insert—

"(c) the proposed recognition of the union or unions would contribute to good industrial relations."

Mr. Deputy Speaker: With this, it will be convenient to discuss the following: amendment No. 45, in page 24, line 15, leave out from '18' to end of line 18.

Government amendments Nos. 71 and 72.

Mr. Boswell: I shall be brief, as I now sense that the House might wish to conclude these matters. I shall be able to compress my remarks in view of the express willingness of the Secretary of State to listen to us, and perhaps to some extent he can take some of my points as read.

[Mr. Boswell]

The amendment would build into the Central Arbitration Committee's criteria a test that

"the proposed recognition of the union or unions would contribute to good industrial relations."

That is a objective which we all share.

The context in which we tabled the amendment was the concern reportedly expressed by John Monks in respect of the restructuring of the trade union movement to produce a modern trade union structure. As the Minister for Small Firms, Trade and Industry knows from our previous debates, I wish no ill toward the trade union movement; in fact, my feelings are to the contrary. The amendment also reflects our desire to eliminate potential conflicts of interest, one of which arises from inter-union disputes, which we are anxious to avoid.

My understanding of the Government amendments in the group is that they would put the CAC more in the driving seat, instead of its relying on union certification. That appears sensible and likely to reduce evidential arguments. Subject to what the Secretary of State has to say about his amendments, I am inclined to welcome them.

Mr. Andrew Welsh (Angus): The two Conservative amendments cause me some concern. Under paragraph 17, union recognition is based on very clear and exact criteria, such as 10 per cent. union membership or where the majority of workers are likely to favour recognition of the union. The Conservatives wish to introduce a much vaguer criterion in amendment No. 8, which states:

"the proposed recognition of the union or unions would contribute to good industrial relations."

I should like to hear an explanation of how the CAC would judge, on any objective basis, which unions would contribute to good or to bad industrial relations.

If the amendments were passed—I hope they will not be—how would the criterion be measured? How would the new Tory criterion fit with the idea of the democratic choice of the work force? It is surely up to the workers to decide the efficacy or otherwise of the union that they choose to represent them. We should offer the work force more freedom of choice, not less. The amendments are basically anti-democratic and are designed to restrict workers' freedom of choice.

The second Conservative amendment, which refers to "a majority", underlines my suspicions. I have the feeling that the amendments are designed to hamper rather than help the legislation. I believe that the Government have got it right in this case and the amendments have got it wrong.

Mr. Byers: I am pleased that the hon. Member for Angus (Mr. Welsh) believes, at least on this occasion, that the Government have got it right. I am inclined to agree with him, and I shall ask hon. Members to resist amendments Nos. 8 and 45 if they are pressed to a Division.

Government amendments Nos. 71 and 72 clarify the way in which the Central Arbitration Committee is to decide on automatic recognition. They allow the CAC to examine in a little more detail whether a majority of workers are likely to favour recognition or de-recognition. They alter slightly the criteria by which the CAC decides whether a union has 50 per cent. membership in a bargaining unit. Instead of the union merely showing that it has 50 per cent. of members, the CAC must be satisfied that that is the case. In the vast majority of cases, the results should be the same. However, if they are not, it is better for the CAC to decide to hold a ballot.

The amendments make the method of the CAC's scrutiny of applications clearer and a little more rigorous. That is a desirable result, and I hope that hon. Members will be able to accept Government amendments Nos. 71 and 72.

Mr. Boswell: I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendments made: No. 71, in page 24, line 17, leave out

'union shows (or unions show)'

and insert 'CAC is satisfied'.

No. 72, in page 24, line 46, leave out

'union does not show (or unions do not show)'

and insert 'CAC is not satisfied'.—*[Mr. Byers.]*

Mr. Welsh: I beg to move amendment No. 37, in page 27, line 17, leave out from 'voting' to end of line 18.

I should like also to discuss amendment No. 38, in page 48, line 26, leave out from 'voting' to end of line 27.

Schedule 1 is concerned with the recognition of trade unions by employers for the purpose of conducting collective bargaining on behalf of the workers. Voluntary agreements are still promoted as the best solution, but schedule 1 legislates for statutory recognition. If more than half the workers are already union members and the CAC is satisfied that there is no need for a ballot, the union can be recognised automatically at that stage; otherwise, there will be a secret ballot of the work force.

In order for a trade union to succeed in a ballot on recognition under schedule 1, it must be supported by at least 40 per cent. of the work force—not just a simple majority of those voting. However, the 1997 Labour manifesto did not refer to any such threshold. It said:

"People should be free to join or not to join a union. Where they do decide to join and where a majority of the relevant workforce votes in a ballot for the union to represent them, the union should be recognised. This promotes stable and orderly industrial relations."

I certainly agree with that.

Mr. Richard Page (South-West Hertfordshire): I realise that the hon. Gentleman wants to make progress. However, would his proposal not be divisive for the small business man who knows every one of his 20 or 25 employees? Would it not create two different authorities inside a company?

Mr. Welsh: There is recognition of small companies, and they would not be involved.

Mr. Page: Will the hon. Gentleman give way?

Mr. Welsh: No, I want to make progress.

A review of the 40 per cent. threshold was promised in the White Paper of May 1998, which stated:

"This number will be reviewed after legislation has been in place for a period of time so that it can be altered if it is shown to be unworkable".

Whether such a review will come to pass remains to be seen.

The amendments would settle the matter by abolishing the 40 per cent. threshold rule, especially because employment relations and trade union law remain reserved to Westminster and are not to be devolved to a Scottish Parliament. Hon. Members should understand that my hon. Friend the Member for Moray (Mrs. Ewing) and I are justifiably wary of any 40 per cent. voting threshold, having lived through a similar rigged referendum method in Scotland in the 1970s.

In any 40 per cent. rule, the dead, those who are ill and those who abstain are all considered to have been against the proposition and to have voted no. All of them will add to the 40 per cent. barrier, whether or not that was their true intention. Even if a majority yes vote is obtained, it can be nullified by a 40 per cent. rule. Under such a rule, the right hon. Member for Sedgefield (Mr. Blair) would have failed in the Labour party leadership election. He would not even have met a 20 per cent. threshold. If a 40 per cent. rule had been set, London would not have its own government, even though that proposal got a 72 per cent. yes vote.

It is better to let the decision rest with the democratic majority of those who bother to vote, and a maximum turnout should be encouraged to ascertain the true wishes of the work force.

Our amendments have the support of the GMB, Unison, the Scottish Trades Union Congress and the TUC. Given past experience, I hope that the amendments will be supported.

Mr. Chidgey: The hon. Member for Angus (Mr. Welsh) made interesting points, but I should like to pose a question to the House, particularly the Secretary of State.

The presumption in the hon. Gentleman's argument is that a ballot for the selection of a union to represent a work force is in all cases and in all ways the same as the election of a democratic representative to the Government of a country or an area. There are different philosophical views about whether that is correct. Will the Secretary of State clarify for me and my colleagues why he believes that it is correct and fair to impose a threshold for the selection of union representation and not to have a full, democratic election among those who decide to vote, as would be the case in elections for representation to a Government or local councils?

9.15 pm

Mr. Dennis Canavan (Falkirk, West): I support amendments Nos. 37 and 38. The 40 per cent. hurdle was included in the Bill simply because of pressure from the Confederation of British Industry and other employers organisations. It has nothing to do with industrial democracy or democratic principles. It is intended to make trade union recognition that bit more difficult to obtain.

It is a well-established part of this country's democratic tradition that those who participate in a democratic process such as a ballot should determine its outcome. However, if the 40 per cent. hurdle is allowed to stand, those who do not participate will also be taken into account in determining the result because that threshold relates not to those who participate but to those who are eligible to participate, whether they vote or not.

We could have a scenario in which, for example, 66 per cent., or nearly two thirds, of the relevant work force could participate in a ballot, and 60 per cent. of them could be in favour of trade union recognition, yet that would not pass the 40 per cent. hurdle. Alternatively, 60 per cent. of the relevant work force could participate in the ballot, and 66 per cent., or nearly two thirds, of that 60 per cent. could vote for trade union recognition, yet they would fail to reach the 40 per cent. hurdle.

To my mind, that makes a mockery of democracy. As the hon. Member for Angus (Mr. Welsh) pointed out, if that were applied to parliamentary elections, it would make parliamentary democracy virtually unworkable. Even this Government, with their massive majority in the House, cannot say that they have the support of 40 per cent. of all those eligible to vote in the UK. If the 40 per cent. hurdle were applied to parliamentary constituencies, many hon. Members would not be in the House today.

There was an unhappy precedent in Scotland exactly 20 years ago this month, when we had a referendum on the then Labour Government's proposal to set up a Scottish Assembly, as it was called at that time. George Cunningham, a Labour Member of Parliament, had tabled a 40 per cent. wrecking amendment, the effect of which was similar to what is proposed in the Bill. In that referendum, the majority of people who participated in the ballot voted in favour of a Scottish Assembly, but the people of Scotland were denied it because of the 40 per cent. wrecking amendment. That led to 18 years of bitterness and caused much ill feeling in Scotland and elsewhere.

If we translate that situation into the sphere of industrial relations, and if we had a similar situation as a result of an industrial ballot, it would be a recipe for conflict and could lead to bitterness for some time between employers and employees until another ballot was held. I hope that the Government can be persuaded to think again and will learn from past mistakes.

I never thought that I would see the day when any Labour Government would be resisting a pro-trade union amendment tabled by the Scottish National party. More than 20 years ago, when I was already a Member of Parliament, I remember a Scottish trade unionist sending telegrams to hon. Members. There were no e-mails, faxes or other sophisticated methods of communication at that time. Indeed, the most sophisticated was the telegram. The Scottish trade union movement sent telegrams to Scottish Members of Parliament of various parties, pleading with them to vote for the Bill to save the aircraft and shipbuilding industries in Scotland. I remember the disdain with which those telegrams were treated by some members of the SNP. I think that it was Hamish Watt—*[Interruption.]* It was not the hon. Members for Angus or for Moray (Mrs. Ewing), but Hamish Watt who made a point of tearing up the telegrams on the Floor of the House.

As I say, I never thought that I would live to see the day when a Labour Government would refuse to listen to the voice of the trade union movement of Scotland or anywhere else. The Scottish Trades Union Congress is certainly in favour of the amendments.

[Mr. Dennis Canavan]

When Ron Hayward was general secretary of the Labour party, one of his favourite sayings was, "Never forget whence you came." He was referring to the fact that the Labour party was born out of the trade union movement. I wonder sometimes what has happened. I think that sometimes the present lot have forgotten whence they came. More seriously, I think that there is growing concern in Scotland and elsewhere about where they are going.

I hope that the Minister will bear my points in mind and think again. If the amendments were agreed to, that would lead to greater recognition of the trade union movement and its democratic rights.

Mr. Page: Unlike my hon. Friend the Member for South Dorset (Mr. Bruce), I shall not delay the House with a one-hour speech. I found the speech of the hon. Member for Angus (Mr. Welsh) interesting, and it was obviously supported by the hon. Member for Eastleigh (Mr. Chidgey).

Those people who have responsibility for these matters have no idea how small business operates. They are in a dream world. In small businesses there are no management messages, metaphorically carved in stone, which are sent down from the boardroom to the deputy manager and to the foreman, to be put on the office notice board. Nor are such messages sent through the wage packet.

In a small business, the manager knows everyone by name. Management and staff work together, they know their problems and they know their individual requirements. The various figures and percentages that are presented in this part of the Bill will not be helpful for small businesses. Indeed, they could be damaging or harmful to them. As unemployment starts to climb, we all know that we shall need small businesses to create jobs for the future. I have to exhibit and state to the House my concern over this part of the Bill as it will affect small businesses.

Mr. Boswell: The hon. Member for Angus (Mr. Welsh) and others have eloquently explained the ambiguities, inconsistencies and lack of principle in the Government's policies in this part of the Bill. It will be obvious to the House that amendment No. 9 would work in the opposite sense by taking one of the two ambiguous interpretations of the Labour party manifesto and requiring a higher hurdle rate. I would say that for that purpose it is defensible. We are seeing the imposition by statute of collective bargaining. If that is to happen, it should have the widest possible consent. It is for the Minister now to answer our observations.

Mrs. Margaret Ewing (Moray): I will be very brief because I appreciate the exigencies of the time. It is appropriate that I should speak in a debate in which the hon. Member for Falkirk, West (Mr. Canavan) and I find ourselves in a situation which goes back for many years when he was my boss and I worked with him as a teacher. We had different political viewpoints, but we are essentially in agreement on the very important issue of democracy.

I remind the House of early-day motion 291 of last year which was signed by 22 Labour Members. It rested on the concept of basic democracy, which is the basis of the amendment. I hope that the 22 Labour Members might at least have the courage of their convictions, which they had when they signed the early-day motion, to join us in the Lobby in support of a basic principle.

I was involved in the 1979 referendum in Scotland. The 40 per cent. rule applied, and if someone did not turn out, it meant a no vote. That ridiculed the whole idea of democracy and the amendments that my hon. Friend the Member for Angus (Mr. Welsh) moved so eloquently are a challenge to the concept of basic democracy in this country.

Mr. Wills: All the amendments deal with recognition ballots, which is undoubtedly a very important issue. The Government are concerned to get it right. I regret that all the amendments are unhelpful and that some of them are more unhelpful than others. I am certainly not convinced that amendments Nos. 37 and 38, are in the best interests of good industrial relations. Amendment No. 37 would remove the requirement that at least 40 per cent. of workers in a bargaining unit must vote in favour of union recognition. We believe that 40 per cent. is the right figure, and I shall come back to that in relation to amendment No. 9.

The basic principle is that a significant proportion of workers must be in favour of recognition before it should be granted. That seems self-evident and deviating from that basic principle would run the risk of a vocal minority overriding the wishes of the vast majority of those affected. That would disrupt good industrial relations. The Government have no wish for that to happen and we cannot accept an amendment that runs such a risk.

For exactly the same reasons, we cannot accept amendment No. 38, which would remove the converse requirement that at least 40 per cent. of workers in the bargaining unit must vote against the continuation of recognition for it to end.

Amendment No. 9 would alter the figure for minimum support in a recognition ballot to 50 per cent. I have already explained the reasons for having a threshold. We have set a threshold of 40 per cent. Precisely where the level is set is a matter of judgment, and we have made our judgment on the basis that we believe that, in the overwhelming majority of cases, 40 per cent. plus a ballot majority will mean that 50 per cent. or more of the work force support recognition, or at least do not oppose it.

Why not set the threshold at 50 per cent? Because that would, in practice, mean that an even greater proportion of workers—perhaps 60 or 70 per cent.—would have to be in favour of recognition before it would be granted. That is a high hurdle, particularly when, we should remember, the union must also win a ballot. In those circumstances, we do not believe that the amendment would be conducive to good industrial relations—it is unnecessary and unhelpful. I hope that Opposition Members will withdraw all the amendments.

Mr. Welsh: I regret the Government's stance. The 40 per cent. rule has met widespread opposition and has, for example, been described by GMB Scotland in the following terms:

"The fly in the ointment is the 40 per cent. rule. It's a pity the same commitment to giving workers rights as individuals is not extended to them when they group together in a union."

John Edmonds, the leader of the GMB has said that the 40 per cent. rule turned the White Paper into a "flawed jewel". The Scottish Trades Union Congress has said:

"Our position is quite clear—there should be no additional hurdles erected. The only requirement should be that a majority of those in a workplace voting for trade union recognition should get it, and we will not accept anything less than that."

We share those sentiments and they would be delivered by the amendments.

I note not only the support of the trade unions. On 9 January 1999, 22 Labour and five Liberal Democrat Members supported an early-day motion on that issue, even though both parties will oppose the amendments. We intend to make the point by pressing this principle to a vote.

Question put, That the amendment be made:—

The House divided: Ayes 1, Noes 301.

Division No. 139] **[9.28 pm**

AYES

Ewing, Mrs Margaret

Tellers for the Ayes:
Mr. Dennis Canavan and
Mr. Andrew Welsh.

NOES

Abbott, Ms Diane *(Edinburgh Pentlands)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Beggs, Roy
Bell, Martin *(Tatton)*
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Rt Hon Stephen
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Caplin, Ivor
Caton, Martin
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Cov'try S)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ennis, Jeff
Fisher, Mark
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hood, Jimmy
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kingham, Ms Tess
Kumar, Dr Ashok
Lawrence, Ms Jackie
Laxton, Bob
Leslie, Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Linton, Martin
Livingstone, Ken
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McDonagh, Siobhain
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Giles
Rapson, Syd
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Salter, Martin

Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Singh, Marsha
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Snape, Peter
Soley, Clive
Spellar, John
Squire, Ms Rachel
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Temple-Morris, Peter
Tipping, Paddy
Todd, Mark
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Woolas, Phil
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*

Tellers for the Noes:
Mr. David Hanson and Mrs. Anne McGuire.

Question accordingly negatived.

Mr. Byers: I beg to move amendment No. 152, in page 28, line 30, at end insert—

'(1A) In applying sub-paragraph (1) an agreement for recognition (the agreement in question) must be ignored if—

(a) the union does not have a certificate under section 6 that it is independent,

(b) at some time there was an agreement (the old agreement) between the employer and the union under which the union (whether alone or with other unions) was recognised as entitled to conduct collective bargaining on behalf of a group of workers which was the same or substantially the same as the group covered by the agreement in question, and

(c) the old agreement ceased to have effect in the period of three years ending with the date of the agreement in question.

(1B) It is for the CAC to decide whether one group of workers is the same or substantially the same as another, but in deciding the CAC may take account of the views of any person it believes has an interest in the matter.'

Mr. Deputy Speaker: With this, it will be convenient to discuss Government amendments Nos. 150, 151 and 153.

Mr. Byers: I commend the amendments. However, there is an issue that the Government want to consider further: where a staff association or a non-independent union has applied for a certificate of independence, whether the CAC should not consider any application for derecognition until the outcome of that process is known.

The Government want to give some thought to that issue. We have not arrived at any conclusions as to what our response should be. We will give it further thought and may return to that aspect during the House of Lords consideration of those matters.

Amendment agreed to.

Mr. Deputy Speaker: I understand that the outstanding groups of Opposition amendments are not to be moved. I see that that is so.

Amendments made: No. 167, in page 29, line 12, at end insert—

'32A.—(1) This paragraph applies if—

(a) the CAC accepts for decision an application under paragraph 10 or 11 relating to a bargaining unit, and

(b) the CAC has not issued a declaration under paragraph 19(2), 25(3) or 25(4) in relation to that bargaining unit.

(2) Another application under paragraph 10 or 11 is not admissible if—

(a) at least one worker falling within the relevant bargaining unit also falls within the bargaining unit referred to in sub-paragraph (1), and

(b) the application is made by a union (or unions) other than the union (or unions) which made the application referred to in sub-paragraph (1).

(3) The relevant bargaining unit is—

(a) the proposed bargaining unit, where the application is under paragraph 10(2) or 11(2);

(b) the agreed bargaining unit, where the application is under paragraph 11(4).'

No. 168, in page 29, line 44, at end insert—

'Competing applications

35A.—(1) For the purposes of this paragraph—

(a) the original application is the application referred to in paragraph 32A(1), and

(b) the competing application is the other application referred to in paragraph 32A(2).

(2) This paragraph applies if—

(a) the CAC decides that the competing application is not admissible by reason of paragraph 32A,

(b) at the time the decision is made the parties to the original application have not agreed the appropriate bargaining unit under paragraph 15, and the CAC has not decided the appropriate bargaining unit under paragraph 16, in relation to the application, and

(c) the 10 per cent test (within the meaning given by paragraph 13) is satisfied with regard to the competing application.

(3) In such a case—

(a) the CAC must cancel the original application,

(b) the CAC must give notice to the parties to the application that it has been cancelled,

(c) no further steps are to be taken under this Part of this Schedule in relation to the application, and

(d) the application shall be treated as if it had never been admissible.'

No. 73, in page 30, line 22, leave out from beginning to 'the employer'.

No. 74, in page 30, line 24, at end insert—

'(1A) The application is not admissible unless—

(a) the condition in sub-paragraph (2) is satisfied, and

(b) one of the conditions in sub-paragraph (2A) is satisfied.'

No. 75, in page 30, line 28, at end insert—

'(2A) The conditions are that—

(a) the parties have not agreed a method by which they are to conduct collective bargaining on behalf of the bargaining unit;

(b) the parties have agreed such a method but have failed to carry out the agreement.'

No. 67, in page 30, leave out lines 34 and 35 and insert—

'(4) For the purposes of sub-paragraph (2)(a), any worker employed by an associated company incorporated outside Great Britain must be ignored unless the day the application was made fell within a period during which he ordinarily worked in Great Britain.

(4A) For the purposes of sub-paragraph (2)(b), any worker employed by an associated company incorporated outside Great Britain must be ignored in relation to a week unless the whole or any part of that week fell within a period during which he ordinarily worked in Great Britain.

(4B) For the purposes of sub-paragraphs (4) and (4A), a worker who is employed on board a ship registered in the United Kingdom shall be treated as ordinarily working in Great Britain unless—

(a) the ship is registered at a port outside Great Britain,

(b) the employment is wholly outside Great Britain, or

(c) the worker is not ordinarily resident in Great Britain.'

No. 76, in page 30, line 36, leave out 'invalid' and insert 'not admissible'.

No. 77, in page 30, line 39, leave out 'invalid' and insert 'not admissible'.

No. 78, in page 30, line 43, leave out sub–paragraphs (3) and (4).

No. 79, in page 31, line 2, leave out

'references to the applicant are'

and insert

'the reference to the applicant is'.

No. 80, in page 31, line 4, leave out

'references to the other party are'

and insert

'the reference to the other party is'.

No. 81, in page 31, line 7, leave out from beginning to 'it' in line 16 and insert—

'(1) The CAC must give notice to the parties of receipt of an application under paragraph 38.

(2) Within the acceptance period the CAC must decide whether the application is admissible within the terms of paragraphs 38 and 39.

(3) In deciding whether an application is admissible the CAC must consider any evidence which it has been given by the employer or the union (or unions).

(4) If the CAC decides that the application is not admissible—

(a) the CAC must give notice of its decision to the parties,

(b) the CAC must not accept the application, and

(c) no further steps are to be taken under this Part of this Schedule.

(5) If the CAC decides that the application is admissible it must—

(a) accept the application, and

(b) give notice of the acceptance to the parties.

(6) The acceptance period is—

(a) the period of 10 working days starting with the day the CAC receives the application, or

(b) such longer period (so starting) as the CAC may specify to the parties by notice containing reasons for the extension.

40A.—(1) If the CAC accepts an application'.

No. 82, in page 31, line 37, leave out

'receives the application under paragraph 38'

and insert

'gives notice of acceptance of the application'.

No. 133, in page 32, line 36, leave out line 36 and insert

'An application under paragraph 44 is not admissible unless the CAC'.

No. 134, in page 32, line 46, leave out sub–paragraphs (3) to (5) and insert—

'45A.—(1) The CAC must give notice to the parties of receipt of an application under paragraph 44.

(2) Within the acceptance period the CAC must decide whether the application is admissible within the terms of paragraphs 45 and 65.

(3) In deciding whether the application is admissible the CAC must consider any evidence which it has been given by the employer or the union (or unions).

(4) If the CAC decides that the application is not admissible—

(a) the CAC must give notice of its decision to the parties,

(b) the CAC must not accept the application, and

(c) no further steps are to be taken under this Part of this Schedule.

(5) If the CAC decides that the application is admissible it must—

(a) accept the application, and

(b) give notice of the acceptance to the parties.

(6) The acceptance period is—

(a) the period of 10 working days starting with the day the CAC receives the application, or

(b) such longer period (so starting) as the CAC may specify to the parties by notice containing reasons for the extension.'

No. 135, in page 33, line 9, leave out

'under paragraph 45(3) of a decision to accept an'

and insert 'of acceptance of the'.

No. 136, in page 33, line 27, leave out 'under paragraph 45(3)' and insert

'of acceptance of the application'.

No. 137, in page 33, line 31, leave out

'under paragraph 45(3) of a decision to accept an'

and insert 'of acceptance of the'.

No. 138, in page 34, line 44, leave out '25' and insert '35'.

No. 139, in page 35, line 1, leave out 'This paragraph' and insert 'Paragraph 52A'.

No. 140, in page 35, line 12, leave out sub-paragraph (3).

No. 141, in page 35, line 25, leave out sub-paragraph (5) and insert—

'52A.—(1) The CAC must give notice to the parties of receipt of an application under paragraph 52.

(2) Within the acceptance period the CAC must decide whether the application is admissible within the terms of paragraph 65.

(3) In deciding whether the application is admissible the CAC must consider any evidence which it has been given by the employer or the union (or unions).

(4) If the CAC decides that the application is not admissible—

(a) the CAC must give notice of its decision to the parties,

(b) the CAC must not accept the application, and

(c) no further steps are to be taken under this Part of this Schedule.

(5) If the CAC decides that the application is admissible it must—

(a) accept the application, and

(b) give notice of the acceptance to the parties.

(6) The acceptance period is—

(a) the period of 10 working days starting with the day the CAC receives the application, or

(b) such longer period (so starting) as the CAC may specify to the parties by notice containing reasons for the extension.'

No. 142, in page 35, line 30, at beginning insert—

'(A1) If the CAC accepts an application it—

(a) must give the employer and the union (or unions) an opportunity to put their views on the question or questions in relation to which the application was made;

(b) must decide the question or questions before the end of the decision period.'

No. 143, in page 35, line 49, at end insert—

'(4A) The decision period is—

(a) the period of 10 working days starting with the day the CAC gives notice of acceptance of the application, or

(b) such longer period (so starting) as the CAC may specify to the parties by notice containing reasons for the extension.'

No. 144, in page 38, line 47, leave out

'union shows (or unions show)'

and insert 'CAC is satisfied'.

No. 145, in page 39, line 32, leave out

'union does not show (or unions do not show)'

and insert 'CAC is not satisfied'.

No. 146, in page 40, line 23, leave out 'invalid' and insert 'not admissible'.

No. 147, in page 40, line 28, leave out 'invalid' and insert 'not admissible'.

No. 148, in page 40, line 32, leave out 'invalid' and insert 'not admissible'.

No. 149, in page 40, line 35, leave out sub-paragraphs (4) to (6).

No. 69, in page 41, line 44, leave out 'less' and insert 'fewer'.

No. 70, in page 42, line 2, leave out 'less' and insert 'fewer'.

No. 83, in page 42, line 6, leave out '25' and insert '35'.

No. 68, in page 42, leave out lines 18 and 19 and insert—

'(5) For the purposes of sub-paragraph (1)(b), any worker employed by an associated company incorporated outside Great Britain must be ignored in relation to a week unless the whole or any part of that week fell within a period during which he ordinarily worked in Great Britain.

(5A) For the purposes of sub-paragraph (5), a worker who is employed on board a ship registered in the United Kingdom shall be treated as ordinarily working in Great Britain unless—

(a) the ship is registered at a port outside Great Britain,

(b) the employment is wholly outside Great Britain, or

(c) the worker is not ordinarily resident in Great Britain.'

No. 84, in page 42, line 23, leave out '(or unions) make' and insert 'makes (or unions make)'.

No. 85, in page 42, line 26, leave out 'invalid' and insert 'not admissible'.

No. 86, in page 42, line 29, leave out 'invalid' and insert 'not admissible'.

No. 87, in page 42, line 33, leave out sub-paragraphs (4) and (5).

No. 88, in page 42, leave out line 37 and insert—

'71A.—(1) The CAC must give notice to the parties of receipt of an application under paragraph 71.

(2) Within the acceptance period the CAC must decide whether the application is admissible within the terms of paragraph 71.

(3) In deciding whether an application is admissible the CAC must consider any evidence which it has been given by the employer or the union (or unions).

(4) If the CAC decides that the application is not admissible—

(a) the CAC must give notice of its decision to the parties,

(b) the CAC must not accept the application,

(c) no further steps are to be taken under this Part of this Schedule, and

(d) the bargaining arrangements shall cease to have effect on the date specified under paragraph 70(2)(d).

(5) If the CAC accepts an application it must give notice of the acceptance to the parties.

(6) The acceptance period is—

(a) the period of 10 working days starting with the day the CAC receives the application, or

(b) such longer period (so starting) as the CAC may specify to the parties by notice containing reasons for the extension.

71B.—(1) If the CAC accepts an application it—'

No. 89, in page 43, line 2, leave out 'receives' and insert

'gives notice of acceptance of'.

No. 90, in page 43, line 12, leave out

', and if the request'

and insert—

'(1A) The request is not valid unless it'.

No. 91, in page 43, line 16, leave out sub-paragraphs (2) and (3).

No. 92, in page 44, line 12, leave out 'invalid' and insert 'not admissible'.

No. 93, in page 44, line 15, leave out 'invalid' and insert 'not admissible'.

No. 94, in page 44, line 19, leave out sub-paragraphs (3) and (4).

No. 95, in page 44, line 23, leave out from beginning to 'decides' in line 24 and insert

'An application under paragraph 74 or 75 is not admissible unless the CAC'.

No. 96, in page 44, line 27, leave out

'there is prima facie evidence that'.

No. 97, in page 44, line 30, leave out from 'must' to 'give' in line 31.

No. 98, in page 44, line 32, leave out sub-paragraph (3) and insert—

'77A.—(1) The CAC must give notice to the parties of receipt of an application under paragraph 74 or 75.

(2) Within the acceptance period the CAC must decide whether—

(a) the request is valid within the terms of paragraph 72, and

(b) the application is admissible within the terms of paragraphs 76 and 77.

(3) In deciding those questions the CAC must consider any evidence which it has been given by the employer or the union (or unions).

(4) If the CAC decides that the request is not valid or the application is not admissible—

(a) the CAC must give notice of its decision to the parties,

(b) the CAC must not accept the application, and

(c) no further steps are to be taken under this Part of this Schedule.

(5) If the CAC decides that the request is valid and the application is admissible it must—

(a) accept the application, and

(b) give notice of the acceptance to the parties.

(6) The acceptance period is—

(a) the period of 10 working days starting with the day the CAC receives the application, or

(b) such longer period (so starting) as the CAC may specify to the parties by notice containing reasons for the extension.'

No. 99, in page 44, line 40, leave out sub-paragraph (2).

No. 100, in page 44, line 45, leave out 'invalid' and insert 'not admissible'.

No. 101, in page 45, line 1, leave out 'invalid' and insert 'not admissible'.

No. 102, in page 45, line 5, leave out sub-paragraphs (5) and (6).

No. 103, in page 45, line 12, leave out from beginning to 'decides' in line 13 and insert

'An application under paragraph 78 is not admissible unless the CAC'.

No. 104, in page 45, line 16, leave out

'there is prima facie evidence that'.

No. 105, in page 45, line 19, leave out from 'must' to 'give' in line 20.

No. 106, in page 45, line 21, leave out from beginning to 'the application' in line 24 and insert—

'79A.—(1) The CAC must give notice to the worker (or workers), the employer and the union (or unions) of receipt of an application under paragraph 78.

(2) Within the acceptance period the CAC must decide whether the application is admissible within the terms of paragraphs 78 and 79.

(3) In deciding whether the application is admissible the CAC must consider any evidence which it has been given by the employer, the union (or unions) or any of the workers falling within the bargaining unit.

(4) If the CAC decides that the application is not admissible—

(a) the CAC must give notice of its decision to the worker (or workers), the employer and the union (or unions),

(b) the CAC must not accept the application, and

(c) no further steps are to be taken under this Part of this Schedule.

(5) If the CAC decides that the application is admissible it must—

(a) accept the application, and

(b) give notice of the acceptance to the worker (or workers), the employer and the union (or unions).

(6) The acceptance period is—

(a) the period of 10 working days starting with the day the CAC receives the application, or

(b) such longer period (so starting) as the CAC may specify to the worker (or workers), the employer and the union (or unions) by notice containing reasons for the extension.

79B. If the CAC accepts'.

No. 107, in page 45, line 30, leave out sub-paragraph (5).

No. 108, in page 45, line 36, leave out

'after the CAC decides to proceed with'

and insert

'the CAC gives notice of acceptance of'.

No. 109, in page 45, line 39, leave out 'parties' and insert

'worker (or workers), the employer and the union (or unions)'.

No. 110, in page 45, line 41, leave out from 'CAC' to end of line 42 and insert

'accepts an application under paragraph 74 or 75.'

No. 111, in page 45, line 44, leave out from 'CAC' to ', and' in line 45 and insert

'accepts an application under paragraph 78'.

No. 165, in page 49, line 17, at end insert—

'86A.—(1) This Part of this Schedule also applies if the CAC has issued a declaration under paragraph 62(2) that a union is (or unions are) recognised as entitled to conduct collective bargaining on behalf of a bargaining unit.

(2) In such a case references in this Part of this Schedule to the bargaining arrangements are to—

(a) the declaration, and

(b) paragraph 62(6)(b).'

No. 112, in page 49, line 23, leave out from beginning to 'the union' in line 24 and insert

'The employer may after the relevant date request'.

No. 113, in page 49, line 25, leave out

', and if the request'

and insert—

'(1A) The request is not valid unless it'.

No. 114, in page 49, line 31, leave out sub-paragraphs (2) and (3).

No. 115, in page 49, line 46, leave out 'invalid' and insert 'not admissible'.

No. 116, in page 50, line 2, leave out 'invalid' and insert 'not admissible'.

No. 117, in page 50, line 6, leave out sub-paragraphs (3) and (4).

No. 118, in page 50, line 10, leave out from beginning to 'is' in line 11 and insert

'An application to the CAC under paragraph 90 is not admissible unless the CAC'.

No. 119, in page 50, line 13, leave out from 'must' to 'give' in line 14.

No. 120, in page 50, line 15, leave out sub-paragraph (3) and insert—

'92A.—(1) The CAC must give notice to the parties of receipt of an application under paragraph 90.

(2) Within the acceptance period the CAC must decide whether—

(a) the request is valid within the terms of paragraph 89, and

(b) the application is admissible within the terms of paragraphs 91 and 92.

(3) In deciding those questions the CAC must consider any evidence which it has been given by the parties.

(4) If the CAC decides that the request is not valid or the application is not admissible—

(a) the CAC must give notice of its decision to the parties,

(b) the CAC must not accept the application, and

(c) no further steps are to be taken under this Part of this Schedule.

(5) If the CAC decides that the request is valid and the application is admissible it must—

(a) accept the application, and

(b) give notice of the acceptance to the parties.

(6) The acceptance period is—

(a) the period of 10 working days starting with the day the CAC receives the application, or

(b) such longer period (so starting) as the CAC may specify to the parties by notice containing reasons for the extension.'

No. 121, in page 50, line 21, leave out from 'CAC' to '(as' in line 22 and insert

'accepts an application under paragraph 90.'

No. 150, in page 50, line 44, leave out paragraph 95.

No. 151, in page 51, line 8, leave out 'after the relevant date'.

No. 122, in page 51, line 10, leave out sub-paragraph (2).

No. 123, in page 51, line 15, leave out 'invalid' and insert 'not admissible'.

No. 124, in page 51, line 18, leave out 'invalid' and insert 'not admissible'.

No. 125, in page 51, line 22, leave out sub-paragraphs (5) and (6).

No. 126, in page 51, line 29, leave out from beginning to 'decides' in line 30 and insert

'An application under paragraph 98 is not admissible unless the CAC'.

No. 127, in page 51, line 35, leave out from 'must' to 'give' in line 36.

No. 128, in page 51, line 37, leave out from beginning to 'application' in line 40 and insert—

'(1) The CAC must give notice to the worker (or workers), the employer and the union (or unions) of receipt of an application under paragraph 98.

(2) Within the acceptance period the CAC must decide whether the application is admissible within the terms of paragraphs 98 and 99.

(3) In deciding whether the application is admissible the CAC must consider any evidence which it has been given by the employer, the union (or unions) or any of the workers falling within the bargaining unit.

(4) If the CAC decides that the application is not admissible—

(a) the CAC must give notice of its decision to the worker (or workers), the employer and the union (or unions),

(b) the CAC must not accept the application, and

(c) no further steps are to be taken under this Part of this Schedule.

(5) If the CAC decides that the application is admissible it must—

(a) accept the application, and

(b) give notice of the acceptance to the worker (or workers), the employer and the union (or unions).

(6) The acceptance period is—

(a) the period of 10 working days starting with the day the CAC receives the application, or

(b) such longer period (so starting) as the CAC may specify to the worker (or workers), the employer and the union (or unions) by notice containing reasons for the extension.

99B. If the CAC accepts'.

No. 129, in page 51, line 46, leave out sub-paragraph (5).

No. 130, in page 52, line 4, leave out

'after the CAC decides to proceed with'

and insert

'the CAC gives notice of acceptance of'.

No. 131, in page 52, line 7, leave out 'parties' and insert

'worker (or workers), the employer and the union (or unions)'.

No. 132, in page 52, line 10, leave out from 'CAC' to ', and' in line 11 and insert

'accepts an application under paragraph 98'.

No. 153, in page 52, line 18, at end insert—

'Derecognition: other cases

100A.—(1) This paragraph applies if as a result of a declaration by the CAC another union is (or other unions are) recognised as entitled to conduct collective bargaining on behalf of a group of workers at least one of whom falls within the bargaining unit.

(2) The CAC must issue a declaration that the bargaining arrangements are to cease to have effect on a date specified by the CAC in the declaration.

(3) If a declaration is issued under sub-paragraph (2) the bargaining arrangements shall cease to have effect accordingly.

(4) It is for the CAC to decide whether a group of workers is the same or substantially the same as the bargaining unit, but in deciding the CAC may take account of the views of any person it believes has an interest in the matter.'

No. 169, in page 52, line 28, leave out 'Part I of'.

No. 170, in page 52, line 30, leave out 'Part I of'.

No. 171, in page 52, line 31, leave out

'of bargaining arrangements under Part IV, V or VI of this Schedule'

and insert

'under this Schedule of bargaining arrangements'.

No. 172, in page 52, line 33, leave out

'of bargaining arrangements under Part IV, V or VI of this Schedule'

and insert

'under this Schedule of bargaining arrangements'.

No. 173, in page 54, line 17, leave out 'Part I of'.

No. 174, in page 54, line 19, leave out 'Part I of'.

No. 175, in page 54, line 20, leave out

'of bargaining arrangements under Part IV, V or VI of this Schedule'

and insert

'under this Schedule of bargaining arrangements'.

No. 176, in page 54, line 22, leave out

'of bargaining arrangements under Part IV, V or VI of this Schedule'

and insert

'under this Schedule of bargaining arrangements'.—*[Mr. Pope.]*

Schedule 5

THE CERTIFICATION OFFICER

Amendments made: No. 154, in page 71, line 49, leave out from 'shall' to second 'the' in line 50 and insert '—

(a) make such enquiries as he thinks fit, and

(b) give the applicant and the trade union an opportunity to be heard.

(2AA) Where'.

No. 155, in page 72, line 13, at end insert—

'(3A) Where the Certification Officer requests a person to furnish information to him in connection with enquiries made by him under this section, he shall specify the date by which that information is to be furnished and, unless he considers that it would be inappropriate to do so, shall proceed with his determination of the application notwithstanding that the information has not been furnished to him by the specified date.'

No. 156, in page 72, line 25, at end insert—

'(1A) In subsection (2) (Certification Officer's powers and duties) insert before paragraph (a)—

"(aa) shall make such enquiries as he thinks fit,".

No. 157, in page 73, line 6, at end insert—

'(6A) Where the Certification Officer requests a person to furnish information to him in connection with enquiries made by him under this section, he shall specify the date by which that information is to be furnished and, unless he considers that it would be inappropriate to do so, shall proceed with his determination of the application notwithstanding that the information has not been furnished to him by the specified date.'

No. 164, in page 73, line 15, leave out 'this Chapter' and insert

'section 25, 31 or 45C'.

No. 158, in page 75, line 11, at end insert—

'(5A) Where the Certification Officer requests a person to furnish information to him in connection with enquiries made by him under this section, he shall specify the date by which that information is to be furnished and, unless he considers that it would be inappropriate to do so, shall proceed with his determination of the application notwithstanding that the information has not been furnished to him by the specified date.'

No. 159, in page 76, line 44, at end insert—

'Political fund

16A.—(1) Section 82 (rules as to political fund) shall be amended as follows.

(2) After subsection (2) insert—

"(2A) On a complaint being made to him the Certification Officer shall make such enquiries as he thinks fit."

(3) After subsection (3) insert—

"(3A) Where the Certification Officer requests a person to furnish information to him in connection with enquiries made by him under this section, he shall specify the date by which that information is to be furnished and, unless he considers that it would be inappropriate to do so, shall proceed with his determination of the application notwithstanding that the information has not been furnished to him by the specified date."'

No. 160, in page 76, line 46, leave out from beginning to end of line 47 and insert—

'Section 103 (complaints about procedure relating to amalgamation or transfer of engagements) shall be amended as follows.

(2) After subsection (2) insert—

"(2A) On a complaint being made to him the Certification Officer shall make such enquiries as he thinks fit."

(3) After subsection (5) insert—

"(5A) Where the Certification Officer requests a person to furnish information to him in connection with enquiries made by him under this section, he shall specify the date by which that information is to be furnished and, unless he considers that it would be inappropriate to do so, shall proceed with his determination of the application notwithstanding that the information has not been furnished to him by the specified date.'

No. 60, in page 77, line 15, leave out '(5)' and insert '(5A)'.

No. 62, in page 77, line 24, leave out 'conference or other body' and insert 'decision-making meeting'.

No. 61, in page 77, line 33, leave out subsection (5) and insert—

'(5) An application must be made—

(a) within the period of six months starting with the day on which the breach or threatened breach is alleged to have taken place, or

(b) if within that period any internal complaints procedure of the union is invoked to resolve the claim, within the period of six months starting with the earlier of the days specified in subsection (5A).

(5A) Those days are—

(a) the day on which the procedure is concluded, and

(b) the last day of the period of one year beginning with the day on which the procedure is invoked.'

No. 63, in page 78, line 1, leave out subsection (8) and insert—

'(8) For the purposes of subsection (2)(d) a committee is an executive committee if—

(a) it is a committee of the union concerned and has power to make executive decisions on behalf of the union or on behalf of a constituent body,

(b) it is a committee of a major constituent body and has power to make executive decisions on behalf of that body, or

(c) it is a sub-committee of a committee falling within paragraph (a) or (b).

(8A) For the purposes of subsection (2)(d) a decision-making meeting is—

(a) a meeting of members of the union concerned (or the representatives of such members) which has power to make a decision on any matter which, under the rules of the union, is final as regards the union or which, under the rules of the union or a constituent body, is final as regards that body, or

(b) a meeting of members of a major constituent body (or the representatives of such members) which has power to make a decision on any matter which, under the rules of the union or the body, is final as regards that body.

(8B) For the purposes of subsections (8) and (8A), in relation to the trade union concerned—

(a) a constituent body is any body which forms part of the union, including a branch, group, section or region;

(b) a major constituent body is such a body which has more than 1,000 members.'

No. 161, in page 78, line 35, at end insert—

'(aa) shall make such enquiries as he thinks fit,'.

No. 162, in page 79, line 3, at end insert—

'(4A) Where the Certification Officer requests a person to furnish information to him in connection with enquiries made by him under this section, he shall specify the date by which that information is to be furnished and, unless he considers that it would be inappropriate to do so, shall proceed with his determination of the application notwithstanding that the information has not been furnished to him by the specified date.'

No. 163, in page 79, line 47, leave out '(6)' and insert '(2A) and (5A)'.—*[Mr. Pope.]*

Schedule 6

REPEALS

Amendments made: No. 52, in page 80, line 16, at end insert—

'A1. BALLOTS AND NOTICES

Chapter	Short title	Extent of repeal
1992 c. 52.	Trade Union and Labour Relations (Consolidation) Act 1992.	In section 226(2) the word "and" at the end of paragraph (b). Section 227(2). In section 234A(7)(a) the words "otherwise than to enable the union to comply with a court order or an undertaking given to a court".'

No. 64, in page 81, leave out lines 27 and 28.

No. 56, in page 82, leave out lines 13 and 14.

No. 65, in page 85, line 23, at end insert—

'9. COMPENSATORY AWARD: REMOVAL OF LIMIT IN CERTAIN CASES

Chapter	Short title	Extent of repeal
1996 c. 18.	Employment Rights Act 1996.	In section 112(4), the words "or in accordance with regulations under section 127B". In section 117(2) and (3), the words "and to regulations under section 127B". In section 118(1), the words "Subject to regulations under section 127B,". Section 127B.
1998 c. 23.	Public Interest Disclosure Act 1998.	Section 8. Section 18(4)(b).'

—[Mr. Pope.]

Order for Third Reading read.

9.41 pm

Mr. Byers: I beg to move, That the Bill be now read the Third time.

It is an historic occasion. I am delighted that I will joined shortly by the Minister of State, Department of Trade and Industry, my right hon. Friend the Member for Makerfield (Mr. McCartney), who has been absent from illness.

The Bill establishes and fosters a new culture in the workplace, removing the outdated notion of conflict between employers and employees with a sense of new partnership—a partnership of rights matched by responsibilities. It will address the fundamental imbalance in the workplace that we inherited from the Conservative party.

Now more than ever, we need to foster a new culture in the workplace. The world is dramatically changing and the workplace has changed with it. More people are working part-time and on temporary contracts. More women than ever are working. More families depend on two earners. Those new working patterns put new responsibilities on Government, business and employees.

We want people to be partners in change, not the victims of that change. That places a responsibility on Government to ensure minimum standards of fairness and treatment for all in society and in the workplace. That places a responsibility on business to ensure that the task of making a reality of the flexible labour market does not fall solely and exclusively on working people, and a responsibility on employees to demonstrate loyalty and commitment to their employer.

The Bill will do three things: it will promote family-friendly policies; promote a new culture of partnership in the workplace; and ensure equal and fair treatment for all in the workplace, regardless of whether they work full or part-time, for a single employer, or through an agency. Those are all sensible and achievable goals. It is a matter of great regret that the Opposition will not support them.

We are just a little over two hours away from the introduction for the first time in this country of a national minimum wage, which will benefit 2 million of our fellow citizens by taking them out of poverty pay, and ensuring that they will not be exploited. Two million people will benefit from the National Minimum Wage Act 1998, but even more people will benefit from the Employment Relations Bill.

About 135,000 mothers will benefit from our improved maternity provisions. The 1 million people who work through employment agencies will have greater protection. Some 3.3 million people will benefit from our parental leave proposals. More than 6.5 million part-timers will be protected from discrimination.

The Government are acting for all our people, not just a privileged few. The Bill will play an important part in modernising our country, creating a better Britain and a more modern and fair society in which all the people will have rights coupled with responsibilities. The Bill discharges our responsibility by ensuring that we meet our manifesto commitment. We are a Government who deliver on our promises.

The Employment Relations Bill begins a new era in industrial relations, an era based on partnership and on putting aside the divisions and disagreements of the past. It is a new beginning for industrial relations that will benefit millions of our fellow citizens. I commend the Bill to the House.

9.45 pm

Mr. Boswell: In rising to oppose the Bill on the Opposition's behalf, may I agree with the Secretary of State on one matter by expressing our pleasure at the fact that the Minister of State, Department of Trade and Industry is shortly to return from his indisposition. We are pleased that he is able to be with us again.

Now, let me resume normal hostilities by saying that what we have just heard from the Secretary of State was, even from him, a disappointing concatenation of soundbites. The Secretary of State claimed as a credit to himself the imminent introduction of the national minimum wage, but he simultaneously omitted to mention the propensity of both that and of the Employment Relations Bill to destroy jobs by increasing the costs of business. The Government have taken no adequate account of that fact. For all their honeyed words and all their alleged readiness to consult, they are bent on doing damage to British business by imposing costs on it.

The conduct of the Bill has been remarkable. Two reordering motions were required, one on the very first day of consideration. Four major schedules have been tabled during the Bill's proceedings. Consultation and regulations were issued in pre-draft form 90 minutes before we considered them. That does not suggest that the Government understand much of the business about which they lecture real business people.

The Bill will impose statutory collective bargaining. Last time that was done, six short clauses damaged British industry and proved to be unworkable. This time, there are 27 long pages of a schedule, which will damage British industry and which will prove unworkable.

The Bill introduces, for the first time, parts of the European social chapter, which have not yet been fully discussed. The Government have gold plated some of the obligations that they have voluntarily undertaken, adding further to those obligations in ways that will increase costs on British business. The pattern of their policies—including the family-friendly policies—is to put burdens on to business and to reduce competitiveness while increasing costs.

Some loose ends will be left over. The Confederation of British Industry has expressed general concern about the Bill, but has gone along with it. Concerns remain about the importance of asserting the voluntary principle, the best by which to conduct industrial relations. Concerns remain about disciplinary and grievance hearings and about definitions in the Bill, some of which we have been able to explore and others of which we have had no time to explore.

The Bill is an extraordinary confection. There is little in the clauses, more in the schedules, and most of all has lain in the soundbites. Today, the Government are ringing their bells and making their claims, but, in the years to come, British industry will pay the bills and suffer the damage of a Bill which we are pleased to oppose.

9.49 pm

Mr. Chidgey: It falls to me, in the three remaining minutes of the debate, to have almost the last word on the Bill. I should like to reinforce what Liberal Democrat Members have been saying from the outset—that we have always supported the principles of fair and free industrial and employment relations. I should like also to sum up the past several weeks of our consideration of the Bill.

The Bill's provisions may be divided into three categories: on individual rights, on collective rights and on family-friendly policies. Despite our long debates and Committee sittings, the Bill's provisions—particularly in the first category, on individual rights—still do not provide the clarity that we should have liked. The problem of discrimination—on the basis of age, and of sexual orientation—is outstanding. We are still not satisfied that the Government have properly addressed the issue.

The Government's proposals on collective rights have left us wondering how they decided on the 40 per cent. threshold. I should be grateful if the Secretary of State and other Ministers would give us some further guidance on how they reached that conclusion, so that the wider community—the many whom they claim to represent—might be able to understand it.

We have concerns also about the Bill's proposals on family-friendly policies. Although we appreciate and welcome the introduction of European Community directives on family-friendly policies, we still do not understand why it was necessary for the Government to indulge in what can only be called the gold-plating of specific matters. We are particularly concerned about how the Government dealt in the Bill with leave for urgent family reasons. We feel that much more could have been done to make the provision simple, clear and efficient in operation.

This is an "enabling Bill". Time and again in Committee, we were told by Ministers that, "The detail will come later. We have not finished consulting. In fact, we are continually consulting." I thought that Governments were elected to legislate, but perhaps I have it wrong. We still have to wait. Time and again, massive Government amendments were tabled but with no time to study or analyse them, or to share in the Secretary of State's ambition—which he expressed again today—of improving the Bill.

We are left with an enabling Bill, and still await the regulations. The doubts that I have been expressing are about exactly how those regulations will work. On the Bills and Acts that the Secretary of State has trumpeted today—such as the National Minimum Wage Act 1998—to make them work, the Government have had to think again, to change their mind and to introduce new strictures and regulations. Will the same happen with this Bill after it becomes an Act of Parliament?

When the regulations are tabled, I look forward to examining them forensically, although—because of the way in which this place works—we shall have little time to do so. Nevertheless, I hope that the Government are listening, and that they will do their best to make the Bill work—not only for the many, but for those who employ the many.

Question put, That the Bill be now read the Third time:—

The House divided: Ayes 328, Noes 124.

Division No. 140] **[9.52 pm**

AYES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Beggs, Roy
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Benn, Rt Hon Tony
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Rt Hon Stephen
Campbell, Mrs Anne *(C'bridge)*
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Canavan, Dennis
Cann, Jamie
Caplin, Ivor
Caton, Martin
Chapman, Ben *(Wirral S)*
Chidgey, David
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Tony *(Northampton S)*

Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Cook, Frank *(Stockton N)*
Cook, Rt Hon Robin *(Livingston)*
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Cov'try S)*
Curtis–Thomas, Mrs Claire
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drown, Ms Julia
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ennis, Jeff
Etherington, Bill
Ewing, Mrs Margaret
Fearn, Ronnie
Fisher, Mark
Fitzsimons, Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Gapes, Mike
Gardiner, Barry
George, Bruce *(Walsall S)*
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoey, Kate
Hood, Jimmy
Hoon, Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Barry *(Alyn & Deeside)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kingham, Ms Tess
Kumar, Dr Ashok
Lawrence, Ms Jackie
Laxton, Bob
Leslie, Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Linton, Martin
Livingstone, Ken
Livsey, Richard
Lock, David
Love, Andrew
McAllion, John
McAvoy, Thomas
McCabe, Steve
McCartney, Ian *(Makerfield)*
McDonagh, Siobhain
McDonnell, John
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marek, Dr John
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Maxton, John
Meacher, Rt Hon Michael
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Sheff'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moonie, Dr Lewis
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
Öpik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Giles
Rapson, Syd
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Robertson, Rt Hon George *(Hamilton S)*
Roche, Mrs Barbara
Rooker, Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Spellar, John
Squire, Ms Rachel
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Temple–Morris, Peter
Tipping, Paddy
Todd, Mark
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Welsh, Andrew
White, Brian
Whitehead, Dr Alan
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wise, Audrey
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Dr Tony *(Cannock)*

Tellers for the Ayes:
Mr. David Hanson and Mrs. Anne McGuire.

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Baldry, Tony
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brooke, Rt Hon Peter
Browning, Mrs Angela
Burns, Simon
Butterfill, John

Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Rt Hon Alan *(Kensington)*
Clifton–Brown, Geoffrey
Colvin, Michael
Cormack, Sir Patrick
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Dorrell, Rt Hon Stephen
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fox, Dr Liam
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Goodlad, Rt Hon Sir Alastair
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hawkins, Nick
Hayes, John
Heald, Oliver
Hogg, Rt Hon Douglas
Horam, John
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Ottaway, Richard
Page, Richard
Paice, James
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Robertson, Laurence *(Tewk'b'ry)*
Rowe, Andrew *(Faversham)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Simpson, Keith *(Mid–Norfolk)*
Soames, Nicholas
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Townend, John
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wardle, Charles
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Woodward, Shaun
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Tim Collins and
Mrs. Caroline Spelman.

Question accordingly agreed to.

Bill read the Third time, and passed.

Kosovo

10.4 pm

The Secretary of State for Defence (Mr. George Robertson): Just a week ago, my right hon. Friend the Deputy Prime Minister told the House that, in the face of rising violence against civilians in Kosovo, our armed forces and those of our NATO allies were involved in combat operations on the continent of Europe. That evening, Harrier aircraft of the Royal Air Force delivered the first of their attacks on military targets in Yugoslavia.

A week has now passed and the House has had regular reports. I gave evidence to the Defence Committee on 24 March. My right hon. Friend the Foreign Secretary and I opened and closed the full day's debate on 25 March, and the Prime Minister briefed the House yesterday. On Monday, when I visited RAF personnel at Gioia del Colle air base in southern Italy, I was accompanied by the shadow Defence Secretary, the hon. Member for Stratford-on-Avon (Mr. Maples), and the Liberal Democrat foreign and defence spokesman, the right hon. and learned Member for North-East Fife (Mr. Campbell). I am sure, however, that hon. Members would expect me to provide an account of the latest position before the House rises for Easter, and by doing so at this time I can be as up to date as possible.

Some things have become clearer with the passage of these seven days. First, we were absolutely right to act when and in the way that we did. Anyone still unconvinced about the need to act should listen to the voices of the Kosovar Albanians themselves because they are making it absolutely clear that they welcome NATO action, and see it as their only salvation. Yesterday, at the press conference at the Foreign Office, one of the representatives of the Kosovar Albanians in London said:

"the people of Kosovo are fully in accord with NATO action and rather than claiming that NATO brought destruction to them, they only hope and desperately ask for an increase in NATO activity".

The second point that has come out is that the violence being perpetrated against the Kosovar Albanians has been in preparation for some time. There is a clear pattern of organisation behind these atrocities. It is not just murder; it is premeditated murder. What we are witnessing is nothing less than a systematic campaign of destruction against a whole people just because they are from a different ethnic group.

To those who try to argue that the ethnic cleansing started after NATO's air strikes began, I say go and speak to the people of Poljance, Cigala, Lausa, Devicha Suma and the other towns and villages in Kosovo where Milosevic's thugs wreaked havoc before a single NATO bomb was dropped.

The international community can, and it will, take steps to bring those who planned this violence—Milosevic and his military commanders—to account. We know who they are, where they live, and what they are doing now. We are watching them, and there will be no hiding place. As my right hon. Friend the Foreign Secretary and I have both made clear, information about the involvement of individuals in atrocities will be provided to the International War Crimes Tribunal for the former Yugoslavia in The Hague. I am glad to report that Judge Louise Arbour has now issued an indictment against the man known as Arkan for war crimes in Bosnia.

[Mr. George Robertson]

NATO has now decided to increase the intensity of the air effort. Yesterday evening, following discussions in the North Atlantic Council, NATO confirmed its resolve to intensify and broaden still further the air strikes against Milosevic and his thugs who are repressing the Albanian population in Kosovo. We do not do so lightly. Last night's decision, however, gives Milosevic a very clear signal of our collective intent.

Yesterday, I gave my agreement to the stationing of five United States B-1 bombers at RAF Fairford, in addition to the 13 B-52s that are already there. These aircraft will add considerably to NATO's ability to strike at military targets supporting the killings in Kosovo.

Since the beginning of the campaign, NATO aircraft have done considerable damage to the Serb war machine. To date, they have made around 100 attacks, against more than 70 sites. NATO planes have seriously damaged the potential effectiveness of the Yugoslav air force. Four Mig 29s—the Serbs' most modern and capable fighters—and one Mig 21 have been shot down. Overall, these losses represent around half of their best operational and serviceable fighters. In addition, in attacks on eight airfields, at least seven aircraft and one helicopter have been destroyed on the ground. It is possible that others have also been destroyed.

Attacks by NATO aircraft have also substantially reduced the Yugoslav air defence systems. Eighteen surface-to-air missile sites and 16 radar and early warning sites have been attacked, as have 12 of the other 15 air defence facilities. These attacks have been so effective that the Serbs have been forced to move their remaining missile systems in order to protect them. While there still remains a threat to our aircraft, it is clear that good progress has been made.

NATO has heavily targeted headquarters and other static facilities. The headquarters of the MUP—the Ministry of the Interior police—and the headquarters of the Yugoslav army have been attacked. So have a range of support buildings containing stores of ammunition and other military stores. Those attacks will reduce the ability of the commanders to direct troops on the ground. It will also reduce the ability of troops to sustain their operations.

Royal Air Force Harriers have been in action since the first day of the campaign. On the night of 25–26 March, they attacked explosive ammunition storage buildings within a military barracks at Leskovac. Two of the three targets were successfully destroyed. On the night of 28–29 March, aircraft attacked an ammunition storage site in Pristina which stored ammunition for the Interior Ministry police. Three targets were destroyed.

Harrier aircraft were active on a number of other occasions, but, for various reasons, including poor weather and fire and smoke, they did not press home the attacks. It is our policy, and that of our allies, that aircraft should launch their weapons only when they are as confident as they can be that they will hit the target accurately, without causing unnecessary collateral damage or putting civilian lives at risk. Milosevic may randomly kill, but we operate to higher standards.

This pressure is having an effect. Milosevic is clearly rattled, as his so-called offer of last night demonstrates. If he really thought that the international community would entertain this worthless proposal, he knows now that it was just his latest miscalculation.

First, he miscalculated our intention to attack if he kept on killing. Then he miscalculated over alliance resolve and determination, which is now stronger than it was seven days ago. Last night, he miscalculated again. Milosevic's offer is simply this—NATO stops bombing and he only slows down the killing. He has not offered a ceasefire. He has not offered to reduce troop numbers in Kosovo to the levels that he himself promised in October last year. He has not offered guarantees of safety to returning refugees. He has simply offered to take out a few of the 40,000 troops if we stop the bombing and take off the pressure. This was not a peace move. It was a panic move.

So let me remind the House what Milosevic must do to stop the bombing. There must be an immediate and permanent halt to the killings, and, to show that he means it, there must be a verified withdrawal of Serb troops. He must sign up to a political settlement, including an international guarantee force which permits the refugees and displaced persons to return safely to their homes.

Of course huge damage has already been done. Lives have been ruined, villages destroyed, communities expelled. The British Government are heavily involved in supporting the efforts that are going on to tackle the developing humanitarian crisis. On Tuesday, and to the House today, my right hon. Friend the Secretary of State for International Development described the Government's contribution to the international efforts to assist with the huge refugee crisis. I can confirm tonight that the first RAF Hercules carrying badly needed blankets, tents and plastic sheeting left Prestwick airport at 8 o'clock this evening, and is expected to arrive in Skopje in Macedonia at approximately 2 o'clock tomorrow morning.

Today, on our continent of Europe, the most horrific crimes against humanity are being perpetrated. They must not be forgotten; they must not go unpunished; and most of all they must not continue. NATO forces are determined to stop this grisly process and to ensure that those who have started it do not profit from it.

Mr. Milosevic is not addressing his own Parliament tonight. I imagine he would be deeply ashamed to do so. He is huddled in his bunker, calculating how he can possibly extricate himself from his predicament. It is time for him and his military commanders to think again. If it helps to make up their minds, I can tell them this. NATO's military action is going to strengthen, it will continue, and it will be increasingly painful. We are not going away before the violence stops and the people of Kosovo can go home and live in peace.

Mr. John Maples (Stratford-on-Avon): In last week's debate on Kosovo, I think that we were all agreed that in President Milosevic, we are dealing with a very evil man. If anyone had any lingering doubts about that, they must have been dispelled by what we have read in our newspapers and by the truly tragic scenes that we have seen on television over the past few days of refugees evicted from their homes, sleeping in the open and having to flee for their lives. We welcome the aid that the Government are helping to organise and the role of the RAF that the Secretary of State has described. We continue to support the Government in their efforts to resolve this crisis and bring an end to the atrocities.

During the past few days, the Secretary of State has set out some objectives for the military campaign. I want to ask him some questions about two of them. One objective

was to do very serious damage to Serbia's military capabilities and another was to stop the atrocities in Kosovo. The Secretary of State has reported considerable progress in achieving the first objective. He tells us that many of the SAM—surface-to-air-missile—sites and planes have been destroyed. Will he confirm that quite a bit of Serb air defence capability is still intact? Serb troops still have missile sites and can operate hand-held, shoulder-launched surface-to-air missiles that are a particular danger to low-flying aircraft in the daytime.

There has been some success in that matter, but there has not been success in the second objective of stopping the atrocities. The atrocities plainly and brutally continue and the bombing appears to be having little effect on the ground. The Secretary of State has told us that he is convinced that the matter can be resolved by air power alone. Will he tell us whether there are any plans to alter the nature of the air campaign to achieve that? The problem seems to be that although sophisticated bombing techniques are very good at taking out large military installations, they are not much use in attacking individual trucks, tanks or the groups of soldiers perpetrating the atrocities in Kosovo. He has told us that there are additional B-1 bombers at Fairford and that they will help. I understand that there are also American JSTARS—joint surveillance target attack radar system—and A-10s in the area. Does he think that those new military assets will help NATO forces to restrict Serb ground forces and prevent them from committing atrocities in Kosovo?

I think that I am correct in saying that there were eight and there are now 12 RAF Harriers and about 240 people in Italy, plus tankers. Will the Secretary of State tell us whether there are plans to deploy any more UK air forces in the region? Will the NATO force in Macedonia—the potential peacekeeping force—be brought up to the planned 28,000 from its present strength of about 14,000?

The use of ground troops to fight their way into Kosovo has been ruled out by the Prime Minister, the Foreign Secretary, the Secretary of State for Defence and by the President of the United States. Can the Secretary of State confirm that there has been no alteration to that policy? Has he seen the announcement by the Russian Defence Minister that seven ships of the Russian Black sea fleet, including missile-carrying and anti-submarine frigates, are leaving their Black sea port to—in the Defence Minister's words—

"monitor the conflict in Kosovo".

Those troops will have to pass through the Bosporus and I understand that that requires Turkish permission. Has NATO been consulted on that matter and does the Secretary of State believe that it presents an additional threat?

Today, the Prime Minister set a new objective for the military mission—that the test of success is for the Kosovars to be able to return home. Will the Secretary of State tell us whether that rules out not only any outcome that involves leaving Kosovo in Serb hands, but any partition of Kosovo? In last week's debate, we asked the Secretary of State whether the Government had a longer-term strategy for achieving Balkan stability. We express the hope that there is one. I should be grateful if the Government would address that question and if the Secretary of State would share his thinking with us, if not tonight at some other time.

I hope that the Secretary of State is right—that President Milosevic is rattled and that he is huddled in his bunker—but I fear that this is all going to be more difficult and will take much longer than the Government seem to think. I am sure that the whole House is thinking of our armed services in the theatre, especially those who are in danger. We wish them good fortune, great success and a speedy homecoming.

Mr. Robertson: I welcome the hon. Gentleman's final comment. The whole House sends its good wishes and thoughts to those who are close to the conflict and those who, at this moment, may be in the line of danger, and he is right to speak out in that way.

I hope that the hon. Gentleman will appreciate that, although a lot of his questions are interesting, the answers would provide considerable information, not only to him and the House, but to those who might well be ranged against our forces now and in succeeding days. Therefore, in being reticent on certain subjects, I am not being discourteous to him or the House, but being sensibly prudent. I have given more information tonight than I have ever given before to the House of Commons so that it knows, as it goes into the Easter recess, what has been done.

I believe that most hon. Members recognise how much has yet to be achieved. There is no instant overnight knock-out blow that can be delivered. Some defence manufacturers might say that this bit of kit or that bit of kit is ideal in the circumstances, but modern conflict is not some sort of arcade game, in which you press a button and the enemy disappears. The fact is that we are up against somebody who is ruthless, merciless and unprincipled. He is engaged in systematic operations inside a tiny part of our continent and we have to stand against him. That will involve risks for many people in the area—for the population who have been driven from their homes, and for our armed forces and those of the other 18 countries of NATO. We must recognise that.

We have been successful in the air campaign so far. Of course, the problems with weather create complications. They would not create complications for Milosevic, because, to him, bombing through the clouds—bombing blind—using dumb bombs would be a simple exercise, without any scruples attached to it. It is different for us and it will remain different for us. We are not in the business of creating civilian casualties, but interested only in precision attacks on military installations.

The hon. Gentleman asked about the forces currently present in Macedonia, ready to be part of an implementation force if, as we all hope, a peace agreement comes about. There are currently some 14,000 NATO troops there, and that is the number that the force will remain at until we are ready to move to the implementation stage of an agreement. We all send our good wishes to them. I hope that, in the next few days, some of them will be engaged in helping with the refugee crisis.

There is no change to the view that we have taken on ground troops. The decision was taken by NATO—by the NATO military authorities: 19 chiefs of defence and the Ministers who supervise their decisions. The hon. Gentleman mentioned the announcement by Marshal Sergeyev, the Russian Defence Minister, about sending a

[Mr. Robertson]

certain number of the Black sea fleet through the Bosporus. The Bosporus is an international waterway and access cannot be prevented. The Russian ships are on the high seas and it remains to be seen what they will do, but they have the freedom of the seas, just as we have.

We have made clear our objectives in political terms: a situation that will allow the refugees to go back, and to rebuild their communities and their lives. That will necessitate having an international peacekeeping force to allow it to happen. Milosevic is not going to get away with ethnically cleansing that part of the former Yugoslavia and then claiming that it is partitioned for ever.

The hon. Gentleman states the obvious, but it is worth stating that this action is going to be long and difficult. We took it on knowing that it was important to do and the right thing to do, and that the only alternative was to stand back and wring our hands, as people were slaughtered, murdered and driven out of the country that they believed to be their home. Yes, it is risky—nobody in this House will face those risks—but the hon. Gentleman, the right hon. and learned Member for North-East Fife and I met some of the people who will be taking those risks: they expect us to do the right thing, and that is what we will do.

Mr. Menzies Campbell (North-East Fife): I thank the Secretary of State for the opportunity to accompany him on Monday and meet some of those who are accepting in a matter-of-fact way risks that we here can only guess at.

Is the truth not this: that it is time now for steadiness and a calm determination to see these events through to the end? Does the Secretary of State understand that there is widespread support in the House for the summary rejection of the empty and cynical gesture made by Mr. Milosevic yesterday? Does he understand also that there is, if anything, even greater support for the robust reminder given today that those who are complicit at any level—military or political—in the hideous barbarity that is being enacted in Kosovo may pay for it by facing the war crimes tribunal?

As a condition for the cessation of bombing, the Secretary of State outlined the need for Mr. Milosevic to accept the deployment of troops on the ground. If Mr. Milosevic refuses to consent to that, he surely cannot, by withholding consent, exercise a veto over the deployment of troops on the ground if NATO considers that that is appropriate.

Mr. Robertson: I appreciate the right hon. and learned Gentleman's words of thanks about the visit on Monday. The visit was conducted not in our interests, but in the interests of serving RAF personnel, who appreciated the fact that the defence spokesmen from the three principal political parties had taken the time and the trouble to meet them and to learn what was happening. We all came away with nothing short of huge admiration for the skill, commitment, ability and sheer bravery of those who are flying the Harriers, and who will, from tomorrow, fly the Tornadoes from RAF Bruggen.

The right hon. and learned Gentleman is right to highlight the risks involved, but he is also right to underline the determination that NATO expressed last night—and which we share—to ensure that the job is done. If this job is not done and if this sort of ethnic cleansing were to become the norm against which we could not stand, I, for one, would despair for the future of the continent for succeeding generations. Although last night's agreement was a crack in the wall of obstinacy that Slobodan Milosevic has erected and behind which he does his killing, the right hon. and learned Gentleman is right to say that it was no real offer and was a great disappointment to the Russians. It was insulting to Mr. Primakov, who had to deliver the message.

We are absolutely committed on the war crimes issue. My right hon. Friend the Foreign Secretary and I have made it clear that we will publicise some of the information that we have about some of those who have committed war crimes as a warning to others who may be tempted to obey the orders of ethnic warfare. I hope that the open indictment of Arkan will end the television interviews that he seems able to give with impunity. Someone who is indicted for war crimes should be returned to The Hague, not given star billing on television or in the newspapers.

An international force must be sent to that country because I do not believe the refugees will go back without it. That is why those parts of the Rambouillet agreement that relate to an international force remain so important.

Mr. Donald Anderson (Swansea, East): I congratulate my right hon. Friend and the Government on the regular reports to Parliament since last Thursday, which have proved to be a model for our allies in their parliamentary relations. My right hon. Friend said that we had provided evidence to Judge Louise Arbour, the chief prosecutor at the International War Crimes Tribunal at The Hague, in respect of President Milosevic. It is clear that President Milosevic is guilty of ethnic cleansing on an horrific scale. He has broken every agreement that he has reached with NATO and with other allies. In those circumstances, we must recognise that he cannot be part of the solution.

Mr. Robertson: I thank my hon. Friend for his comments about the reports to Parliament. It is the principle behind what we do, and it is right that we keep the House informed and on side. I know that not all hon. Members agree 100 per cent. with what the Front-Bench spokesmen are saying. There is unease and anxiety, and that is shared equally by those who are in charge of the military. However, we must do what is right and what is necessary.

My hon. Friend made a point about Judge Arbour and the international criminal tribunal. It will be for Judge Arbour to decide whether an indictment is arraigned against any individual. It is not for any politician to decide who should be the subject of indictment. The process is fair and judicial. When the indictments are served, it will be up to the rest of the international community to deliver on them.

Mr. Nicholas Soames (Mid-Sussex): Does the Secretary of State agree that it is important that the political track is kept running in tandem with the military track? Does he further agree that if anyone should have much more influence on the Serbs, it is the Russians? Will he confirm that the Foreign Secretary will continue to

impress on the Russians that, if they want to be taken seriously in international affairs, they need quickly to achieve their aim with the Serbs?

Mr. Robertson: The hon. Gentleman is right on the first point. We must keep the political track running because only a political settlement will return peace and stability to that troubled part of the world. He is right to say that the Russians also have a stake in that. Out-of-control ethnic warfare in the Balkans is a danger to stability that is much closer to Russia than it is to those on the other side of the Atlantic, although NATO has accepted that challenge.

I am sure that the Russians were deeply unhappy with the offer that Milosevic made, which they took to Bonn last night. After all, they signed up to UN Security Council resolution 4199, which called for an end to the violence, withdrawal of the troops and a political settlement. I hope that they will continue to use what influence they have to try to tell that man that he must think again.

Mr. Tam Dalyell (Linlithgow): Why does the Defence Secretary think that Belgrade families, the intelligentsia, trade unionists and others, 200,000 of whom demonstrated two years ago against President Milosevic, are this week demonstrating in similar numbers in favour of him? Can a people such as the Serbs be bombed into submission?

Mr. Robertson: The people of Serbia are, by and large, decent people with a fine tradition. If they knew, or were allowed to know, what their Government are doing in their name, they would not countenance it for a moment. They are being lied to, so perhaps it is not difficult to understand why they are demonstrating in the streets. We have no contest with them at all. No bombs are falling on them; bombs fall only on the military installations and apparatus that keep the terror going. I hope that if my hon. Friend has the chance to get that message across, he will do so.

To those who might be listening in Yugoslavia, I say that there are internet sites that are difficult for the secret police to get hold of. Yesterday, 1,400 people hit the Ministry of Defence and Foreign Office websites. They are trying to find out the truth; if they do, they will not support Milosevic for very long.

Mr. Martin Bell (Tatton): As someone who knows a little about the realities on the ground, I wonder whether the Secretary of State will consider, if not full military intervention, at least the establishment, by force if necessary, of a relief corridor or safe area to save the lives of some of the tens of thousands of Albanians in Kosovo which, without such action, will surely be lost.

Mr. Robertson: I bow to the hon. Gentleman's knowledge of the area, but I have studied, along with the military commanders in the area, some of the possibilities to which he alluded. We shall continue to examine what we can do to help relieve the refugees, without ruling out those options. However, we should not delude ourselves that the time that it would take to put together a ground force organised for forced entry into Kosovo would not be exploited by Slobodan Milosevic in the bloodiest possible way. Instead of seeking the simple solutions, we must continue down a difficult road that the majority of military commanders still believe will produce results.

Mr. David Winnick (Walsall, North): Does the Secretary of State agree that to blame NATO for the latest crimes and atrocities being carried out by the Serbian warlords makes as much sense as blaming the Allies for Nazi crimes in the last war? Is it not perfectly clear—as it should be to critics, in the House or outside—that the full responsibility for the mass murders, rapes and atrocities lies entirely with the dictator in Belgrade and his fellow murderous thugs?

Mr. Robertson: My hon. Friend is absolutely right. I get angry, with some justification, I think, at people suggesting that NATO air attacks started the violence that Milosevic was meting out to his people. Night after night on television, the Kosovar Albanian refugees themselves give ample testimony to the fact that the violence started before the NATO bombs began to fall, and that only the NATO air attacks are likely to stop them.

Mr. Crispin Blunt (Reigate): Can the Secretary of State for Defence name a single independent commentator who believes that NATO's military strategy will deliver the political objectives laid out by the Prime Minister to the House last Tuesday? If he cannot, will he undertake urgent consultations with our NATO partners to change the military strategy so that we can have the expectation, not just the hope, that we will deliver the political objectives that we all share?

Mr. Robertson: The hon. Gentleman was in the Army some time ago. I say to him in all reasonableness that he may have a point of view, but I am not concerned with independent commentators. There are military commanders in this country with experience, a Chief of the Defence Staff with one of the most outstanding records of service in the British Army, who is now at the head of all of our defences, and 18 other chiefs of defence in NATO who all came to the same conclusion. Their political masters have also agreed that this is the correct strategy. We do not lean on them, but their advice is quite clear. Frankly, if it came to a choice, I would trust them rather than the average, so-called independent commentator.

Mr. John Austin (Erith and Thamesmead): The whole House owes a debt of gratitude to my right hon. Friends the Secretary of State for Defence and the Foreign Secretary for the political skill that has enabled them to ensure a unified international response to the atrocities that have been perpetrated by the Milosevic regime.

Last night, the Grand Committee Room was filled with Kosovars who live in London, many of them with families still in Kosovo, and some of whom do not know where their families are. I assure my right hon. Friend that they not only gave their full and absolute backing to the action that has been taken, but said that now is not the time for hesitation or pulling back from that action. I would add only one reservation. While accepting the view of the 19 defence chiefs that the use of ground troops at this stage may not be practicable, there was some concern that that had been announced to the world in advance—that may be one of the problems of living in a democracy.

[Mr. John Austin]

Does my right hon. Friend share my view that, by his actions, Milosevic has forfeited any right or claim that he may have had to sovereignty over Kosovo, and that the time has come for the international community to consider making Kosovo an international protectorate?

Mr. Robertson: I thank my hon. Friend for his kind words of commendation for my right hon. Friend the Foreign Secretary and me. We are doing our best, but I cannot say that this is the easiest or least troubled period of our political lives. It is made all the more difficult by the complexities of the situation, or perhaps by the normality that has been the Balkans in recent years. We are doing what we believe to be right, and we are doing, as my hon. Friend says, in the words of the Kosovar Albanians, what is vital and necessary, there being no alternative.

I take what my hon. Friend says about ground troops, but there are those who say that without considering the implications: the time that it would take to assemble such forces, where those forces, properly trained and equipped, would come from, or how they are to fight their way into the country which surrounds Kosovo, and which has a unique topography. Those were the reasons that were pretty obvious to our military commanders and probably to President Milosevic as well. In a democracy, we are right not to hide those facts from the people or to raise false expectations of what can be done by that kind of military power. That is why we took the route that we did. I still hope and believe that it will produce results.

Mr. Douglas Hogg (Sleaford and North Hykeham): The right hon. Gentleman has described what is happening in Kosovo as premeditated murder, and I agree with him. In response to the hon. Member for Walsall, North (Mr. Winnick), he made it plain that he regards President Milosevic as the principal instigator of the premeditated murder, and I agree with that, too. Given that, will the right hon. Gentleman tell us what is his policy? Is it to make an agreement with President Milosevic or to arraign him as a war criminal?

Mr. Robertson: The right hon. and learned Gentleman is a Queen's Counsel. It is not for me to arraign anybody on a charge of war criminality. It is a fact that is not known or appreciated by very many people that there is an International Criminal Tribunal for the former Yugoslavia. There is a prosecutor, and it is for that prosecutor and nobody else to assess the evidence and to make the decision about indictments. I have no doubt that she will consider all the evidence of what is happening today and the evidence that is being provided daily by refugees and by Governments, and come to a conclusion.

Mr. Andrew Miller (Ellesmere Port and Neston): In parallel with the increased intensity of NATO activity, will my right hon. Friend ensure that there is also increased intensity of activity in trying to communicate the truth to the people of Serbia? He has mentioned the use of the internet site, and obviously we can strengthen our radio communication. Will my right hon. Friend look for alternative ways of strengthening our message? It is important that people throughout Serbia understand the strength of determination of the House and of the NATO allies.

Mr. Robertson: My hon. Friend makes a valid point. We are spending a lot of time examining how best we can get the truth through to Serbia. Serbia is not Iraq, distant from other countries. It is in the heart of Europe and the footprints of satellites and other communication systems should not leave it isolated from information. The internet is one way in which people inside the country can get information. Only this week, the Foreign Office and Ministry of Defence websites started to publish in Serbian, so we will get information to people directly in that way. The World Service performs its usual admirable task in relaying the news in an unbiased way and unaffected by propaganda. As my hon. Friend rightly recommends, we will continue with our efforts to ensure that the truth gets through. Milosevic keeps telling lies, we will keep telling the truth.

Mr. John Randall (Uxbridge): Earlier today, we heard a welcome statement from the Secretary of State for International Development about a package of aid for refugees coming out of Kosovo, including, I think, aid for Montenegro. Will the right hon. Gentleman confirm that if we are giving aid to Montenegro, we shall not be bombing it any further?

Mr. Robertson: Where Montenegro is part of the integrated air defence system of the former Yugoslavia, clearly we are driven to certain conclusions if we are to ensure that allied planes will be safe. Much more serious than that are the reports that appear to be coming out of Montenegro about the position of President Djukanovic, and the threats to him and to his position by Milosevic sitting in Belgrade. We treat those reports with the utmost seriousness. I would warn Mr. Milosevic—sitting in his bunker—that he would be ill advised to tamper with the democratically elected Government of Montenegro.

Mr. Alan Williams (Swansea, West): If we reach the stage, as the whole House prays that we will, where the insertion of an international peacekeeping force becomes a real possibility, and if the only stumbling block is the composition of that force, would my right hon. Friend be willing to be open minded on the composition, as long as its effectiveness could be guaranteed?

Mr. Robertson: We have always thought that an international implementation force could include troops from beyond the immediate membership of NATO. The Stabilisation Force in Bosnia includes troops from Russia, Ukraine and a number of other non-NATO countries, so I would hope and expect that an implementation force in Kosovo would have a similar broad composition.

Sir Peter Tapsell (Louth and Horncastle): Is it not sadly obvious that the right hon. Gentleman's statement makes no practical sense, even in purely humanitarian terms, unless NATO intends to send in a large army—which the experts estimate would have to be about 200,000 men—to occupy Kosovo and hold it thereafter? As he has ruled that out completely, and bearing in mind the experience, which the world saw, of the French in Indo-China and Algeria, and the Americans in Vietnam,

does he accept that, even if we were able to occupy Kosovo, we would be committed to years and years of guerrilla warfare, in terrain that lends itself to that sort of attack, among a violently hostile people who have been resisting foreign occupation for 2,000 years?

Mr. Robertson: The hon. Gentleman seems to be suggesting that if we cannot put together a force of 200,000, we do nothing, stand back and watch people being slaughtered. That is not a view that I take; nor is it the view of my military commanders. Although he has been around for a long time, and has been a Member of this House for even longer than I have, if it comes to his advice or the advice of the Chief of the Defence Staff, I do not have much trouble deciding which to take.

Mr. Alan Simpson (Nottingham, South): In all the horror of killing and ethnic cleansing that is Kosovo, the Secretary of State will be aware of growing disquiet about whether bombing, and bombing alone, can deliver any of the objectives that he set out to the House. Will he give the House an assurance that if he were to be persuaded by the growing speculation that the presence of ground troops is the only way to make military progress, he would not act before the House reconvened and was told, in precise terms, the basis of a plan for such involvement, its limitations and its objectives and terms?

Mr. Robertson: We are engaged at the moment in air assaults on military targets in Kosovo, which we believe are succeeding and which are already damaging the military capability that is repressing the Kosovar Albanians. We are confident that that will produce a result. I point out to my hon. Friend that, last night, President Milosevic gave an offer—it may have been spurious or worthless, but it was an offer none the less—to the Russians to carry to the European Union and to the international community. We are having an effect on what is his behaviour pattern at the moment. It is not enough at present, but the pressure will increase with every day.

My hon. Friend talks of disquiet. Of course there is disquiet about air strikes, which are one military mechanism that can be used. They are being used at the moment, but if anybody can come along and tell us a more sensible, more practical and better alternative that will quickly stop the carnage that is going on in Kosovo, let him do so. I have not heard one that is plausible.

Mrs. Margaret Ewing (Moray): The Secretary of State and I are contemporaries. We grew up believing that we would never see ethnic cleansing ever again in Europe. That was an aspiration. All of us share the anger at the behaviour of Milosevic and we all extend our support to the troops who are there in the front line, and to the various organisations, including the Department for International Development, which are working so hard to bring humanitarian aid to the refugees. The refugees make all of us deeply concerned about what is happening because we seem to be experiencing almost virtual reality as we watch the news broadcasts.

How will the Secretary of State respond to the letter, which I know that he received today, from Action of Churches Together in Scotland, which is united and deeply concerned about the fact that observers had been pulled out of the area? It is also worried about how the UN will be involved in future developments. Our deepest concern is to protect all the unprotected Balkan civilians. Will he respond to that letter from the churches in Scotland?

Mr. Robertson: I have not yet received a letter from Action of Churches Together in Scotland, although I saw some reference to it in some of the Scottish media today. I will address it as quickly as I can. I understand the anxieties of the churches. However, an anxiety about taking out the verifiers is not well founded. The verifiers told us of the build-up of forces, and they warned the international community that the violence was escalating and was soon to become systemic. I think that I will be able to persuade them on that matter.

I do not know whether the hon. Lady goes along with the views of the national convener of her party; I can only doubt it. She represents a constituency with one of the biggest RAF bases in the country, and I do not think that she could subscribe to the sickening views of her party leader the other night. On the very day that our pilots were flying into danger and planning their operations in Kosovo to stop the ethnic cleansing that the hon. Lady quite rightly says that she and I are united against, her party leader told the people of Scotland that the answer was economic sanctions.

I do not think that the hon. Lady, or any other sensible person, believes that stopping the bombing and imposing economic sanctions at this time would stop the carnage. If she does not believe that, I hope that, in the interests of her constituents and the RAF personnel in her constituency, she will speak out and denounce the crazy views of her party leader.

Mr. Frank Cook (Stockton, North): Will my right hon. Friend confirm that the Governments of Ukraine and Azerbaijan are insistent that they maintain a continuing strong and supportive relationship with NATO? Will he confirm that, despite the rebuke of Russian rhetoric and the reprimands from the Duma, the Russian Foreign Secretary Igor Ivanov is insistent that phase 2 of the strategic arms reduction talks be signed without delay? Will he assure the House that, unless the Milosevic Government accept unconditionally, and implement fully, the terms as proposed at Rambouillet, no gesture of abatement will be considered until phase 2 of the NATO mission has been fully prosecuted, so as to eradicate the large-calibre weapons and heavy armour assets that have wrought this inhumane havoc and to ensure that no repetition can be conducted on a similar scale of callousness?

Mr. Robertson: My hon. Friend speaks with authority, as a vice-president of the North Atlantic Assembly, and we listen carefully to him. He mentioned the role of Ukraine. My right hon. Friend the Foreign Secretary met the Foreign Minister of Ukraine yesterday, and the Minister had been in Belgrade to give a strong message. My right hon. Friend is in regular contact also with Foreign Minister Ivanov of the Russian Federation. There is no interest for any of them in allowing Milosevic to get away with what he is doing. It is a danger not just for the Balkans, but for the wider area that would be affected; ourselves to the west, and Russia and Ukraine to the east. I hope that that is a message which they will put powerfully to Milosevic in Belgrade.

Mr. Nicholas Winterton (Macclesfield): May I thank the Secretary of State for the detailed statement that he

[Mr. Nicholas Winterton]

has given to the House this evening? He has provided as much information as it is appropriate to give, and I know that the House and the people of this country are grateful for that.

May I associate myself with the remarks of my hon. Friend the Member for Mid-Sussex (Mr. Soames)? It is clearly appropriate for military action to be intensified against Mr. Milosevic, the Serbian army and the Serbian police, but does the right hon. Gentleman agree that it is important to intensify the political negotiation involving Russia, Ukraine and other countries referred to tonight?

Mr. Robertson: My right hon. Friend the Foreign Secretary has pointed out to me that the Russians were extremely disappointed that, after six hours of discussion in Belgrade, this was all that Milosevic was willing to offer. As one who is not in the Foreign Office, I can vouch for how much my right hon. Friend has done in the past few weeks—for the hours that he has put in, the commitment that he has displayed, and his passionate search for an agreement that would avoid the bloodshed and any further violence that might prove necessary. He and the French Foreign Minister, Hubert Vedrine, deserve a vote of thanks. I do not think that they will look for it until we have a settlement, but no one is working harder than they are to achieve it.

Mr. Jeremy Corbyn (Islington, North): Everyone must be well aware of the horrors of what is happening in Kosovo, and of the dreadful treatment of ordinary people there by the Serbian forces as a result of Milosevic's orders.

I was disappointed that my right hon. Friend's statement made no reference to the United Nations, or to any effort to persuade the UN to introduce a monitoring force with the possibility of a ceasefire. What urgent efforts will be made to contact the UN, to bring in Kofi Annan and to bring about a ceasefire, protect refugees and secure a long-term settlement guaranteeing the autonomy of Kosovo? Many people believe that the bombing campaign will not resolve the problem, and will land us with a long-term disaster.

Mr. Robertson: My hon. Friend has a long record of campaigning against tyrants. Perhaps he will tell us how he would deal with this particular tyrant: we should all be interested to hear his practical proposals.

As for what my hon. Friend said about the United Nations, it was the UN Security Council which passed resolution 1199 last October, with the support of the Russians. That resolution called for an end to the disproportionate violence, called for the troops to be pulled out of Kosovo, and said that there should be a political agreement that all other parties should sign. It was the UN Security Council which, last week, considered a resolution from the Russians condemning the NATO action. That resolution was defeated by 12 votes to three, the biggest defeat of a resolution since 1993. It is the United Nations which is involved in the humanitarian emergency, and in delivering supplies that will help the victims of Milosevic's aggression.

Mr. Michael Colvin (Romsey): Does the Secretary of State agree that, while it is vital for the NATO summit scheduled for next month to proceed, there might be some merit in postponing any decision on NATO's new strategic concept—as it is described—until the lessons of the Kosovo operation have been learned?

Mr. Robertson: I have reached the opposite conclusion. I think that there is all the more reason for us to press ahead with a new strategic concept that takes into account the new rules that NATO is being expected to observe.

The hon. Gentleman is, however, right to refer to the 50th anniversary of NATO that is to take place in three weeks or so. NATO is in action now, and its organisation has kept together 19 allies. Without NATO, the Kosovar Albanians would be at the mercy of an unprincipled and unscrupulous butcher. NATO is our proving ground, and I believe that it will prove itself for the next 50 years as a result of what happens in the next few weeks.

DELEGATED LEGISLATION

Mr. Deputy Speaker (Mr. Michael J. Martin): With permission, I shall put together the motions relating to delegated legislation.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

CIVIL AVIATION

That the draft Carriage by Air Acts (Implementation of Protocol No. 4 of Montreal, 1975) Order 1999, which was laid before this House on 18th March, be approved.

That the draft Carriage by Air Acts (Application of Provisions) (Fifth Amendment) Order 1999, which was laid before this House on 18th March, be approved.—*[Mr. Mike Hall.]*

Question agreed to.

PETITION

Nuclear Waste

10.59 pm

Ms Jackie Lawrence (Preseli Pembrokeshire): I wish to present a petition with about 20,000 signatures collected by people living in the area of the village of Trecwn in my constituency. The petition expresses total opposition to efforts by Omega Pacific Ltd. to promote the former Royal Naval Armaments Department Trecwn site for the storage of intermediate and low-level nuclear waste. The site is in an environmentally sensitive area adjacent to the Pembrokeshire Coast national park. It is in close proximity to Skomer marine nature reserve and the Pembrokeshire Islands special area of conservation. In addition, proposals would create economic blight in an already depressed local economy when opportunity is offered through objective 1 status.

The petition asks the House of Commons to urge the Government to recognise the environmental and ecological importance of Pembrokeshire, and

to 'call-in' any planning applications and reject any such proposals to store nuclear waste or any other toxic substances at Trecwn.

To lie upon the Table.

Cystic fibrosis

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Mike Hall.]*

11 pm

Mr. Archie Norman (Tunbridge Wells): I am glad, even at this late hour, to have a chance to raise the cause of cystic fibrosis sufferers. I am grateful, too, to the Minister for remaining here late to hear what I have to say.

Cystic fibrosis is a serious genetic disease. It is the United Kingdom's most common life-threatening inherited disease. It causes great suffering throughout life and is, in most cases, the eventual cause of death for sufferers. One in 25 of the UK population is a carrier of the CF gene, and one in 2,500 babies is afflicted with the disease.

Cystic fibrosis used to be a children's disease. In 1968, when the prescription charge exemption list was first developed, adult cystic fibrosis was virtually unknown because of the simple fact that the children did not survive long enough to last into adulthood; they died in childhood. Now, as a result of advances in medical research and the improvement in palliative care, many sufferers are surviving into adulthood. Therefore, the question of prescription charge exemption is relevant.

I have a personal interest in the matter because my father, Dr. Archie Norman, devoted much of his working life to research into cystic fibrosis and the care of CF patients. He tells me that few of his former patients live on even into their 50s. Dr. Wallis of Great Ormond Street hospital for children estimates that, today, the average life expectancy of a new-born CF baby is 30 years.

Therefore, the time has come to reassess eligibility of CF sufferers for prescription exemption. That issue has been clearly identified by the Labour party as a serious issue and was set out as an explicit commitment in "Health 2000", which was published in February 1994 by the Labour party. It says:

"we will undertake a thorough review of all ancillary charges. This will include an overhaul of prescription charges. We will seek to provide free medication as part of on-going treatment or long term requirements. For example, those suffering from cystic fibrosis who reach adulthood should not have to rely on some other category such as diabetes in order to obtain free prescriptions".

That commitment was clear cut and unambiguous. The Minister will also be aware of the early-day motion that was tabled last November, which was signed by 120 hon. Members, 75 of whom were Labour Members, including the Chairman of the Select Committee on Health, the hon. Member for Wakefield (Mr. Hinchliffe).

Today, the Prime Minister reaffirmed that commitment when, in answer to my question, he stated:

"I am well aware of the problem to which the hon. Gentleman draws attention. We shall carry out all our commitments in 'Health 2000'."

Those are fine words and noble sentiments. Regrettably, however, to date—and it is nearly two years—we have heard little from Ministers regarding any specific intention to act.

Despite that clear and reaffirmed commitment, despite the hope and belief that it gave to many CF sufferers who voted at the general election, after nearly two years we have had no announcement of any time scale. I ask the Minister to give a clear indication of the position and to come clean as to when, not whether, the pledge will be delivered.

In particular, will the Minister clarify a statement made by the Chief Secretary to the Treasury, who, when he was Minister of State at the Department of Health, wrote to the Cystic Fibrosis Trust, in November 1998, saying:

"the list of medical conditions conferring prescription charge exemptions was introduced in 1968 after being discussed with the medical profession"—

we knew that—

"and no clear consensus for extending it has since emerged"?

That statement seems completely blind to the consensus that has indeed emerged on CF. The right hon. Gentleman seems also to have been unaware of the Labour party's commitment on the subject.

There is widespread support for exemption for cystic fibrosis sufferers. It may be that other conditions are good candidates for exemption, but are more contentious. It seems absurd, however, to penalise CF sufferers because other cases may be more doubtful.

The British Medical Association agrees that the current system is widely seen by the public as unfair. The BMA supports exemption for CF sufferers. Dr. George Rae, chairman of its general practitioner prescribing committee, has said:

"it is unfair that a person with diabetes can pay absolutely nothing for medication when they are otherwise young and healthy, while a person with CF or chronic obstructive airway disease can end up paying for all their drugs".

In March 1999, the BMA also stated that

"there are many unacceptable inequalities and anomalies in the present system. Those with cystic fibrosis are more disadvantaged than some of those presently exempt. There is no doubt that applying the original criteria"—

the 1968 criteria—

"for prescription charge exemptions . . . CF would qualify now that sufferers are living into adulthood."

The National Association of Community Health Councils has endorsed that view, and Rosie Barnes, a former Member of Parliament as well as being chief executive of the Cystic Fibrosis Trust, has said:

"We believe that all adults with cystic fibrosis should be exempt from prescription charges on the grounds that they have a chronic medical condition which requires continuous essential medication".

The financial problems facing many CF sufferers as they grow into adulthood, and their families, are acute. Living costs are higher as a result of the condition, and not just because of medicines. Sufferers have a continual requirement for medication throughout their lives. Life as a CF sufferer from birth is a struggle to stay alive and to stay healthy.

I have spoken to many CF sufferers about the extent of the medication that they require just to stay alive. Rachel Lawrence, a working barrister who has CF, and the daughter of Sir Ivan Lawrence, the former hon. and learned Member for Burton, said:

"there have always been fistfuls of drugs. Enzyme replacements, antibiotics, which I can never stop taking, to ensure that my lungs don't get infected . . . Periodically, the pills don't work and I have to go to hospital to have the drugs intravenously".

She must also take vitamins and other supplements, and she has insulin four times a day.

[Mr. Archie Norman]

Mark Barron, a constituent from Tunbridge Wells, also suffers from CF. He says:

"It is so unfair that I have to pay for drugs that keep me alive: especially when people with other chronic medical conditions do qualify for free prescriptions. It is a tax on living longer".

In addition, CF sufferers face other living costs that are naturally high. They need a high-calorie diet, which means that they cannot rely on normal junk food. Their life support costs are greater than for normal individuals, because it is essential that their homes are kept very warm and dry. Often, they cannot use public transport. They need oxygen on flights if they travel by air. They need a nebuliser, but, unfortunately, those provided by the national health service are not portable. For any kind of independence, they must pay £300 plus maintenance for their own portable nebuliser.

The cost of suffering from CF is therefore very great. A modest estimate for an adult would be in excess, above normal living costs, of £1,000 a year.

Dr. Ian Gibson (Norwich, North): Will the hon. Gentleman confirm that he is asking for an exemption for just 1,000 people or even fewer?

Mr. Norman: The hon. Gentleman makes a good point. His expertise on this matter is a benefit to the House. We are indeed considering a population of about 1,000 adults who suffer from CF and who are in work. The total population of adult sufferers is believed to be about 2,500, and I shall explain later the cost to the Exchequer of free prescriptions, which would be small.

It is believed that, despite the great suffering caused by CF, about 1,000 of the 2,500 people with CF are in work. In many cases—almost by definition—that work is part-time or relatively lowly paid, and it is flexible to allow for the particularly acute periods of periodic suffering.

It is vital to CF patients that they are able to stay in work, not least for their own self-esteem. Many CF sufferers show remarkable resilience, and, from early childhood, learn to live with continuous suffering and hospital visits, usually in the knowledge that the disease will get them in the end. Those patients have displayed remarkable courage, and they deserve our support.

I should like to read out an excerpt from a short, but moving, letter. It states:

"John was, perhaps, the most courageous person I have ever known. Ours was a friendship borne out of adversity because, for almost the entire time I knew him, he was lying in bed. John's great strength was that he paid so little attention to his own weakness . . . he showed no sign of anger, no trace of bitterness, but touched us all with an aura of optimism and hope for the future, such as I have never before encountered".

The letter was written by Diana, Princess of Wales, after one of her many visits to the Royal Brompton hospital, in London. She was a full supporter of the Cystic Fibrosis Trust and its work.

Most cystic fibrosis sufferers, like John, end up in hospital, dying as a consequence of the disease. Meanwhile, ever more of them are struggling to support themselves, to lead a normal life and to eke out a living. It is vital that we provide CF sufferers with the support that they need to work, rather than encouraging them to fall back on benefit to be able to pay for their health care costs.

I fully appreciate that the Minister will not want to make an unlimited extension of prescription charge exemption, because of the cost implications of doing so. However, the cost of exemption for CF sufferers is small, and it is affordable. There are only a very few adult CF sufferers, and, regrettably, they still do not live for very long. As most of them are paying an £85 annual prescription charge, the estimated cost of extending the exemption could be about £100,000 a year—perhaps as little as 0.03 per cent. of total prescription income. It seems a small price to pay for fair treatment for some of the most vulnerable and courageous people in our society.

The Government have made a clear commitment, which the Prime Minister has reaffirmed. The cause is a just and a fair one. The commitment is also a matter of public trust, as a commitment on it was made, as a pledge, throughout the general election. The Government have a moral obligation to act, and not to prevaricate.

There is no need for further reviews. It is a small item to the Exchequer, but a big item for the many courageous and deserving CF sufferers who pin their hopes on the words of the Prime Minister, and who now expect that word to be honoured.

11.13 pm

The Minister of State, Department of Health (Mr. John Denham): I congratulate the hon. Member for Tunbridge Wells (Mr. Norman) on his success in the ballot, on raising some very important issues in the debate, and also on the way in which he has addressed them.

As the hon. Gentleman said, cystic fibrosis is the commonest genetic disease found in Caucasian people. Approximately one in 2,500 children are affected by the condition, which is a disorder of the mucus-secreting glands of the lungs, the pancreas, the mouth, the gastro-intestinal tract and the sweat glands of the skin.

Soon after birth, babies may have bowel obstruction due to thick bowel contents. They develop repeated chest infections because of sticky bronchial secretions, and do not absorb food normally because of a lack of normal pancreatic secretions. The symptoms are, among other things, a failure to gain weight despite a good appetite and repeated attacks of bronchitis. We know that between 10 and 30 per cent. of people with cystic fibrosis also develop diabetes mellitus because of complications with the pancreas.

These days, management of cystic fibrosis is often done largely at home, and specialist nurses are of value in supervising treatment—which consists of regular physiotherapy and postural drainage, antibiotics and the taking of pancreatic tablets and vitamins. It has become more common for acute exacerbation of infections to be treated by intravenous antibiotics at home, rather than by admission to hospital. That is particularly true because of the spread of pseudomonas cepacia within cystic fibrosis units.

It is heartening to see that, with significant improvements in the care and services for people with cystic fibrosis, 75 per cent. of today's sufferers survive into adult life. Two decades ago, only 12 per cent.

of affected children survived into adolescence. We continue to work closely with health professionals, the Cystic Fibrosis Trust and all those with an interest to continue to look for ways to improve the care of people with cystic fibrosis and their quality of life.

I am aware of the progress that has been made in the study of gene replacement therapy, and I know that the Cystic Fibrosis Trust is hopeful that a cure for the condition can be found within the next decade or so. Trials are now in progress at the Royal Brompton National Heart and Lung hospital to test the introduction of the gene into the nasal mucosa of patients.

In another area of work, the national screening committee chaired by the chief medical officer, which includes health care professionals and media and consumer representatives, is looking at screening programmes throughout the United Kingdom. The criteria against which the committee is assessing programmes include good evidence of the effectiveness of the screening programme; whether the condition can be effectively treated; and whether quality assurance mechanisms have been developed. The national screening committee is approaching national programmes systematically and offering advice in the light of commissioned research. The committee has established an expert sub-group to review child health issues.

Mr. Andrew Stunell (Hazel Grove): Will the Minister give way?

Mr. Denham: I shall take only one intervention, at least until I have been able to address the issues raised by the hon. Member for Tunbridge Wells, who secured the debate.

Mr. Stunell: I wanted to draw the Minister's attention to early-day motion 500, which calls in particular for those screening tests to be conducted nationwide. I hope that he will take that point on board.

Mr. Denham: As I was saying—this is relevant to the hon. Gentleman's point—the national screening committee has established an expert sub-group to review child health issues. That sub-group is currently waiting for the health technology assessment report on cystic fibrosis screening to be published, so that it can consider the effectiveness of screening for this condition in the light of emerging evidence. We expect the national screening committee to report to Ministers later this year.

When we were in opposition, we promised a review of prescription charges, and we have undertaken that review. The current prescription charge exemption arrangements and all other aspects of Government spending were reviewed as part of the recent comprehensive spending review, which reported to Parliament in July last year.

The hon. Member for Tunbridge Wells mentioned the document "Health 2000", which was published by the Labour party. It was a consultation document, which suggested that if people were receiving free medication as part of on-going treatment or long-term requirements, they should not automatically receive all other medications free of charge. When we looked at that issue as part of our review of prescription charges, we concluded that it would be difficult to charge some people for medication that they currently receive free. We also concluded that the proposal would impose an onerous burden on doctors, who would have to decide whether any particular prescription item would be charged for or free. We noted that there was no consensus on what additional conditions might be included in any revised list of medical exemptions, or how distinctions could be drawn between one condition and another.

For all those reasons, we concluded that all current prescription charge exemptions would be protected for the rest of this Parliament. We also decided that prescription charges would rise by no more than the rate of inflation over the next three years.

It is clear from the hon. Gentleman's remarks that he is aware that the list of conditions conferring entitlement to free prescriptions was drawn up in 1968. The list, which excluded cystic fibrosis, was agreed following discussions between officials of the then Ministry of Health and representatives of the medical profession.

I appreciate that, due to clinical development, many cystic fibrosis sufferers are now living longer and fuller lives. Sadly, that was not the case in 1968. For that reason, some, including the hon. Gentleman, have argued that sufferers should now receive free prescriptions. However, many groups consider that they, too, should receive free prescriptions, and it would not have been right to consider one group in isolation. That had to be taken into account in our review.

In 1968, when medical exemptions were first introduced, only 42 per cent. of all NHS prescription items were dispensed free of charge. I am pleased to say that now more than 85 per cent. of prescription items are dispensed free.

People likely to have the greatest difficulty in paying for prescription charges—for example children under 16, people over 60 and those on low income—get their prescriptions free. Those arrangements ensure that no one need be deterred from obtaining necessary medication for financial reasons.

Equally, cystic fibrosis sufferers on mean-tested benefits, such as income support, also receive free prescriptions while others may get full help under the NHS low income scheme. For those not entitled to free prescriptions, prescription pre-payment certificates offer real savings for anyone who needs more than five prescription items in four months or 14 items in 12 months.

The hon. Gentleman referred to what I believe he called the financial plight facing sufferers from cystic fibrosis who now, happily, live on to adulthood. Prescription pre-payment certificates mean that no one has to pay more than £84.60 for 12 months for as many prescriptions as are needed. We recognise that, because of the difficulty some people might have in finding that amount as a lump sum, we also make available pre-payment certificates for £30.80 for four months.

It is also the case that on 25 February, the Government announced the lowest prescription charge increase for 20 years. The charge for a single prescription will rise by only 10p from £5.80 to £5.90 from 1 April 1999. That represents a cash increase of 1.72 per cent., which actually means that prescription charges will fall in real terms. That small increase will protect the contribution that charges make to NHS income and help to maintain the valuable services provided to patients.

[Mr. Denham]

In Britain, the prescription charge is an important contribution towards the cost of medication, to be paid only by those who can afford to do so. It is not, and never has been, directly related either to the particular item prescribed or to the actual cost to the NHS of dispensing it.

I draw hon. Members' attention to the comprehensive publicity campaign about the introduction of "point of dispensing" checks. That campaign started on 15 March and will run for three weeks with press and poster advertising. It is being backed up by a nationwide, free telephone advice line to help patients unsure about their exemption and to advise practitioners and staff.

I refer to that only to reassure hon. Members that patients will not go without medication as a result. Those who do not show evidence of exemption from prescription charges will still have their medicines dispensed, but their prescription forms will be marked to aid subsequent checking.

The Government applaud the invaluable work of the Cystic Fibrosis Trust, which continues to campaign on behalf of its members, carers and families with children who suffer from the condition. Through its efforts, it has succeeded in educating both Government and the general public of the difficulties experienced by sufferers from cystic fibrosis. That is why my Department has funded, and continues to fund, several projects that support its work—the cystic fibrosis advocacy project and a user involvement project. It is through initiatives such as the advocacy project that we can increase public awareness and look for ways to help those who suffer from cystic fibrosis.

I thank the hon. Gentleman for raising an important issue in what I hope has been a useful and informative debate.

Question put and agreed to.

Adjourned accordingly at twenty-four minutes past Eleven o'clock.

Written Answers to Questions

Monday 22 March 1999

INTERNATIONAL DEVELOPMENT

Green Transport Plan

Mr. Burstow: To ask the Secretary of State for International Development what involvement fleet managers have had in drawing up her Department's Green Transport Plan. [77969]

Clare Short: The Department for International Development (DFID) has three official cars which are supplied by the Government Car Service. We have no fleet manager. We are in the initial stages of formulating a Green Transport plan.

Bilateral Aid (Dependent Territories)

Mrs. Gillan: To ask the Secretary of State for International Development if she will list all bilateral aid to each of the dependent territories in *(a)* 1995–96, *(b)* 1996–97 and *(c)* 1997–98. [78037]

Clare Short: UK Bilateral Gross Public Expenditure on Aid (GPEX) to UK Overseas Territories in the specified years was as follows:

£000

	1995–96	*1996–97*	*1997–98*
Anguilla	1,810	1,367	2,520
Bermuda	30	57	30
British Virgin Islands	678	1,096	604
Cayman Islands	46	26	13
Falkland Islands	19	4	2
Gibraltar	118	163	192
Montserrat	6,568	14,452	38,317
Turks and Caicos Islands	2,788	3,198	2,569
St. Helena and Dependencies	9,267	7,991	8,765
Pitcairn Islands	203	160	76
Total, UK Overseas Territories	21,527	28,513	53,087

GPEX is expenditure by all official UK sources i.e. Government Departments and public bodies including the Commonwealth Development Corporation, which meets the criteria for developmental official flows agreed by the Organisation for Economic Co-operation and Development Assistance Committee.

ATTORNEY-GENERAL

Freemasons (CPS)

Mr. Mullin: To ask the Attorney-General what progress has been made in the establishment of a register to record membership of the freemasons in the Crown Prosecution Service. [78051]

The Attorney-General: In accordance with Government policy, in October 1998 the Crown Prosecution Service invited its lawyers to declare their masonic status for the purposes of a public register. The CPS is considering the format of a register in conjunction with other departments affected by the Government's policy. The CPS has also invited those recently selected for the new Chief Crown Prosecutor posts to declare their masonic status for the purposes of a public register.

HEALTH

Long-term Care

Mr. Simon Hughes: To ask the Secretary of State for Health how many people aged between *(a)* 16 to 64, *(b)* 65 to 74, *(c)* 75 to 84 and *(d)* over 85 years were in residential care homes in the most recent year for which figures are available; and in each of those age groups how many were funded by (i) local authorities on a means tested basis, (ii) the individuals themselves and (iii) the Department of Social Security. [76491]

Mr. Hutton *[holding answer 15 March 1999]:* Information on the numbers of people in residential care at 31 March 1996, the latest year for which complete information on residents is available, together with figures for local authority supported residents at 31 March 1996 and 1998 and on people in residential care who are funded by income support at February 1996 and August 1998, is given in the table. Information on the number of individuals who found themselves is not available centrally.

People in residential care homes by age, local authority supported residents and income support claimants with preserved rights in residential care

Age band	*People in residential care 31 March 1996*	*Local Authority supported residents 31 March 1996*	*31 March 1998*	*Income support claimants[1] February 1996*	*August 1998*
18–64	59,983	37,047	43,396	37,000	32,000
65–74	27,420	13,655	14,949	10,000	8,000
75–84	82,503	42,595	48,095	18,000	10,000
85 and over	130,358	59,867	73,100	30,000	17,000

[1] Numbers do not include claimants in nursing homes or those income support claimants who are paid a residential allowance and have their fees met by the local authority or themselves.

Source:
DH annual statistical returns (RAC5, SR1) and DSS Income Support Statistics Quarterly Enquiry

Restraint Techniques

Mrs. Brinton: To ask the Secretary of State for Health, pursuant to his answer of 11 March 1999, *Official Report*, column *373*, on restraint techniques, what responsibility *(a)* the Mental Health Commissioner has and *(b)* other official bodies have to collect information on deaths that occur in mental health institutions. [77690]

Mr. Hutton: The Mental Health Act 1983 does not place a specific duty on the Mental Health Act Commission to collect information on deaths that occur in mental health institutions. However, since February 1997, with Ministerial agreement, the Commission has gathered data on the deaths of detained patients and reviewed those from non-natural causes. The Commission has now completed the second year of data collection and is in the process of drawing general conclusions from the information available which it intends to present in the form of a report, drawing attention to general issues identified and making recommendations for action. It is intended to publish the report this year and to circulate it widely to mental health services in England and Wales.

The Office for National Statistics collects information on all deaths that occur in England and Wales through the death registration system. This information included "place of death" which may give details of a communal establishment, such as a mental health institution, if that is where the death occurred.

Mrs. Brinton: To ask the Secretary of State for Health what systems his Department require to be in place in mental health institutions to deal with medical emergencies resulting from the use of *(a)* control and restraint techniques and *(b)* drugs. [77629]

Mr. Hutton: It is for each trust to ensure that appropriate staffing level and policies for responding to emergencies are in place.

Social Services Grants

Mr. Burstow: To ask the Secretary of State for Health on what date he published the conditions for spending each of the new grants announced in his White Paper for social services. [77954]

Mr. Hutton: The White Paper "Modernising Social Services" announced a range of new grants as part of a three year social services modernisation fund. In addition to these, as part of our carers strategy my right hon. Friend the Deputy Prime Minister announced a Carers Grant on 8 February. The conditions for spending each of the new grants were published on the following dates:

Promoting Independence: Partnership Grant 16 March 1999

Promoting Independence: Prevention Grant 16 March 1999

Promoting Independence: Carers Grant 16 March 1999

Children's Services Grant 11 November 1998

Mental Health Grant 26 February 1999

Training Support Grant 4 March 1999.

Green Transport Plan

Mr. Burstow: To ask the Secretary of State for Health what involvement fleet managers have had in drawing up his Department's green transport plan. [77970]

Mr. Hutton: The Department is drawing up green transport plans for all headquarters buildings and main buildings by executive agencies by the end of this month and for all other key buildings by March 2000. The Department does not have a fleet.

Local Government Finance

Mr. Burstow: To ask the Secretary of State for Health if he will list the local authorities to which Ministers have written urging greater spending on local services within their portfolio area. [77958]

Mr. Hutton: Ministers have extensive correspondence with local authorities which includes advice on additional resources for personal social services. However, I am not aware of any letters specifically urging greater spending on local services.

Primary Care Groups

Mr. Burstow: To ask the Secretary of State for Health what assessment he has made of the *(a)* professional and *(b)* other relevant background of lay members of primary care groups. [77953]

Mr. Denham: None. Health Authorities are responsible for appointing a lay member to each Primary Care Group board. Apart from excluding practising general practitioners, practising nurses, non-executive directors of National Health Service trusts or health authorities and staff working in the NHS, the Department or NHS Estates, the only qualification we have stipulated is that the lay member must live in the geographical area for which the primary care group is responsible.

Chronic Fatigue Syndrome

Mr. Burstow: To ask the Secretary of State for Health what plans he has to commission a national epidemiological study into chronic fatigue syndrome/ME. [77854]

Mr. Hutton: There are currently no plans to commission a national epidemiological study into chronic fatigue syndrome/myalgic encephalomyelitis (CFS/ME). A number of definitions, disease descriptions or diagnostic criteria have been proposed to describe CFS/ME and there is no general agreement as to which should be used. This makes the results from studies on the prevalence of CFS/ME difficult to interpret and there is no agreement on the incidence of the illness.

The heterogeneity of the definitions for CFS/ME was an issue that was raised at the first meeting of the CFS/ME Working Group and is likely to be a topic for further discussion as work progresses. If a definitive diagnostic criteria for CFS/ME can be defined requests for a national epidemiological study would need to be considered in line with other competing priorities.

Departmental Budget

Mrs. Ewing: To ask the Secretary of State for Health what was his Department's budget in cash terms and at 1998–99 prices for *(a)* 1992–93 to 1998–99 and *(b)* his estimate for 1999–2000 to 2001–02. [77333]

Mr. Denham: The information requested is contained in the table.

£ million

Year	Cash	At 1998–99 prices
1992–93	27,826	32,291
1993–94	29,762	33,645
1994–95	31,593	35,212
1995–96	32,933	35,666
1996–97	33,769	35,479
1997–98	35,297	36,180
1998–99	37,643	37,643
1999–2000	40,345	39,361
2000–01	43,271	41,186
2001–02	46,172	42,875

Mental Health Institutions (Deaths)

Dr. Gibson: To ask the Secretary of State for Health what *(a)* guidelines and *(b)* regulations his Department has regarding (i) the notification of relatives and (ii) the information, support and guidance offered to relatives after a death in a mental health institution. [77338]

Mr. Hutton: Support and guidance offered to relatives after a death are contained in Health Service Guidelines (92)8 issued in January 1992. This guidance covers the procedures National Health Service trusts should have in place for dealing with patients who die in hospital and with a patient's relatives before and after the death.

Organ Transplants

Mrs. Gillan: To ask the Secretary of State for Health if he will list those countries from which organs for transplant have been received in the past 12 months. [78001]

Mr. Hutton: In the period 1 March 1998 to 28 February 1999 a total of 99 organs were received from France, Spain, Italy, Cyprus, the Republic of Ireland, Eurotransplant (comprises Germany, Austria, Netherlands and Luxembourg) and Skandiatransplant (comprises Denmark, Finland, Norway and Sweden).

Fuel Duty Increases

Mr. Loughton: To ask the Secretary of State for Health (1) what estimate he has made of the additional costs to ambulances and other medical vehicles in West Sussex resulting from fuel duty increases in the Budget; [77914]

(2) what provisions he has made to compensate health authorities for the additional costs resulting from fuel duty increases in the Budget; [77915]

(3) what estimates he has made of the additional costs to ambulances and other medical vehicles resulting from fuel duty increases in the Budget. [77913]

Mr. Hutton: In 1996–97, the last year for which information is available, the cost of motor fuels as a proportion of total hospital and community health service spending, which includes ambulance trusts, was 0.12 per cent. The additional cost resulting from the Budget increase would have raised that figure to less than 0.13 per cent. Because of boundary factors it is not possible separately to identify figures for West Sussex. It is, however, clear that the effect of the increase will be very small relative to the other price inflation factors affecting the National Health Service each year. Any additional costs will be absorbed within the very significant real-terms increases in health authority allocations for 1999–2000 announced in November 1998.

NHS Vehicles (Road Fuel Gas)

Mr. Loughton: To ask the Secretary of State for Health how many road vehicles deployed in the NHS are fuelled by road fuel gases; and what plans he has to encourage the use of more such vehicles. [77916]

Mr. Hutton: The information requested is not available centrally.

Road vehicles deployed in the National Health Service satisfy a diverse range of requirements. Vehicle operators include ambulance services, NHS Supplies, fleet vehicles for staff (including medical/nursing and support services etc.), and contractors working on behalf of the NHS.

NHS transport/fleet officers do consider environmental aspects in the procurement and operation of the vehicles they manage. These decisions will be determined at local level taking into account availability of environmentally friendly road fuels and cost effectiveness in relation to the service to be provided.

This has been reinforced by the White Paper "A New Deal for Transport: Better for Everyone" and the NHS is well aware of the need to take its requirements on board. NHS Estates (an executive agency of the Department) has also issued a "Healthy Transport Toolkit" to inform and commend green transport plans to the NHS. The Department intends to continue to encourage green transport initiatives within the NHS, including the use of environmentally friendly road fuels.

PRESIDENT OF THE COUNCIL

Working Time Directive

Mr. Tyrie: To ask the President of the Council how many civil servants in her Department have been invited to waive the Working Time Directive requirement to work less than 48 hours a week on 17 consecutive weeks; how many civil servants in her Department have refused to waive the requirement; and what is the total cost of compliance with the Directive. [76802]

Mrs. Beckett: Nine members of the staff of the Privy Council Office have signed an agreement to disapply the 48-hour limit. None has refused to do so. The cost of compliance with the Directive is negligible, in view of the small size of my Department.

Scottish Parliament

Mr. Gordon Prentice: To ask the President of the Council what guidelines have been agreed concerning the composition of the Judicial Committee of the Privy Council when sitting to determine the vires of Acts of the Scottish Parliament. [76950]

Mrs. Beckett: It will be for the Senior Lord of Appeal in Ordinary to determine which members of the Judicial Committee of the Privy Council sit to hear and determine cases under the Scotland Act 1998. However, the Government would expect a convention to develop along the lines of Scottish appeals to the House of Lords, where there would always be at least one Scottish judge, and in practice perhaps more, sitting on the Judicial Committee for Scottish devolution cases.

Millennium Compliance

Miss McIntosh: To ask the President of the Council what provision has been made for millennium compliance-related problems for 9 September 1999; and if she will make a statement. [77131]

Mrs. Beckett: 9999 was sometimes used as a close down, halt or standby code by programmers and some people think that September 1999 may be confused with this code. Action 2000 advise me that they have not found any cases where 9/9/99 will cause equipment to fail, and do not expect that date to have a significant impact.

On a wider point, there are many dates which may cause computers problems. Such problem dates should be tested for as appropriate. All companies should be aware of the key dates when the year 2000 will first hit their systems: for many it will be 1 April 1999 with the new financial year. Government Departments and Agencies have included testing for other relevant dates in their own programmes. The preferred dates which should be used for testing are included in the relevant British Standards Institution (BSI) advice.

HOUSE OF COMMONS

Select Committee Reports

Mr. Wilshire: To ask the President of the Council when she was first informed of the existence of a leaked copy of the draft report of the Foreign Affairs Committee Sierra Leone Inquiry. [73934]

Mrs. Beckett *[holding answer 1 March 1999]:* On the morning of 23 February 1999.

Early Day Motions

Mr. Steen: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, what was the cost of the processing and publication of Early Day Motions in each of the last three years; how many staff were employed to administer them; and at what cost. [77568]

Mr. Kirkwood: I will write to the hon. Member as soon as possible and place a copy of my reply in the Library of the House.

Claim Forms (Production Costs)

Mr. Steen: To ask the President of the Council what was the cost of the production of claim forms for (i) the Members' Car Allowance Scheme, (ii) the Members' constituency mileage continuation sheets, (iii) C1 reimbursement, (iv) C2 direct payment and (v) C3 direct payment secretarial claim forms; how many staff are employed to administer them; and at what cost in the last year for which figures are available. [77625]

Mrs. Beckett: The cost of the production of the forms in the 1998 calendar year were as follows:

C1 forms £230.23

C2 forms £342.36

C3 forms £368.11.

No copies of the Members Car Allowance Scheme and Mileage booklets were produced in the period as existing stocks were used.

All staff who are employed on the administration of these forms have other duties and so it is not possible to give completely accurate salary costs. However, total staff costs of paying car allowances and expenses paid in respect of forms C1 and C2 is in the region of £175,000.

PRIME MINISTER

Overseas Publications

Mr. Maclean: To ask the Prime Minister, pursuant to his answer of 3 February 1999, *Official Report*, columns *642–43*, on overseas publications, if he will place copies of the articles he wrote for the foreign newspapers listed in his answer in the Library. [76459]

The Prime Minister: My office does not keep copies of articles written for foreign newspapers.

However, the House of Commons Library does provide a cuttings service for Members. The right hon. Member may wish to contact the staff in the Library, who will endeavour to assist him in obtaining copies of the articles.

Social Exclusion Unit

Mr. Drew: To ask the Prime Minister if he will make a statement on the relationship between the No. 10 Policy Unit and the Social Exclusion Unit. [76675]

The Prime Minister *[holding answer 18 March 1999]:* The Units work together closely.

Mr. Drew: To ask the Prime Minister if he will list the working groups which report to the Social Exclusion Unit. [76676]

The Prime Minister *[holding answer 18 March 1999]:* There are no specific working groups which formally report to the Social Exclusion Unit. Civil servants and others from outside work with the Social Exclusion Unit as necessary to prepare reports and act on their recommendations. For example, eighteen policy action teams from across Government are carrying forward work identified in the Unit's report "Bringing Britain Together: a National Strategy for Neighbourhood Renewal" (Cm 4045).

Ministers Code of Conduct

Mr. Maclennan: To ask the Prime Minister if he will amend the Code of Conduct for Ministers to include a prohibition against attempting to procure the *(a)* appointment, *(b)* promotion and *(c)* dismissal of

individual journalists, and an obligation to make any complaints about journalists in writing, and to place them on public record. [77615]

The Prime Minister *[holding answer 19 March 1999]*: Decisions on the employment of journalists are a matter for the media organisations concerned.

European Union Fraud

Mr. Maclean: To ask the Prime Minister if he will place in the Library a copy of his letter dispatched to the Head of the European Socialist Party concerning the January motions of confidence in the European Parliament on fraud and the Commission; who else received copies; and if he will make a statement. [78396]

The Prime Minister: I refer the right hon. Member to the answer I gave to the hon. Member for Windsor (Mr. Trend) on 17 March 1999, *Official Report*, column *706*.

Lord Advocate

Dr. Moonie: To ask the Prime Minister if he will make a statement regarding the functions and responsibilities of the Lord Advocate in connection with the implementation of the Scotland Act 1998. [78277]

The Prime Minister: As a consequence of the new constitutional arrangements under the Scotland Act 1998, I have approved a reallocation of certain functions and responsibilities of the Lord Advocate to the Secretary of State and the Advocate-General for Scotland.

The overall intention of these transfers of functions and responsibilities is to ensure the appropriate distribution of the Lord Advocate's functions during the transitional period up to 1 July 1999 and after the Scottish Executive takes up its full powers on 1 July 1999. I am placing in the Library of the House a short paper which sets out the background to these transfers.

Copies of the Transfer of Functions (Lord Advocate and Secretary of State) Order 1999 (S.I. 1999/678) and the Transfer of Functions (Lord Advocate and Advocate-General for Scotland) Order 1999 (S.I. 1999/679), which were made by Her Majesty in Council on 10 March, have been laid before both Houses.

In addition to the transfer of statutory functions which would be effected by these transfer of functions orders, it is proposed that ministerial responsibility for the general oversight of certain branches of the law of Scotland will pass from the Lord Advocate to the Secretary of State on 19 May 1999, when the statutory functions are also transferred to them. No formal order is required to give effect to this transfer, which will be carried out by administrative arrangement.

The matters concerned are connected in whole or in part with the administration of justice in Scotland. They include the matters for which responsibility was transferred to the Lord Advocate in 1972, as referred to in a statement made by the then Prime Minister on 21 December 1972, *Official Report*, column *456*, namely:

(a) the jurisdiction and procedure of Scottish courts in civil proceedings;

(b) the law relating to the enforcement of the judgments of Scottish courts in civil matters and the recognition and enforcement of judgments of foreign courts, other than orders for the payment of maintenance;

(c) the law of evidence;

(d) the law relating to prescription and the limitation of actions;

(e) the law relating to arbitration;

(f) the law relating to fatal accident inquiries.

In addition, there will also be transferred to the Secretary of State the responsibilities of the Lord Advocate for various matters which are related to the matters mentioned above, namely;

(a) the private international law of Scotland including functions in relation to the Hague Conventions dealing with International Child Abduction, Reciprocal Enforcement of Maintenance Obligations, Taking of Evidence Abroad and Service of Process;

(b) the jurisdiction and procedure of tribunals; and

(c) mediation and

(d) alternative dispute resolution.

DEFENCE

Learning Forces Initiative

6. **Mr. Andy King:** To ask the Secretary of State for Defence if he will make a statement on progress towards establishing the learning forces initiative announced in the strategic defence review. [75969]

14. **Mr. Drew:** To ask the Secretary of State for Defence if he will make a statement on progress towards establishing the learning forces initiative announced in the strategic defence review. [75978]

Mr. George Robertson: We are making good progress with our learning forces initiative. At home and abroad, our Service personnel are already benefiting from increased educational opportunities. The learning forces initiative is also a powerful tool which will aid recruiting and retention.

Racism

13. **Mr. Goggins:** To ask the Secretary of State for Defence what action he is taking to combat racism in the armed services. [75977]

Mr. Borrow: To ask the Secretary of State for Defence if he will make a statement on his plans to combat racism within the armed services. [75971]

Mr. Spellar: I place the highest priority on tackling racism within the Services. Our equal opportunities policies are ensuring that racism is challenged and that our Services more truly represent—and benefit from—our multi-cultural society.

We are now working to develop a culture which welcomes racial diversity. I have agreed a new corporate framework for equal opportunities which will encourage this. I commend it to the House. A copy is being placed in the Library.

Cadets

15. **Mr. Bob Russell:** To ask the Secretary of State for Defence how many air, army and sea cadets there were *(a)* at 1 May 1997 and *(b)* at the latest date for which figures are available. [75979]

Mr. Doug Henderson: The number of cadets is calculated at the end of the financial year.

Therefore, on 31 March 1997 there were:

12,011 Sea Cadets—excluding junior members of the Corps,

39,827 Army Cadets,

33,196 Air Cadets,

and 39,716 members of the Combined Cadet Force.

On 31 March 1998, the latest date for which figures are available, there were:

11,762 Sea Cadets, again excluding junior members,

40,773 Army Cadets,

32,807 Air Cadets,

and 39,460 members of the Combined Cadet Force.

Dr. Gwyn Prins

16. **Dr. Julian Lewis:** To ask the Secretary of State for Defence if he will make a statement about *(a)* the recruitment of Dr. Gwyn Prins to the office of the Secretary-General of NATO, *(b)* the role, responsibilities and degree of security clearance given to Dr. Prins in that office and *(c)* the vetting procedures applied prior to his appointment. [75980]

Mr. George Robertson: These are matters for NATO.

Defence Medical Services

17. **Mr. Viggers:** To ask the Secretary of State for Defence if he will make a statement on staffing levels in the Defence Medical Services. [75981]

Mr. Doug Henderson: We have made improving the current serious manpower shortfalls in the Defence Medical Services a top priority. Following the Strategic Defence Review we have provided additional funds to address both personnel and equipment shortfalls in the Medical Services. We have put in place a number of initiatives to rectify the staffing situation, but recognise that restoration of full staffing will take some time.

Iraq (Bombing Damage)

18. **Mr. Dalyell:** To ask the Secretary of State for Defence what assessment he has made of the extent of collateral damage inflicted during the recent bombing of Iraq; and if he will make a statement. [75982]

Mr. George Robertson: US and British aircraft act only in self-defence, in response to Iraqi aggression. They attack only legitimate military targets which pose a real threat to coalition forces and use only precision guided munitions wherever there is a danger of collateral damage. However, military action is never without risk and I deeply regret any civilian casualties or damage to civilian infrastructure. There would be no such risk if Saddam stopped threatening coalition forces. It is Saddam's continued aggression which potentially puts innocent civilians in harm's way.

Rations

19. **Mr. Evans:** To ask the Secretary of State for Defence if he will make a statement on rations for the armed forces while they are on manoeuvres. [75984]

Mr. Spellar: The food supply arrangements for our Armed Forces deployed on operations or exercises will depend on the specific circumstances prevailing. Our aim is always to establish the supply of fresh rations at the earliest opportunity. Where this is not practicable, or in the period before a fresh food supply chain can be established, our personnel will normally be fed on Operational Ration Packs. These Packs have been developed specifically to provide a balanced, varied and nutritional diet suitable for use in a wide range of different field conditions.

Macedonia

20. **Mr. Paice:** To ask the Secretary of State for Defence how many British military personnel have been deployed in Macedonia. [75985]

Mr. George Robertson: Some 4,800 UK military personnel have been deployed to Greece and Macedonia, mainly consisting of the UK contribution to a possible NATO-led peace implementation force in Kosovo, but also including our contribution to the NATO-led Extraction Force, the NATO Verification Mission and the UK contribution to the OSCE Verification Mission, now withdrawn from Kosovo.

Cleaners' Pensions

21. **Mr. Grogan:** To ask the Secretary of State for Defence if he will make a statement on the pension arrangements for cleaners employed by *(a)* the NAAFI and *(b)* the Ministry of Defence. [75986]

Mr. Spellar: I have a meeting planned with the Chief Executive of the NAAFI this week, at which I expect to raise this issue.

As for those cleaners employed by the MoD as civil servants, they would be eligible to join the Principal Civil Service Pension Scheme (PCSPS).

AWE Aldermaston

22. **Mr. Salter:** To ask the Secretary of State for Defence if he will make a statement on the announcement by the Environment Agency that plutonium deposits are being washed from the Pangbourne pipeline at AWE Aldermaston into the River Thames. [76051]

Mr. Spellar: All discharges from AWE through the Pangbourne pipeline are authorised by the Environment Agency. Scaling may occur when water passes down any pipeline. The potential for subsequent descaling is taken into account in the management of discharges which remain at 10–15 per cent. of the currently authorised limits. Details of these discharges are made available to the public through AWE's Environment, Safety and Health reports which are published annually and distributed widely including regulatory and Local Authorities.

Mr. Salter: To ask the Secretary of State for Defence if he will make a statement on safety at AWE Aldermaston. [76019]

Mr. Spellar: I refer my hon. Friend to the answer I gave the hon. Member for Daventry (Mr. Boswell) on 18 March 1999, *Official Report*, columns *801–02*.

Training and Education

23. **Dr. George Turner:** To ask the Secretary of State for Defence what assessment he has made of the effect that improved training and education within the armed forces will have on recruitment. [75988]

Mr. Doug Henderson: We want the Services to be a career of first choice. Our learning forces initiative is designed to improve training and education in the Armed Forces and increase opportunities for Service personnel to acquire academic vocational and professional qualifications. This should have a very positive impact on Armed Forces recruitment and retention.

Operation Desert Fox

24. **Mr. Campbell-Savours:** To ask the Secretary of State for Defence when he next intends to meet his American counterpart to discuss Operation Desert Fox in Iraq. [75989]

Mr. George Robertson: I keep in regular and close contact with William Cohen, the US Secretary of Defense, and we frequently discuss a wide range of issues of mutual interest, including coalition activities in respect of Iraq. I next plan to meet him during a visit to the US between 16–18 April and again at the NATO Summit on 23–25 April.

Trident Warheads

25. **Mr. Rapson:** To ask the Secretary of State for Defence what progress his Department has made in implementing strategic defence review commitment that Trident submarines would carry only 48 warheads. [75990]

Mr. George Robertson: We implemented the reduction in warhead numbers announced in the Strategic Defence Review by December 1998. All our Trident submarines on deterrent patrol now carry only 48 nuclear warheads.

Gulf War Illnesses

26. **Jane Griffiths:** To ask the Secretary of State for Defence how much the Government are spending on research into the illnesses of Gulf war veterans. [75991]

Mr. Doug Henderson: I refer my hon. Friend to the answer given to my hon. Friends the Members for Stafford (Mr. Kidney) and for Wirral, South (Mr. Chapman) today, *Official Report* columns 5–6.

TA Centres (Disposal)

27. **Mr. St. Aubyn:** To ask the Secretary of State for Defence what savings his Department plans to achieve by the disposal of TA centres. [75992]

Mr. Doug Henderson: Disposal of TA Centres is expected to generate net receipts of some £40 million, excluding those that may be realised by disposing of the Duke of York's headquarters in Chelsea. We expect also to achieve savings in running costs and costs of refurbishment.

Women

28. **Lorna Fitzsimons:** To ask the Secretary of State for Defence how many women were employed in Her Majesty's armed forces *(a)* in the year before May 1997 and *(b)* since May 1997. [75993]

Mr. Doug Henderson: The information requested is given in the table:

Date	*Number of women employed in the armed forces*	*Total strength of the armed forces*
1 May 1996	15,596	220,988
1 May 1997	14,834	210,269
1 May 1998	15,732	203,739
1 January 1999[1]	16,119	208,763

[1] Latest data available

30. **Ms Stuart:** To ask the Secretary of State for Defence how many women were employed in Her Majesty's armed forces *(a)* on 1 May 1997 and *(b)* 1 March 1999. [75995]

Mr. Doug Henderson: On 1 May 1997 14,834 women were employed in the armed forces. Figures for 1 March 1999 are not yet available but on 1 January 1999, the latest date for which data are available, there were 16,119 women employed in the armed forces.

Cadets (Solihull)

29. **Mr. John M. Taylor:** To ask the Secretary of State for Defence if he will make a statement about the future arrangements for the training of sea, army and air cadets in Solihull. [75994]

Mr. Doug Henderson: As I have announced, any cadet unit that is currently accommodated in a TA centre that is to close under the restructuring of the TA, will be re-provided with accommodation at least as good as they currently occupy. I have also announced that no TA centre that houses cadets will be closed until alternative accommodation for the cadets is in place. This will be the case for the cadets in Solihull. The future accommodation for the cadets in Solihull is currently under consideration.

Land Mines

31. **Mr. Nigel Griffiths:** To ask the Secretary of State for Defence what discussions he has had with his international counterparts on *(a)* the disposal of stocks of land mines and *(b)* the destruction of mines which have been laid. [75996]

Mr. George Robertson: The Government use every appropriate opportunity to press other Governments to ratify the Convention and fulfil all their international obligations under the Ottawa Convention. As I announced to the House on 22 February 1999, *Official Report*, column 7, we have now destroyed the last of the Army's operational stocks of APM, four years in advance of the requirement laid down under the Ottawa Convention. Destruction of all UK operational stocks of APM will be completed by 1 January 2000. This is another instance of the UK leading international efforts to achieve a world-wide ban on these weapons.

On the vital issue of the destruction of mines already in the ground, the lead for humanitarian de-mining rests with the Department for International Development. But the MOD has established the Mine Information and Training Centre at Minley in Surrey to provide expert, professional advice. I have also recently approved the attachment of a senior British Army Colonel to the Geneva Centre for Humanitarian De-mining to support the international effort. My Department continues to keep under review all opportunities for further assistance where this would be appropriate and useful.

European Defence Co-operation

32. **Laura Moffatt:** To ask the Secretary of State for Defence what is the Government's policy in relation to promoting further European defence co-operation. [75997]

Mr. George Robertson: I refer my hon. Friend to the answer I gave to my hon. Friend the Member for The Wrekin (Mr. Bradley) today, *Official Report*, column 13.

Imphal Barracks, York

Miss McIntosh: To ask the Secretary of State for Defence if he will assess the contribution made by Imphal Barracks, York to local employment levels. [73086]

Mr. Doug Henderson: There are 385 civilian staff employed within Imphal Barracks, of whom 143 are on the establishment of the headquarters 2nd Division. Imphal Barracks also makes an indirect contribution to local employment levels through employment by local contractors on property management within the barracks, which this financial year will cost some £1.1 million. For the future, the announced move of the Defence Vetting Agency when implemented will more than compensate for the loss of civilian posts caused by the closure of the divisional headquarters at Imphal Barracks.

Defence Secondary Care Agency

Mr. Hancock: To ask the Secretary of State for Defence on what date the Defence Secondary Care Agency published its report for the year 1997–98; and what was the cost of production of the report. [76635]

Mr. Doug Henderson: This is a matter for the Chief Executive of the Defence Secondary Care Agency. I have asked the Chief Executive to write to the hon. Member.

Letter from C. G. Callow to Mr. Mike Hancock, dated 22 March 1999:

I am replying to your question to the Secretary of State for Defence about the date that our Annual Report for 1997/98 was published and its cost of production. This matter falls within my area of responsibility as Chief Executive of the Defence Secondary Care Agency.

The Annual Report was published on 17 September 1998 at a cost of £7,398.

Departmental Budget

Mrs. Ewing: To ask the Secretary of State for Defence what was his Department's budget in cash terms and at 1998–99 prices for *(a)* 1992–93 to 1998–99 and *(b)* his estimate for 1999–2000 to 2001–02. [77334]

Mr. George Robertson: The information requested is as follows:

£ million

Year	*Cash*	*1998–99 prices*
1992–93	22,910	26,587
1993–94	22,757	25,726
1994–95	22,562	25,146
1995–96	21,517	23,303
1996–97	22,345	23,476
1997–98	21,610	22,151
1998–99	22,549	22,549
1999–00	22,280	21,737
2000–01	22,815	21,716
2001–02	22,972	21,332

The figures for 1992–93 through to 1997–98 reflect outturn adjusted to take account of major definitional changes in defence spending and of major transfers of responsibility to and from other Government Departments. The figures for 1996–97 and 1997–98 exclude the element of receipts arising from the sale of the married quarters estate in England and Wales that were appropriated onto Defence Votes. The figures for 1998–99 is the estimated outturn that underlay the Spring Supplementary Estimates. The totals shown for 1999–2000 to 2001–2002 are the Ministry of Defence's Departmental Expenditure Limits. These differ slightly from the figures published in the Comprehensive Spending Review (Cm 4011) and the Strategic Defence Review (Cm 3999) White Papers last July, and more recently in the Ministry of Defence's Public Service Agreement (which forms part of "Public Service for the Future: Modernisation, Reform and Accountability" (Cm 4181, December 1998)) because of adjustments arising from Public Expenditure Systems transfers to other Government departments.

Further details of the Ministry of Defence's expenditure plans will be published in "The Government's Expenditure Plans 1999–2000 to 2001–2002" (Cm 4208) on 26 March 1999.

Territorial Army

Mr. Waterson: To ask the Secretary of State for Defence if he will make a statement on recruitment to the Territorial Army. [75983]

Mr. Doug Henderson: I refer the hon. Member to the answer I gave to the hon. Member for Arundel and South Downs (Mr. Flight) today, *Official Report*, column 9.

Mr. Keith Simpson: To ask the Secretary of State for Defence what plans he has to maintain the footprint of the Army in those areas of the country where there will be no regular or TA units. [74860]

Mr. Doug Henderson *[holding answer 5 March 1999]:* The future footprint of the Army is defined by the location of Regular and Territorial Army units and facilities and will remain widespread following the SDR and the reform of the TA.

Mr. Keith Simpson: To ask the Secretary of State for Defence if he will estimate the reduction in civilian posts from his review of the TA. [74861]

Mr. Doug Henderson *[holding answer 5 March 1999]:* We expect that the reform of the Territorial Army will result in an overall loss of some 900 civilian posts spread throughout the United Kingdom. These numbers are, however, subject to Trade Union consultation.

Ministerial Meetings (US)

Mr. Matthew Taylor: To ask the Secretary of State for Defence how many times Ministers in his Department have met their counterparts in the US Government since 1 June 1998; and if he will list the dates and locations of each meeting, the Ministersinvolved on each occasion, and the name of the US counterpart at each meeting. [77148]

Mr. George Robertson: Since 1 June 1998, MOD Ministers have had bilateral meetings with our US counterparts on the following occasions:

Minister	*Counterpart*	*Date*	*Location*
Secretary of State	William Cohen	3 June 1998	Washington
Secretary of State	William Cohen	19 November 1998	Washington
Secretary of State, Minister (Defence Procurement), and Under-Secretary of State	John Hamre	19 January 1999	London
Minister (Armed Forces)	John Hamre	1 March 1999	Washington

In addition, we have regular exchanges and contacts at other meetings and conferences.

Recruitment

Mr. Bob Russell: To ask the Secretary of State for Defence if he will list by country the number of non-UK citizens who have been recruited to each of the armed services in each of the past three years for which figures are available. [77485]

Mr. Doug Henderson: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

NATO Subventions

Mr. Webb: To ask the Secretary of State for Defence if he will make a statement on *(a)* the level of payments from NATO to cover the salaries of UK armed forces personnel on NATO missions, *(b)* the level of salaries and allowances paid to UK armed forces on NATO missions and *(c)* the reasons for differences between the amounts at *(a)* and (b). [77621]

Mr. Doug Henderson *[holding answer 19 March 1999]:* NATO does not make any payment to cover the salaries of UK (or any other nation's) armed forces personnel on NATO missions. Normal levels of salary, together with allowances appropriate to location and circumstances, are paid from Ministry of Defence funds to UK Armed Forces personnel while on NATO or other missions. It is accepted by NATO nations that the salary costs of troops deployed will lie where they fall, on the defence budgets of the contributing nations.

Iraq

Mr. Menzies Campbell: To ask the Secretary of State for Defence how many times allied aircraft have fired at *(a)* Iraqi aircraft and *(b)* Iraqi installations from outside the no-fly zones since the conclusion of Operation Desert Fox. [77226]

Mr. George Robertson: Allied aircraft have not fired at either Iraqi aircraft or Iraqi installations from outside the no-fly zones since the conclusion of Operation Desert Fox.

Mr. Dalyell: To ask the Secretary of State for Defence what discussions he has had with the Biwater Company over targeting sites in the area of the Al Taji factory in outer Baghdad. [78030]

Mr. George Robertson: None.

Mr. Dalyell: To ask the Secretary of State for Defence what was the approximate weight of ordnance fired against targets in Iraq on Monday 15 March. [78054]

Mr. George Robertson: UK forces did not launch or drop any ordnance against Iraqi targets on 15 March.

Mr. Dalyell: To ask the Secretary of State for Defence, pursuant to the answers of 16 February 1999, *Official Report*, column *739*, and 15 March 1999, *Official Report*, column *511*, from whom he received the account of the episode relating to the 16-year-old Iraqi youth. [77353]

Mr. George Robertson *[holding answer 18 March 1999]:* The information came to me from my noble Friend the Minister for Defence Procurement who was told of the case at a private occasion by a reliable source who had been in Baghdad at the time. I am withholding further details under Exemption 12 of the Code of Practice on Access to Government Information, relating to the privacy of an individual. The account is consistent with other accounts of the repressive brutality of Saddam's regime. For example, the Iraqi National Accord has reported that in 1991 a six-year-old boy was accused, together with his father, of participating in an uprising against Saddam. The boy and his father were both shot. Similarly, in 1996, a 12-year-old boy was arrested and imprisoned for three months because his brother was an opponent of Saddam's.

Mr. Soames: To ask the Secretary of State for Defence if he will list the targets attacked by British aircraft in the northern and southern no-fly zones of Iraq, together with relevant battle damage assessments since he last wrote to hon. Members with the details of earlier engagements. [77976]

Mr. George Robertson: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Aircraft Carriers (Contractors)

Mr. Maclean: To ask the Secretary of State for Defence what progress his Department has made in selecting contractors for completion of the future aircraft carriers. [75972]

Mr. Spellar: Invitations to Tender for the Assessment Phase of the Future Carrier programme were issued to 6 contractors on 25 January 1999. Up to 3 contracts will

be awarded towards the end of this year. We anticipate further down selection during the course of the Assessment Phase leading to the selection of a prime contractor in 2004.

CULTURE, MEDIA AND SPORT

Electronic Red Boxes

Mr. Maclean: To ask the Secretary of State for Culture, Media and Sport if he will name the Ministers in his Department who are regular users of electronic Red Boxes. [76168]

Mr. Chris Smith: I refer the right hon. Member to the answer given by my right hon. Friend the Minister for the Cabinet Office on 16 March 1999, *Official Report*, columns *651–52*.

Appointments

Mr. Vaz: To ask the Secretary of State for Culture, Media and Sport if he will list those people he has appointed to public bodies since 1 November 1998, indicating the positions to which they have been appointed and if they receive remuneration. [76412]

Mr. Chris Smith: The appointments made are as follows:

Sponsored body	*Role*	*Title*	*Remuneration*
Advisory Committee on Historic Wreck Sites	Member	Mr. Robin Daniels	No
British Library Board	Member	Viscount Runciman of Duxford CBE	Yes
British Tourist Authority	Chairman	David Quarmby	Yes
Broadcasting Standards Commission	Member	Ms Sally O'Sullivan	Yes
Broadcasting Standards Commission	Member	Mr. Uday Dholakia	Yes
Crafts Council	Member	Mr. David Field MBE	No
Crafts Council	Member	Professor Jeremy Myerson	No
Crafts Council	Member	Dr. Jennifer Harris	No
Crafts Council	Member	Ms Cynthia Cousens	No
English Heritage	Commissioner	Councillor Philip Davis	Yes
English Sports Council	Member	Ms Brigid Simmonds	No
English Sports Council	Member	Ms Tessa Sanderson	No
Independent Television Commission	Deputy Chairman	Lord Holme of Cheltenham	Yes
Library and Information Commission	Member	Professor Mel Collier	No
National Film and Television School	Governor	Ms Ann Beynon	No
National Film and Television School	Governor	Rupert Gavin	No
National Film and Television School	Governor	Mr. Marc Samuelson	No
National Film and Television School	Governor	Ms Floella Benjamin	No
National Film and Television School	Governor	Mr. Clive Jones	No
National Film and Television School	Governor	Ms Andrea Calderwood	No
National Film and Television School	Governor	Viscount Chandos	No
National Film and Television School	Governor	Ms Joyce Taylor	No
National Lottery Charities Board	Member Northern Ireland	Ms Sheila Jane Malley	No
National Lottery Charities Board	Member Wales	Mr. Jeff Carroll	No
National Lottery Commission	Commissioner	Mr. Robin Squire	Yes
National Lottery Commission	Commissioner	Ms Harriet Spicer	Yes
National Lottery Commission	Commissioner	Dame Helena Shovelton	Yes
National Lottery Commission	Commissioner	Mr. Brian Pomeroy	Yes
National Lottery Commission	Commissioner	Ms Hilary Blume	Yes
Public Lending Right Advisory Committee	Member	Mr. Roger Palmer	No
Radio Authority	Member	Mr. David Witherow	Yes
Radio Authority	Member	Mr. Feargal Sharkey	Yes
Radio Authority	Member	Mrs. Sheila Hewitt	Yes
Reviewing Committee on the Exports of Works of Art	Member	Mr. Alistair Laing	No
Reviewing Committee on the Exports of Works of Art	Member	The hon. Georgina Sonor	No
Royal Armouries	Member	Mrs. Ann Green	No
Royal Armouries	Member	Professor John Childs	No
United Kingdom Sports Council	Member	Ms Zahara Hyde-Peters	No
United Kingdom Sports Council	Member	Miss Tanni Grey MBE	No
United Kingdom Sports Council	Member	Mrs. Diana King	No
United Kingdom Sports Council	Member	Mr. Adrian Metcalfe	No
United Kingdom Sports Council	Member	Prof. Myra Nimmo	No
United Kingdom Sports Council	Member	Mr. Gavin Stewart	No

Ministerial Meetings (US)

Mr. Matthew Taylor: To ask the Secretary of State for Culture, Media and Sport how many times Ministers in his Department have met their counterparts in the US Government since 1 June 1998; and if he will list the dates and locations of each meeting, the ministers involved on each occasion, and the name of the US counterpart at each meeting. [77124]

Mr. Chris Smith: Under the US political system there are no exact counterparts for DCMS Ministers. However, since 1 June 1998 my Ministers and I have met the following key individuals from those organisations most closely linked to my Department's responsibilities and to the US Government:

On Wednesday 16 September 1998 in Washington DC I met Ellen Lowell, White House Millennium

Co-ordinator; William Kennard, Chairman of the Federal Communications Commission; and, Harriet Fullbright, Chair, President's Committee on the Arts and Humanities.

On Thursday 25 February 1999, in New York, Alan Howarth, Minister for the Arts, met Ms Scott Shanklin-Preston, Senior Deputy Chair, National Endowment for the Arts; Ed McBride, President's Committee on the Arts and the Humanities; and, Malcolm Richardson, White House Millennium Council.

Commonwealth Games Headquarters

Mr. Stringer: To ask the Secretary of State for Culture, Media and Sport what action he is taking to retain the headquarters of the Commonwealth Games Federation in England; and if he will make a statement. [R] [77977]

Mr. Wyatt: To ask the Secretary of State for Culture, Media and Sport if he will take steps to ensure that the Commonwealth Games headquarters remain in London; and if he will make a statement. [77774]

Mr. Banks *[holding answer 19 March 1999]:* This Government place great importance on retaining in the UK the headquarters of all international sports federations based here, including the Commonwealth Games Federation. That is why, in addition to on-going financial support from the English Sports Council Trust for the Federation, I have welcomed the UK Sports Council's strategy to assist the retention of international federations in this country. Part of this strategy will include financial support for the CGF's accommodation in London and a secondment to the Federation in the lead up to the 2002 Commonwealth Games.

I have reassured the Chairman of the CGF of our commitment.

Sports Meetings

Mr. Wyatt: To ask the Secretary of State for Culture, Media and Sport if he will list the chief executives of the international sporting bodies resident in the United Kingdom whom he has met since 1 May 1998. [77773]

Mr. Banks *[holding answer 19 March 1999]:* Since May 1998, I have had formal meetings with senior representatives from two international sports federations based in this country, namely, the Commonwealth Games Federation and the International Tennis Federation. I should stress that, through the Sports Councils as well as regular meetings and correspondence, both my right hon. Friend the Secretary of State and I have close links with the national governing bodies of sport and are well informed of developments and issues surrounding international sport federations based in this country.

This Government are fully committed to encouraging international sports federations to locate in the UK and to retaining those bodies which are already based here.

CHURCH COMMISSIONERS

Disestablishment

38. **Mr. Corbyn:** To ask the hon. Member for Middlesbrough, representing the Church Commissioners, if he will assess the financial consequences of disestablishment of the Church of England. [76004]

Mr. Stuart Bell: I refer my hon. Friend to the answer I gave him on 25 January 1999, *Official Report*, column 17.

Disestablishment would not lie with the Commissioners to initiate and, without formal instructions and definitions, any estimates of costs are impractical.

Clergy Pensions

39. **Sir Sydney Chapman:** To ask the hon. Member for Middlesbrough, representing the Church Commissioners, how many clergy and clergy widows' pensions are currently contributed to by the Church Commissioners; what is the annual funding involved; and what these figures were *(a)* five and *(b)* 10 years ago. [76005]

Mr. Stuart Bell: I have arranged for this information to be placed in the House of Commons Library. In order to assist the hon. Member, however, he should note that at 31 December 1998 the Commissioners were contributing to the pensions of 7,341 clergy and 4,298 widows. The total cost for the year was £82.3m. In addition, funding of £1.3m was used to subsidise the cost of retirement housing.

Redundant Churches

40. **Mr. Grogan:** To ask the hon. Member for Middlesbrough, representing the Church Commissioners, if he will make a statement on the policy of the Church Commissioners towards redundant churches. [76006]

Mr. Stuart Bell: When a Church of England church is closed for public worship under the Pastoral Measure it is the policy of the Church Commissioners to assist and encourage the diocese to seek a suitable alternative use for the building. If no such use can be found, the Commissioners usually have to decide in the light of the advice of their statutory advisers, the Advisory Board for Redundant Churches, between preservation by the Churches Conservation Trust and demolition.

Church Risk Management Group

41. **Mr. Ben Chapman:** To ask the hon. Member for Middlesbrough, representing the Church Commissioners, if he will make a statement on the work of the Church Risk Management Group. [76007]

Mr. Stuart Bell: The Church Risk Management Group has recently been established in the diocese of Leicester and is available to give practical advice to all Church of England churches in the diocese on all matters relating to security and risk management. The Group includes representatives from the diocesan office, the City and County Councils, fire brigade, police and the Ecclesiastical Insurance Group and will visit churches to assess and advise on risks that might not be immediately recognisable to the untrained eye. It works closely with the diocesan advisory committee and appropriate outside agencies to improve fire safety, crime reduction levels and risk management in all church property. The scheme has received an enthusiastic response from the local church and central church authorities and may be offered to other dioceses.

HOME DEPARTMENT

European Asylum System

Mr. Maclean: To ask the Secretary of State for the Home Department if he will make a statement on Government policy towards the establishment of a single European asylum system. [76289]

Kate Hoey: A single European asylum system is a theoretical possibility. It could conceivably take a number of different forms. We have formed no particular view at present, but will consider the matter further in the light of the study to establish the merits of such a system which is a feature of the Council and Commission's Action Plan on the implementation of the provisions of the Treaty of Amsterdam on an area of freedom, security and justice, which was deposited on 17 November 1998.

Sergeant Gurpal Virdi

Mr. Peter Bottomley: To ask the Secretary of State for the Home Department on how many occasions and for what reasons the Metropolitan Police have applied for delay in determining Sergeant Gurpal Virdi's Employment Tribunal application. [77237]

Kate Hoey: The Commissioner of Police of the Metropolis tells me that the Metropolitan Police have twice applied for a delay in determining Sergeant Gurpal Virdi's Employment Tribunal application. On both occasions, the reason was to await the decision of the Crown Prosecution Service on whether charges should be brought against Sergeant Virdi.

Mr. Peter Bottomley: To ask the Secretary of State for the Home Department when Sergeant Gurpal Virdi was suspended from the Metropolitan Police; and when the Metropolitan Police advised his Department of the Employment Tribunal case relating to Sergeant Gurpal Virdi. [77235]

Kate Hoey: The Commissioner of Police of the Metropolis tells me that Sergeant Gurpal Virdi was suspended from duty on 15 April 1998.

The Metropolitan Police had not previously had reason to advise me of the Employment Tribunal relating to Sergeant Virdi. The Commissioner tells me that a directions hearing of the tribunal has been arranged for 5 May 1999.

Mr. Peter Bottomley: To ask the Secretary of State for the Home Department what disciplinary charges the Metropolitan Police plans to lay against Sergeant Gurpal Virdi. [77236]

Kate Hoey: The Commissioner of Police of the Metropolis tells me that on 23 February 1999 the Metropolitan Police Complaints Investigation Branch was asked to consider whether any disciplinary action should be taken against Sergeant Gurpal Virdi and if so what the disciplinary charges should be. No decision has yet been taken on these matters.

EU Justice and Home Affairs Council

Mr. Hood: To ask the Secretary of State for the Home Department what was the outcome of the Justice and Home Affairs Council held in Brussels on 12 March; and if he will make a statement. [77249]

Mr. Straw: My hon. Friends the Minister of State, Lord Chancellor's Department, the Parliamentary Under-Secretary of State for Home Affairs, my hon. Friend the Member for Vauxhall (Kate Hoey), and I represented the United Kingdom at the Council. The main matters dealt with were as follows:

'A' points

The Council agreed as 'A' points, among other things: draft rules on the Europol pension fund; an extension of the mandate of the Europol Drugs Unit (EDU) management team; draft rules governing the transmission of personal data by Europol to third states and bodies; a report on the activities of EDU/Europol in 1998; and a Regulation determining those nationals of third countries who require a visa when crossing the external borders of the European Union.

Europol: Preparation for taking up activities

The Presidency sought information from individual member states on the progress they had made on agreeing the mandates for the appointment of Europol Directors, and on completing the exchange of bilateral notes with the Dutch Government which will govern the position of Europol Liaison Officers.

The Presidency also reported the latest state of play concerning the draft rules of procedure to be adopted by Europol's Joint Supervisory Body. This matter will be considered again at the Justice and Home Affairs Council in May.

On the issue of the extension of Europol's mandate to cover forgery of money and means of payment, the Presidency confirmed that Coreper would re-examine an outstanding issue relating to the legal definition of the term

"forgery of money and means of payment".

Eurodac

The Council reached political agreement to freeze the text of the draft Protocol to the Eurodac Convention (adding illegal immigrants to the fingerprinting database for asylum seekers), pending the introduction of a First Pillar instrument after the coming into force of the Treaty of Amsterdam. It was noted that the opinion of the European Parliament on the draft Protocol was still outstanding and that a number of member states still had national Parliamentary scrutiny reservations.

Convention on Mutual Legal Assistance in criminal matters

The Presidency noted continuing reserves on issues relating to territorial application and data protection. One member state was urged to join agreement with the others on the "remote approach" to satellite network interceptions of telecommunications within the member states. In the absence of agreement, the Presidency concluded that this issue would go back to Coreper and the relevant working group.

Effect of the transition from the Maastricht to the Amsterdam Treaty on civil law conventions

The Council discussed opinions by the Commission and the Council Legal Services arguing that, after entry into force of the Amsterdam Treaty, ratification of the Brussels II and Service of Documents Conventions should be suspended as soon as Community instruments to replace them had been tabled. The Commission confirmed its intention to table replacement proposals reflecting exactly the content of the current conventions. The United

Kingdom with support from another Member State took the position that suspending ratification as soon as the Commission tabled a proposal, rather than when the instrument was adopted by the Council, risked leaving a legal vacuum.

The Presidency sought, and achieved, political agreement that member states should be free to continue the ratification process until any superseding Community instruments were adopted by the Council.

Revision of the Brussels and Lugano Conventions

The Presidency reported on the current state of play. They hoped to make swift progress on the negotiation and to ensure proper arrangements were made for the Lugano countries in the context of any Community instrument. The United Kingdom took the position that there were strong political and legal arguments for continuing to discuss revision of the Brussels Convention as a convention, and that freezing discussion would send the wrong signal to the non-European States concerned.

Internal Market and Consumer Protection

The Presidency reported on the current position in respect of draft Directives on late payments, electronic signatures, consumer guarantees and distance selling of financial services.

Definition and integration of the Schengen Acquis

Under this agenda heading, I announced the United Kingdom's intentions regarding future participation in the incorporated Schengen provisions, the Free Movement Chapter of the Treaty of Amsterdam, and Justice and Home Affairs matters generally. I made it clear that, while we would maintain our frontier controls in line with the Amsterdam Treaty Protocol, we wished to co-operate in all other Justice and Home Affairs areas which did not conflict with this objective, and notably police, customs and judicial co-operation in criminal matters.

Other Business

Asylum procedures

The Commission introduced a paper on harmonised procedures and called for discussion in the coming months. The paper stresses the importance of balancing the efficiency of the asylum process with fairness to the applicant. The Commission will submit formal proposals after further consultations.

The Ocalan case

One member state welcomed the General Affairs Council Declaration of 22 February and said further work was needed to ensure respect for human rights and a fair trial for Ocalan, including the presence of international observers and avoidance of the death penalty. There was no discussion.

Readmission clauses in association agreements

There was a call for the Council to adopt a common position on the inclusion of a standard clause on readmission in all third country agreements. It was agreed that comments on this item would be passed to the General Affairs Council.

Mutual recognition/access to justice

I gave notice of the United Kingdom's intention to table two papers for the Council's attention, one dealing with mutual recognition of court decisions and judgments, the other with access to justice in civil matters.

Second Protocol to the Customs Information System Convention

This protocol was signed by members of the Council.

Meeting with the Central and Eastern European countries (CEEs) and Cyprus

In the afternoon, Justice and Home Affairs Ministers met their counterparts from the CEEs and Cyprus. There was an exchange of views between the CEEs and Cyprus, and European Union member states, on the adverse effects of corruption, and on the steps necessary to combat corruption in both the public and private sectors.

EU General Affairs Council

Mr. Mitchell: To ask the Secretary of State for the Home Department if, consequential on the conclusions of the General Affairs Council of the European Union meeting on 7 December, he will list *(a)* the adaptations necessary to the working structures in justice and home affairs, and for what purposes, *(b)* when the changes were discussed at the Meeting of the K4 Committee and who represented Her Majesty's Government and *(c)* what instructions he has given to United Kingdom Permanent Representatives on COREPER in respect of its remit to prepare for the necessary changes. [77217]

Mr. Straw: I take it that my hon. Friend is referring to the conclusions of the General Affairs Council (GAC) on 7 December 1998 relating to preparation of the implementation of the Amsterdam Treaty.

It has been recognised for some time that the provisions of the Treaty of Amsterdam have legal and practical implications for Council working structures in the field of justice and home affairs (JHA). While the JHA Council will maintain political oversight over all JHA areas, including those transferring to the First Pillar, adjustments will need to be made to working structures below the level of the Council. The main change arises from the fact that the co-ordinating committee under Article 36 of the revised Treaty on European Union which will replace the present K4 Committee will, unlike that Committee, have no responsibility for the matters transferring to the First Pillar. In the interests of ensuring effective co-ordination of future work on immigration, asylum and border controls, and on civil judicial co-operation, it has been decided to create new groups to assure such co-ordination. The opportunity has also been taken to review lower level working structures, with a view to achieving greater coherence and efficiency and to incorporating Schengen working structures into the Council structures. A number of changes to working groups have now been agreed, for implementation when the Amsterdam Treaty enters into force.

These matters have been discussed in the K4 Committee on a number of occasions, most recently at the meeting on 23–24 February, where the United Kingdom was represented by Mr. John Warne, Director of the Organised and International Crime Directorate at the Home Office.

The Presidency's proposals were approved by the Committee of Permanent Representatives (Coreper) on 17 March. It was also agreed that Coreper would review the new working structures at the end of the year 2000.

Emergency Calls (Accidents)

Mr. Soley: To ask the Secretary of State for the Home Department if his Department collects comparative data on accidents involving police, ambulance and fire service vehicles responding to emergency calls. [77343]

Mr. George Howarth: No comparative data are collected but the Home Office monitors accident rates arising from both police responses to emergency calls and pursuits. We are supporting the Association of Chief Police Officers in all its work to reduce the casualties which regrettably arise from time to time in these situations.

Millennium Compliance

Mr. Beith: To ask the Secretary of State for the Home Department what estimate he has made of the proportion of computer systems in (i) his Department, (ii) public services for which his Department is responsible and (iii) departmental public bodies for which his Department is responsible, which will be millennium compliant by December; and if he will make a statement. [77294]

Mr. Straw: All business critical Information Technology systems in the Home Department are expected to be Millennium compliant well before December 1999.

All Police Forces and Fire Brigades in England and Wales report that their business critical IT systems will be Millennium compliant by December 1999. Programmes of independent assessment of these reports are currently under way.

All the Non-Departmental Public Bodies for which the Home Department is responsible report that their business critical IT systems will be Millennium compliant by December 1999.

Mr. Beith: To ask the Secretary of State for the Home Department what has been the total expenditure by his Department and by each of the public services for which he is responsible on ensuring that computer systems are millennium compliant; and if he will make a statement. [77295]

Mr. Straw: The projected total expenditure on Year 2000 work up to the end of March 1999 in the Home Department is £22.584 million. In addition, total expenditure on Year 2000 work up to the end of December 1998 in Police Forces was £17.2 million and in Fire Services was £1.756 million.

A projection, undertaken in January 1999, of cumulative expenditure on Millennium compliance work up to March 2000 in the Home Department was £25.326 million; in the Police Forces, £56.233 million; and in the Fire Services, £8.605 million.

Prisons (Drugs)

Mr. Beith: To ask the Secretary of State for the Home Department how many prisons in England and Wales currently have drug free wings; how many have specialised drug addiction treatment programmes and staff; and if he will make a statement. [77281]

Mr. George Howarth: It is estimated that there are now approximately 4,000 voluntary testing places covering one third of prisons. There are currently 73 centrally funded drug treatment/rehabilitation programmes being delivered by prison and specialist staff. The Prison Service is committed to the expansion of treatment programmes and to providing access to voluntary testing for all prisoners considered suitable by 2001.

Prisons (Seconded Probation Staff)

Mr. Beith: To ask the Secretary of State for the Home Department how many seconded probation staff were working in HM prisons in England and Wales on 31 December in each of the last four years; what plans he has to change numbers of seconded staff over the next two years; and if he will make a statement. [77291]

Mr. George Howarth: The numbers of seconded probation staff in prison establishments for the last four years ending 31 December, are as follows:

Year	*Number*
1995	[1]639
1996	[1]568
1997	590
1998	657

[1] Figures for 1995 and 1996 include probation seconded officers but not probation service officers which have been recorded only since 1997

The Prison and Probation Services have a joint commitment to the effective delivery of throughcare. The number of seconded probation staff in establishments is dependent on an annual contract between the Governor of the establishment and the Chief Probation Officer for the area. Staffing levels need to be flexible, to meet changing requirements.

Governors must adhere to the principles of the National Throughcare Framework Document—signed by the Prison and Probation Services—in determining the number of seconded probation staff needed to prepare ex-offenders adequately for post-release supervision.

Home Detention Curfew

Mr. Beith: To ask the Secretary of State for the Home Department how many offenders are currently on a home detention curfew; and if he will make a statement. [77282]

Mr. George Howarth: On 17 March 1999, there were 2,031 offenders on home detention curfew in England and Wales. Since the commencement of the scheme on 28 January 1999, 2,403 offenders have been placed on Home Detention Curfew. Of this number, 298 have successfully completed their curfew and 71 have been recalled.

Electronic Tagging

Mr. Beith: To ask the Secretary of State for the Home Department what plans he has to extend the use of electronic tagging of young offenders; and if he will make a statement. [77283]

Mr. George Howarth: Curfew orders backed by electronic monitoring for young offenders aged 10 to 15 are currently being piloted in Norfolk and Greater Manchester. These are due to run until 31 March 2000. Information on the pilots is being collected and analysed

by the Research Development and Statistics Directorate of the Home Office. A final report is due early in 2000 and a decision will then be made on whether to extend the use of this provision.

Communications Interception

Mr. Beith: To ask the Secretary of State for the Home Department if individuals who have mistakenly had their communications intercepted by statutory agencies, owing to an error by a public telecommunications operator or for any other reason, are informed of the mistake and given details of the communications which have been intercepted; how many individuals mistakenly had their communications intercepted in each of the last five years; and if he will make a statement. [77275]

Mr. Straw: Whenever a person's communications are intercepted in error a report explaining the reason for the error and the action taken in response is submitted to the Secretary of State and to the Commissioner appointed under the Interception of Communications Act 1985. All product obtained from the interception is destroyed. The Commissioner reports on errors, in such detail as he considers appropriate, in his annual reports. The numbers of errors in the last five published reports are as follows:

Report for (year)	*Number of errors*
1993	9
1994	14
1995	7
1996	8
1997	18

I would refer the right hon. Member to the annual reports themselves—copies of which are in the Library—for a description of the errors. In accordance with long established policy and consistently with the statutory provisions, people are not notified when their telephones are intercepted under warrant. This policy also applies in relation to cases where a person's communications are intercepted in error.

Fire Engines (London)

Mr. Randall: To ask the Secretary of State for the Home Department when he expects to make a decision on the London Fire and Civil Defence Authority's proposal to reduce the number of fire engines in London. [77315]

Mr. George Howarth: On 1 March my right hon. Friend the Home Secretary received the application by the Authority, under section 19 of the Fire Services Act 1947, for his approval to the removal of five fire appliances and associated firefighting posts.

Where an application is straightforward and uncontentious my right hon. Friend aims to reach a decision within six weeks. However, it is important that hon. Members, organisations and members of the public who wish to make representations about a section 19 application have the opportunity to do so. In a case such as this, where it is already clear that there will be a significant number of representations to consider, my right hon. Friend will normally take much longer than six weeks to reach his decision. I can assure the hon. Member that the application will not be approved unless we are entirely satisfied, in the light of advice from Her Majesty's Inspectorate of Fire Services, that the national standards of fire cover will be maintained.

Prisoners

Mr. Corbett: To ask the Secretary of State for the Home Department what is the procedure by which convicted prisoners may apply for permission to visit close relatives in other penal institutions in England. [77639]

Mr. George Howarth: Inter-prison visits may, on application, be allowed between prisoners who are close relatives when both parties are inmates at separate establishments, subject to the requirements of security and the availability of transport and accommodation. The procedures for convicted prisoners to apply for permission to have such visits are set out in Prison Rules 33 and 34, Standing Order 5A and Circular Instruction 11/1991, copies of which are held in the Library.

Fire Research

Mr. Fitzpatrick: To ask the Secretary of State for the Home Department how much his Department has spent in each of the last three years on funding research into fire-related issues. [77610]

Mr. George Howarth: Home Office fire research expenditure for the period 1995–96 to 1997–98[1].

Year	*£*
1995–96	845,745
1996–97	590,490
1997–98	541,437

[1] Figures supplied by the Fire Research and Development Group, FEPD.

Asylum Applications

Mr. Prosser: To ask the Secretary of State for the Home Department if he will publish forecasts of asylum applications and details of how the cost of supporting asylum seekers is calculated. [78426]

Mr. Straw: A note entitled 'Estimates of public expenditure on asylum seeker support' has been placed in the Library and circulated to interested parties. I am also today publishing an Information Document which sets out further details of the proposed asylum support arrangements. I am arranging for copies to be sent to every Member and placed in the Library.

Green Transport Plan

Mr. Burstow: To ask the Secretary of State for the Home Department what involvement fleet managers have had in drawing up his Department's Green Transport Plan. [77971]

Mr. Straw: My Department is drawing up green transport plans for its headquarters buildings including those occupied by its Executive Agencies by the end of this month and for all other key buildings by March 2000. My Department's fleet managers have been fully involved in developing the policy.

Local Authority Spending

Mr. Burstow: To ask the Secretary of State for the Home Department if he will list the local authorities to which Ministers have written urging greater spending on local services within their portfolio area. [77959]

Mr. Straw: Home Office Ministers have not written to any local authorities in those terms.

Fire Service (Staffing)

Mr. Jim Cunningham: To ask the Secretary of State for the Home Department if he will make a statement on staffing levels in each Fire Service area. [77693]

Mr. George Howarth: Information on staffing levels in each fire authority area is included in the annual Reports of Her Majesty's Chief Inspector of Fire Services for England and Wales. The report for 1997–98 was presented to Parliament by my right hon. Friend the Home Secretary in October 1998.

Prisoner Deaths (Notification)

Dr. Gibson: To ask the Secretary of State for the Home Department what *(a)* guidelines and *(b)* regulations his Department has regarding (i) the notification of relatives and (ii) the information, support and guidance offered to relatives after a death in (1) prison and (2) police custody. [77337]

Mr. George Howarth: The Prison Service issued revised instructions to staff last autumn under Prison Service Order 2710—'Follow Up To Deaths In Custody'. These instructions give guidance on the notification of the next of kin and how the bereaved can be helped and supported in a sensitive manner during this difficult period.

The decision on how to inform the next of kin should take into account individual circumstances. Wherever possible, notification is made by a governor grade and chaplain from the appropriate denomination. However, in some instances notification via the police is necessary. Supporting relatives and keeping them informed of developments following a death are of paramount importance. A senior member of staff is appointed as the named point of contact (a second person will be available in the first person's absence) for the family, who are invited to visit the prison.

The Prison Service has reviewed its practice in relation to disclosing information about investigations into deaths in prison custody. As a result, it proposes to investigate any death occurring on or after 1 April on the basis of disclosure before the inquest to persons whom the Coroner believes to have a proper interest in preparing for it. This disclosure must not compromise the inquest or any criminal proceedings or infringe the legal rights of witnesses. Each case will be reviewed in accordance with the Code of Practice on Access to Government Information.

The position in the police service is that all police officers early on in their service are given training on dealing with all sudden deaths, which includes notifying relatives of a sudden death. Where the death occurs in police custody, it would be for the senior officer in charge to decide on the appropriate way of informing the relatives of the death. It is normal practice for the next of kin to be informed by a police officer in person. Practice on the provision of written information varies among forces but in the Metropolitan Police Service they normally provide the family with a leaflet on the role of the coroner and a leaflet by the independent Police Complaints Authority on investigating serious incidents. They may also appoint a family liaison officer of above inspector rank at local level.

Home Office guidance is shortly to be issued to chief officers of police about the disclosure of documentary evidence to interested parties in advance of inquest hearings which concern deaths in police custody. The guidance advises that disclosure should be the normal practice in all cases of death in police custody, as well as deaths arising from fatal road accidents involving the police.

Strip Searches

Mr. McNamara: To ask the Secretary of State for the Home Department if he will update his answer of 9 July 1998, *Official Report*, column *590*, on strip searches; if he will list the conclusions and recommendations of the review of strip searching procedures; and if he will place a copy of the final report in the Library. [78175]

Mr. George Howarth: I refer my hon. Friend to my reply of 9 February 1999, *Official Report*, column *137*. I will write to him when the report is complete.

Data Protection Act 1998

Mrs. Ellman: To ask the Secretary of State for the Home Department what progress he is making towards bringing the Data Protection Act 1998 into force. [78411]

Mr. Straw: We are making good progress in preparing the large amount of subordinate legislation needed to complete the regime created by the 1998 Act. We intend to make the drafts of the instruments available on the Internet in due course. We hope to bring the new regime into force by the end of June or as soon thereafter as we can.

Metropolitan Police (Objectives)

Mr. Dismore: To ask the Secretary of State for the Home Department if he has received the Metropolitan Police Committee's advice on proposed objectives for the Metropolitan Police, and on an Efficiency Plan, in 1999–2000; and if he will make a statement. [78412]

Mr. Straw: Yes. Following consultation with the Metropolitan Police Committee and the Commissioner, I have approved the following objectives for the Metropolitan Police in 1999–2000:

Dealing with Young Offenders

To deal speedily and effectively with young offenders and to work with other agencies to reduce offending and re-offending.

Reducing Crime and Disorder

To provide corporate support for local partnerships to reduce local crime and disorder

To reduce the incidence of repeat victimisation, specifically in respect of burglary, racial incidents, homophobic attacks and Domestic Violence.

Reducing Drug Related Crime

To target and reduce drug related crime in partnership with other local agencies.

Diversity

To increase the MPS's commitment to become an anti-racist organisation and the awareness and confidence of minority ethnic communities and groups in the MPS's ability to deal convincingly with Racially Motivated Crime.

These objectives are set out in the Metropolitan Police Policing Plan 1999–2000 which the Commissioner is issuing with my approval.

Again with my approval, following consultation with the Metropolitan Police Committee, the Commissioner of the Metropolitan Police is publishing at the same time an Efficiency Plan for 1999–2000 which aims for efficiency gains of 3.5 per cent.

I am sending copies of both these plans to all right hon. and hon. Members whose constituencies fall wholly or partly within the Metropolitan Police District and I am arranging for copies to be placed in the Library.

NORTHERN IRELAND

Ministerial Travel

Mr. Moss: To ask the Secretary of State for Northern Ireland how many *(a)* ministers and *(b)* officials travelled first class on commercial aircraft for official purposes in 1998, broken down by (i) date, (ii) cost and (iii) Civil Service grade of passenger. [73961]

Marjorie Mowlam: The rules on Ministerial travel are the same as those applied under the previous Administration. The information is as follows:

Minister	*Number of civil servants accompanying minister*	*Destination*	*Date*	*Purpose of visit*	*Return cost per passenger £*	*Civil Service grade of passenger*
Adam Ingram	None	Japan/Taiwan	February 1998	IDB Trade Mission	6,379.00	Not applicable
Secretary of State	3	Boston/Washington/ New York	March 1998	Brief opinion formers on NI political development	5,278.00	1 senior civil servant, 1 special adviser, 1 grade 7
Secretary of State	2	Washington/New York	July 1998	Post Agreement briefing	5,048.25	2 senior civil servants
Secretary of State	1	New York	October 1998	Eleven city tour	5,435.90	1 senior civil servant
Secretary of State	1	Chicago/Seattle	October 1998	Eleven city tour	6,570.70	1 senior civil servant
Adam Ingram	None	New York/Washington	November 1998	Speaking engagements/receptions	4,324.50	Not applicable
Paul Murphy	2	Washington	December 1998	Attend dinner hosted by President Clinton attended by all NI political party leaders	5,576.55	1 senior civil servant, 1 HEO

The cost of these flights is part of this Administration's expenditure on ministerial overseas travel.

Appointments

Mr. Vaz: To ask the Secretary of State for Northern Ireland if she will list those people she has appointed to public bodies since 1 November 1998, indicating the positions to which they have been appointed and if they receive remuneration. [76460]

Mr. Paul Murphy: I have placed in the Library of the House a list of those individuals who have been appointed to public bodies in Northern Ireland in the period 1 November 1998 to 10 March 1999 with details of their position and whether they receive remuneration.

Note:

The list includes appointments which have been extended to cover the interim period prior to devolution.

Foyle Fisheries Commission

Mr. William Ross: To ask the Secretary of State for Northern Ireland if she will publish for each fish counter on each river in the Foyle Fisheries Commission area the number of (1) salmon and grilse and (2) sea trout which passed through those counters in each month in *(a)* 1995, *(b)* 1996, *(c)* 1997 and *(d)* 1998. [76838]

Mr. Paul Murphy: The fish counters do not distinguish between salmon and large sea trout. Neither do they record fish of a size less than 45 centimetres. Accordingly, not all sea trout will be included in the counts.

Such information as is available is contained in Tables 2 and 3 of the Annual Reports for the Foyle Fisheries Commission, copies of which are in the Library of the House. The Reports of the Foyle Fisheries Commission for 1997 and 1998 are not yet in the Library and the information available is as follows:

River Faughan: Fish counts at Campsie Barrage

	1997	*1998*
January	223	8
February	91	0
March	12	0
April	10	0
May	23	341
June	784	1,158
July	1,291	39
August	320	286
September	748	74
October	23	303
November	0	131
December	0	737

River Mourne: Adjusted Count of Salmon at Sion Mills Weir

Although a fish counter was in operation at Sion Mills Weir during 1998 the counter was not operational for the period February to May due to the construction of a new fish pass and fish counting facilities. The validation of the counts of the 3 channels of the new facilities, when in operation in 1998, has not yet been completed and therefore it is not possible to provide any accurate figures for that year. The 1997 count was as follows:

	1997
January	879
February	108
March	36
April	0
May	75
June	1,849
July	1,480
August	140
September	226
October	480
November	1,200
December	574

Mr. William Ross: To ask the Secretary of State for Northern Ireland in each of the years 1990 to 1998, how many *(a)* salmon and grilse and *(b)* sea trout, were taken by (i) nets and (ii) anglers in the Foyle Commission area. [76883]

Mr. Paul Murphy: Although it is a statutory requirement that anglers in the Foyle Area make an annual catch return, in practice only a very small percentage of anglers provide this. On this basis, the catch information provided (and the percentage of anglers making a return) is as follows:

	Salmon and Grilse		*Sea trout*		*Percentage returns from anglers*
Year	*Nets*	*Rod catch*	*Nets*	*Rod catch*	
1990	44,420	927	[1]—	1,399	5.00
1991	25,816	482	[1]—	1,222	9.17
1992	42,257	523	[1]—	1,415	5.78
1993	38,028	1,214	[1]—	738	9.11
1994	38,854	1,759	[1]—	592	12.12
1995	35,912	708	[1]—	759	6.77
1996	30,544	1,444	[1]—	771	3.44
1997	43,963	1,020	[1]—	802	3.30
1998	39,950	[1]—	[1]—	[1]—	[1]—

[1] Not available

Pre-school Education

Mr. Beggs: To ask the Secretary of State for Northern Ireland if she will make a statement on the availability of places for *(a)* part-time and *(b)* full-time pre-school education for children other than those from socially disadvantaged circumstances for the school year ending 31 July, 2000. [76931]

Mr. McFall: I expect approximately 8,500 full-time and 8,000 part-time pre-school education places to be available in Northern Ireland in the school year 1999–2000. These places should be sufficient for around 70 per cent. of all children in their immediate pre-school year, compared to 45 per cent. in 1997–98. It is not possible to predict the numbers of children from socially disadvantaged circumstances who will take up pre-school education places, but, if all in this group are allocated places, sufficient places should be available for almost 60 per cent. of the remainder of children.

Airports

Mr. Öpik: To ask the Secretary of State for Northern Ireland what plans she has *(a)* to approve and *(b)* to initiate developments relating to airports before the completion of the economic impact studies covering airports and air services announced in "A New Deal for Transport"; and if she will make a statement. [76992]

Mr. Paul Murphy: A number of developments have recently been initiated some by local airport authorities. Each application for planning permission will be considered on its merits and it is not possible to indicate in advance whether approval will be given. The Government have no role in initiating airport developments.

Mr. Öpik: To ask the Secretary of State for Northern Ireland what progress has been made on the study of the economic impact of regional airports and regional air services announced in "A New Deal for Transport"; when these studies will be completed in Northern Ireland; and if she will make a statement. [76991]

Mr. Paul Murphy: The Northern Ireland Regional Air Services Study is already underway and is due to be completed by the end of the summer. The study findings should be published in September-October 1999.

Human Rights Commission

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland if she will make a statement on political balance in the future make up of the Human Rights Commission. [77084]

Mr. Paul Murphy: The Northern Ireland Act 1998 requires that the Secretary of State, in making appointments to the Northern Ireland Human Rights Commission,

"shall as far as practicable secure that the Commissioners, as a group, are representative of the community in Northern Ireland."

The Secretary of State on 1 March appointed a Chief Commissioner and nine part-time Commissioners for a three-year term. The Government believe that the Commissioners, as a group, are representative of the community in Northern Ireland. There are no plans to make any additional appointments.

Company Licences

Mr. Maclean: To ask the Secretary of State for Northern Ireland if she will list for *(a)* small and medium-sized enterprises and *(b)* larger companies (i) all licences and permits issued by her Department and its agencies to companies permitting them to carry out their business, (ii) the cost of each such licence or permit in (A) 1997–98 and (B) 1999–2000 and (iii) the current number of companies which are in receipt of each such licence or permit. [76856]

Mr. Paul Murphy *[holding answer 16 March 1999]:* This information has been placed in the Library of the House of Commons.

Paramilitary Violence

Mr. William Ross: To ask the Secretary of State for Northern Ireland (1) if she will list for the week ended Saturday 6 March the number of *(a)* punishment beatings and *(b)* punishment shootings which took place in Northern Ireland indicating how many in each category were committed by (i) Loyalist and (ii) Republican groups; [77109]

(2) if she will list for the week ended Saturday 6 March the number of violent incidents involving paramilitary groups which took place in Northern Ireland, indicating how many involved *(a)* Loyalist and *(b)* Republican groups. [77108]

Mr. Ingram: During the period 28 February to 6 March 1999, there were no shooting incidents reported. There were 3 bombing incidents.

The number of casualties as a result of paramilitary-style attacks during the same period were as illustrated:

	By Loyalist Groups	*By Republican Groups*
Assaults	2	2
Shootings	0	0
Total	2	2

Notes:
1. Figures may be subject to minor amendment in the light of further information becoming available.
2. The bombings cannot as yet be attributed to any grouping.

Mr. William Ross: To ask the Secretary of State for Northern Ireland (1) if she will list for the week ended Saturday 13 March the number of violent incidents involving paramilitary groups which took place in Northern Ireland, indicating how many involved (i) Loyalist and (ii) Republican groups; [77318]

(2) if she will list for the week ended Saturday 13 March the number of *(a)* punishment beatings and *(b)* punishment shootings which took place in Northern Ireland, indicating how many in each category were committed by (i) Loyalist and (ii) Republican groups. [77319]

Mr. Ingram: The numbers of security incidents during the period 7 March-13 March 1999 are shown:

Shooting incidents: 5

Bombing incidents: 1.

The numbers of casualties as a result of paramilitary-style attacks during the period are as follows:

	Loyalist	*Republican*
Assaults	nil	1
Shootings	nil	3
Total	nil	4

Note:
1. Figures may be subject to minor amendment in the light of further information becoming available.
2. The bombing cannot as yet be attributed to a grouping.

Police Complaints

Mr. McNamara: To ask the Secretary of State for Northern Ireland (1) what are the main stages in an investigation conducted by the Complaints and Discipline Department of the Royal Ulster Constabulary; what is the average time taken to complete each stage; and how many complaints have been processed and completed over each of the last three years; [78164]

(2) what are the main stages in an investigation conducted by the Independent Commission for Police Complaints; what is the average time taken to complete each stage; and how many complaints have been processed and completed over each of the last three years; [78170]

(3) what is the projected estimate and breakdown of the annual budget of the Office of the Police Complaints Ombudsman; how many staff will be employed for the first three years of operation; and at what salary grades; [78171]

(4) what is her estimate of how many investigations will be conducted by the Office of the Police Complaints Ombudsman over its first three years. [78172]

Mr. Ingram: I refer my hon. Friend to the answers I gave him on 15 February 1999, *Official Report*, columns *475–76*.

Mr. McNamara: To ask the Secretary of State for Northern Ireland what are, in each of the last four years for which figures are available, the principal items of expenditure contributing to the total annual budget of the Independent Commission for Police Complaints; and how many staff were employed and at what salary grades. [78169]

Mr. Ingram: I refer my hon. Friend to the last four years' reports of the Independent Commission for Police Complaints which provide Statements of Accounts giving the information requested.

1998 Annual Report—HMSO, ISBN 0–10–288899–X, pages 66 and 67

Details of staffing levels and costs are given on page 68 and 69 of the 1998 Report

1997 Annual Report, HMSO, ISBN 0–10–250698–1, pages 68 and 69

1996 Annual Report, HMSO, ISBN 0–10–255498–6, pages 52 and 53

1995 Annual Report, HMSO, ISBN 0–10–255896–5, pages 60 and 61

Mr. McNamara: To ask the Secretary of State for Northern Ireland what were, in each of the last four years for which figures are available, the principal items of expenditure contributing to the total annual budget of the Complaints and Discipline Department of the Royal Ulster Constabulary; and how many officers and staff were employed in that Department, and at what salary grades. [78163]

Mr. Ingram: I refer my hon. Friend to the answer I gave him on 25 February 1999, *Official Report*, column *360*.

Independent Police Ombudsman

Mr. McNamara: To ask the Secretary of State for Northern Ireland what discussions she had with the Chief Constable of the RUC before deciding not to appoint either of the two short-listed candidates as the new Independent Police Ombudsman. [77630]

Mr. Ingram: None. The Secretary of State and I interviewed two candidates and, while we found them to be of a high standard, we felt that they did not sufficiently meet the requirements we had set for this extremely sensitive and important post.

Mr. McNamara: To ask the Secretary of State for Northern Ireland if the Chief Constable of the RUC has a veto on the appointment of the Independent Police Ombudsman. [77631]

Mr. Ingram: No.

Northern Ireland Police Authority

Mr. McNamara: To ask the Secretary of State for Northern Ireland how many press releases were issued by the Northern Ireland Police Authority between 10 February 1998 and 31 December 1998; and how many of these notices were posted on the Police Authority Internet web site. [78160]

Mr. Ingram: I refer my hon. Friend to the answer I gave him on 15 February 1999, *Official Report*, column *477*.

Terrorist Organisations

Mr. McNamara: To ask the Secretary of State for Northern Ireland if she will update the answer of 2 November 1998, *Official Report*, columns *363–64*, on terrorist organisations, *(a)* to indicate the profile of the politically motivated prison population in Northern Ireland by location, status and perceived affiliation and *(b)* to indicate the estimate of prisoner releases for each perceived affiliation projected for each quarter up to 30 September 2000. [78159]

Mr. Ingram: The information is as follows:

Table A shows the perceived paramilitary affiliations of prisoners at HMP Maze.

Table A

	Number
Loyalists	
UVF	42
LVF	17
UDA	53
Total	112
Republican	
PIRA	85
INLA	23
Total	108

Information is held in relation to the perceived paramilitary association of prisoners, where applicable, for management purposes. With the exception of HMP Maze where links are more clearly defined, this information is based on a combination of factors including the offence, sympathies and associates. No information is held on the political affiliations of any prisoners. For clarification, I would confirm that these figures include prisoners currently on temporary release from prison.

Table B shows a total of 77 prisoners whose cases have been deemed to meet the requirements of the Northern Ireland (Sentences) Act 1998 by the Sentence Review Commission and who have been given Substantive Determinations with release dates up to end September 2000. It includes only those prisoners whose perceived affiliation is to organisations which have not been specified under Section 3 of the 1998 Act. This is drawn from information received by the Secretary of State as at 5 February 1999 from the Sentence Review Commissioners to whom prisoners apply for early release. The 1998 Act also provides that, if circumstances permit, prisoners with release dates falling after the second anniversary of the coming into force of that Act (on 28 July 1998) who have served two years or more in prison will be released on that anniversary. Those prisoners are not shown in Table B.

Table B

	1999				*2000*			
Perceived affiliation	*Quarter 1*	*Quarter 2*	*Quarter 3*	*Quarter 4*	*Quarter 1*	*Quarter 2*	*Quarter 3*	*Total*
INLA	0	0	0	1	0	0	0	1
Loyalist	0	0	1	0	1	0	0	2
LVF	0	1	1	0	2	0	0	4
NT	0	0	0	0	0	0	1	1
PIRA	0	8	2	9	8	0	6	33
Rep Sym	0	1	0	0	0	0	0	1
Republican	1	0	0	0	0	0	0	1
RHC	0	1	0	0	0	0	0	1
UDA	1	4	7	2	1	3	1	19
UFF	0	0	2	0	1	0	0	3
UVF	0	4	1	3	0	3	0	11
Total	2	19	14	15	13	6	8	77

Maze Prison

Mr. McNamara: To ask the Secretary of State for Northern Ireland what response the Northern Ireland Prison Service has made to Her Majesty's Inspector of Prisons' report on HMP Maze; and if she will place a copy of the response in the Library. [78162]

Mr. Ingram: I refer my hon. Friend to the reply I gave him on 15 February 1999, *Official Report*, column *477*.

Northern Ireland Prison Service

Mr. McNamara: To ask the Secretary of State for Northern Ireland how many press releases were issued

by the Northern Ireland Prison Service between 31 May 1997 and 31 December 1998; and how many of these notices were posted on the Prison Service Internet web site. [78161]

Mr. Ingram: I refer my hon. Friend to the answer I gave him on 15 February 1999, *Official Report*, column *477*.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Genetically Modified Crops

Mr. Mitchell: To ask the Secretary of State for the Environment, Transport and the Regions if he will list *(a)* under which Sections of the (i) Environmental Protection Act 1990 and (ii) any other Act he has issued regulations concerning conditions to be met by applicants for cultivation of genetically modified crops for (1) research and (2) sale, *(b)* the (A) dates, (B) numbers, (C) titles of any such Regulations and (D) those which require approval by resolution of either House of Parliament and *(c)* what general exemptions from any part of any such regulations he has given to (x) which persons and (y) bodies and (z) for what reason. [72561]

Mr. Meacher: The release and marketing of genetically modified organisms (GMOs) is governed by the Genetically Modified Organisms (Deliberate Release) Regulations 1992, SI 1992–3280, as amended by the Genetically Modified Organisms (Deliberate Release) Regulations 1995, SI 1995–304, and the Genetically Modified Organisms (Deliberate Release and Risk Assessment) Regulations 1997, SI 1997–1900 which give effect to Part VI of the Environmental Protection Act 1990. Together, these implement Council Directive 90/220/EEC on the deliberate release into the environment of genetically modified organisms. There is no requirement for approval by resolution of either House of Parliament and no general exemptions have been given to particular persons or bodies.

Mr. Mitchell: To ask the Secretary of State for the Environment, Transport and the Regions if he will state the level of representation of the United Kingdom on each regulatory Committee of the European *(a)* Commission and *(b)* Council concerned with the approval for (i) experiment and (ii) sale of genetic crops, listing the producers used at each stage, the mode of decision by vote and the legal basis for such decision. [73720]

Mr. Meacher: All consents for the deliberate release into the environment of GMOs are issued on the basis of the procedures laid down in Directive 90/220/EEC.

Although there is exchange of information at EC level regarding the release of GMOs for research purposes, consents are issued on a national level without the need for EC-level approval. Applications to market GMO products must, however, be cleared by the European Community before consent is granted. The Commission's regulatory committee is therefore involved with the approval of marketing applications.

If objections are raised by other Member States' competent authorities to a marketing notification forwarded by the lead competent authority to the Commission, a decision is taken by the Commission regulatory committee using the type IIIa procedure. At these meetings the UK is normally represented by an official of at least Grade 7 level.

If the vote is in favour by a qualified majority, release is then approved by the original competent authority. If there is not a qualified majority in favour, the Commission submits a proposal to Ministers at the Environment Council.

If the Council agrees by a qualified majority the release goes ahead, while if it rejects the proposal by qualified majority, the proposed release is rejected. If the Council does not decide within 3 months, the Commission may approve the release.

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions (1) what is the present acreage of trial genetically modified crops under cultivation; [74852]

(2) what estimate he has made of the percentage of crops under cultivation which are trials of genetically modified crops. [74853]

Mr. Meacher *[holding answer 5 March 1999]:* All the genetically modified crops currently grown are small-scale experimental trials. This year, we expect the area under cultivation to be approximately 300 hectares. This is about 0.006% of the total area under cultivation for all crops of almost 5 million hectares.

Advisory Committee on Releases to the Environment

Mr. Colvin: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the names of the members of the Advisory Committee on Releases to the Environment, indicating their involvement with *(a)* the biotech industry and *(b)* companies with an interest in growing gene crops on a trial basis. [72305]

Mr. Meacher: Members of the Advisory Committee on Releases to the Environment (ACRE) are required openly to declare their interests. These are published in ACRE's annual report, which is available in the House of Commons Library. The current entries are reproduced as follows:

Professor John Beringer

Professor of Molecular Genetics and Dean of Science, School of Biological Sciences, University of Bristol

Member of ACGM

Member of the Council of the Natural Environment Research Council

Dr. Philip Dale

Senior Research Scientist

John Innes Centre, Norwich

Consultant to EC DGXI and UNIDO

Dr. Ian Garner

Assistant Director of Research, PPL Therapeutics, Roslin

Member of BBSRC's Genes in Developmental Biology Network

Professor Alan Gray

Head of Furzebrook Research Station, NERC Institute of Terrestrial Ecology

Honorary Professor, University of Southampton

Ms Julie Hill

Programme advisor to Green Alliance

Member of the Advisory Committee for the Pesticides Trust, Environmental Law Foundation, and Centre for Ecology and Hydrology and environmental advisory bodies for Shanks and McEwan plc and Southern Electricity.

Dr. Julian Kinderlerer

Senior Lecturer—Department of Molecular Biology and Biotechnology, University of Sheffield

Assistant Director—Institute of Biotechnology Law and Ethics, University of Sheffield

Member of ACGM

Consultant to UNIDO

Mr. John MacLeod

Director, National Institute of Agricultural Botany

Member, UK Plant Varieties and Seeds Committee

Member, Groupe Consultatif International de Recherche sur le Colza

Professor Bev Moseley

Retired, former Head of Institute Food Research Reading Laboratory

Professor David Onions

Head of Department of Veterinary Pathology, University of Glasgow

Honorary Director of The Leukaemia Research Fund's Human Virus Centre

Consultant to Q-One Biotec

Advisor to Intervet International BV

Professor Nigel Poole

External and Regulatory Affairs Manager, Zeneca Plant Science, Bracknell

Honorary Professor, University of Aberdeen

Honorary Professor, John Moores University

Dr. David Robinson

Principal Research Scientist, Scottish Crop Research Institute

Honorary Lecturer, University of Dundee

Member of Genetic Manipulation Safety Committee at Nickerson Seeds' Castleton of Eassie site

Dr. Ingrid Williams

Principal Scientist

Leader of the Insect-Plant Interactions Group, Institute of Arable Crops Research Rothamsted

Honorary Research Associate IGER

Visiting Professor Estonian University of Agriculture

Chairman of International Commission for Plant-Bee Relationships

Council Member and Company director of International Bee Research Association

Dr. Katherine Venables

Senior Lecturer in Epidemiology at Imperial College School of Medicine at the National Heart and Lung Institute.

Honorary Consultant Physician at the Royal Brompton Hospital, and Honorary Consultant in Public Health to the Kensington, Chelsea and Westminster Health Authority.

Rural Bus Services

Mr. Evans: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the future of rural bus services in the North-West of England. [76359]

Ms Glenda Jackson: The Government are committed to increasing transport services in rural areas. The 1998 Budget provided an additional £50 million a year for three years for rural public transport. This was increased to £60 million a year for the next two years in the Budget on 9 March.

As part of this new funding, we have provided £2.635 million to local authorities for the support of new bus services in the North-West in the current year. We have also committed £1.15 million from the Rural Bus challenge competition to support schemes in the North-West aimed at a range of measures to improve the quality and availability of services. We have also approved £322,000 for schemes in the North-West from the Rural Transport Partnership, aimed at building on the success of existing local initiatives and facilitating better co-ordination of voluntary, local authority and commercial services.

We will be publishing shortly more details of our proposals, which were outlined in the White Paper "A New Deal for Transport" last summer, for measures to ensure that buses can play their full part in an integrated transport policy, in town and country alike.

M25

Mr. Darvill: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to resurface the M25 between Junctions 29 and 30 with a low noise surface. [77654]

Ms Glenda Jackson: There are currently no plans to resurface the M25 between junctions 29 and 30. This section of the motorway is structurally sound and will not require major maintenance for some while yet. It is not our policy to resurface in advance of normal maintenance requirements. When resurfacing of this section becomes necessary, the Highways Agency will certainly consider whether a quieter surfacing material should be used in line with the Government's policy announced last year.

Mr. Darvill: To ask the Secretary of State for the Environment, Transport and the Regions how many representations he has received about noise from the M25 between Junctions 29 and 30. [77655]

Ms Glenda Jackson: The only recorded representation about noise from the M25 between junction 29 and 30, received in the past three years, is from the Head of Transportation and Engineering in the London Borough of Havering, who wrote to the Highways Agency on behalf of residents and Ward Members in the Cranham area.

Motor Insurance

Mr. Dismore: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to review the Motor Insurers Bureau agreements in relation to *(a)* untraced and *(b)* uninsured motorists. [77577]

Ms Glenda Jackson: I have no immediate plans to review the Untraced Drivers Agreement. A revised Untraced Drivers Agreement was introduced in June 1996 after a comprehensive review.

The 1988 Uninsured Drivers Agreement is currently under review and a final draft of a revised agreement is being considered in the light of proposed changes to civil law procedures in cases involving third party liability, arising from Lord Woolfe's recommendations.

Green Transport Plan

Mr. Burstow: To ask the Secretary of State for the Environment, Transport and the Regions what involvement fleet managers have had in drawing up his Department's green transport plan. [77961]

Ms Glenda Jackson: My Department is drawing up green transport plans for all headquarters buildings and main buildings occupied by Executive Agencies and Government Offices for the Regions by the end of this month and for all other key buildings by March 2000.

My Department does not have fleet managers, but has drawn on best practice in developing its green transport plans.

Local Authority Spending

Mr. Burstow: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the local authorities to which Ministers have written urging greater spending on local services within their portfolio area. [77956]

Ms Armstrong: I am not aware of any specific letters from Ministers at the Department urging greater spending on local services in 1999–2000.

National Air Traffic Control Centre

Mr. Jim Cunningham: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on progress with the new national air traffic control centre. [77689]

Dr. Reid: I understand that there has been good progress on the New En Route Air Traffic Control Centre project in the past year, and the centre is still expected to become operational by the spring of 2002.

Housing Stock

Mr. Jim Cunningham: To ask the Secretary of State for the Environment, Transport and the Regions what the current rate of replacement is of Britain's housing stock *(a)* overall and *(b)* by region; and what estimate the Government have made of the rate at which Britain's housing stock needs to be replaced. [77627]

Ms Armstrong: The table shows the Department's estimates of the dwelling stock at end-1996 and end-1997, together with figures for housebuilding, gains from conversions and changes of use, and losses through demolitions. New housebuilding is developed both to replace existing stock and to provide homes for new households. Conversions represent the adaptation and upgrading of the existing stock. Demolitions are part of the process of replacing the current stock.

Local authorities take the need to replace existing stock into account when calculating housing requirement for planning purposes.

The Department does not make any estimates of the rate at which the housing stock needs to be replaced.

Stock of dwellings: estimated gains and losses 1997: by Government Office region

Dwellings (Thousand)

GO region	*December 1996 Dwelling stock*	*New house building*	*Other gains*	*Changes 1997 Demolitions*	*December 1997 Dwelling stock*
North East	1,108.1	7.2	0.4	1.1	1,114.6
Yorkshire and the Humber	2,103.0	15.9	0.3	1.0	2,118.2
East Midlands	1,725.4	14.2	0.6	0.4	1,739.9
East of England	2,218.4	21.2	0.8	1.0	2,239.4
South East	3,251.2	24.9	1.6	0.8	3,276.9
Greater London	3,010.8	12.0	2.0	0.2	3,024.7
South West	2,067.7	18.1	1.0	0.4	2,086.4
West Midlands	2,165.4	13.5	0.8	0.1	2,179.6
North West	2,899.4	20.3	1.1	1.4	2,919.4
England	20,549.4	147.3	8.6	6.2	20,699.1

GLA Building

Mr. Edward Davey: To ask the Secretary of State for the Environment, Transport and the Regions how much the Government plans to pay for the acquisition of the London Bridge city site proposed by CIT Markborough Ltd for the new Greater London authority building. [77817]

Mr. Raynsford: Nothing, the building will be leased.

Mr. Edward Davey: To ask the Secretary of State for the Environment, Transport and the Regions if he will list each site for which outline proposals for a Greater London authority building were proposed and the grounds on which they were deemed inappropriate for final selection. [77822]

Mr. Raynsford: I can confirm that there were seven shortlisted sites from which outline proposals for a Greater London authority building were considered.

A formal announcement of the shortlist was made on 22 September, the shortlisted buildings and sites were:

Camelford House

Canary Wharf

London Bridge City

Regents Place

Vauxhall Cross

Victoria House

Town Square, Victoria.

The information provided by the seven shortlisted developers on which the evaluation was based was supplied on a commercially confidential basis and therefore cannot be disclosed.

Mr. Edward Davey: To ask the Secretary of State for the Environment, Transport and the Regions who is the current owner of the London Bridge city site proposed by CIT Markborough Ltd for the new Greater London authority building. [77816]

Mr. Raynsford: The London Bridge city site currently being developed by CIT Markborough Ltd. is owned by London Bridge Holdings Ltd. The shareholders of that company are a member of the CIT Group of investors and DePfa Vastgoed, a wholly owned subsidiary of the DePfa Bank.

The CIT Group comprises various high net worth individuals and the group assets include £500 of central London commercial property in addition to the land at London Bridge.

Mr. Edward Davey: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the number of *(a)* staff who will be located in and *(b)* visitors to the new Greater London authority building in the London Bridge city site. [77818]

Mr. Raynsford: We estimate that approximately 400 staff will be accommodated in the Greater London authority building. There is no way of telling how many members of the public will visit the new building, but we expect it to be an open and accessible structure, which will encourage Londoners and visitors to the capital to come along and view what will be a landmark design and see the Mayor and Assembly at work.

Mr. Edward Davey: To ask the Secretary of State for the Environment, Transport and the Regions what the cubic capacity of the proposed Greater London authority building on the London Bridge city site will be. [77821]

Mr. Raynsford: I can confirm that the cubic capacity of the Greater London authority building is 82,467 cubic metres (or 2,911,085 cubic feet).

Mr. Edward Davey: To ask the Secretary of State for the Environment, Transport and the Regions if he will provide a breakdown of the cost of the (i) development of and (ii) equipping of the London Bridge city site as proposed by CIT Markborough Ltd. for the new Greater London authority building. [77819]

Mr. Raynsford: The London Bridge city building will be leased and negotiations with the developers on the final design, contributions to fitting out the building and rent are still in progress. Details will be made available once these negotiations are complete.

Mr. Edward Davey: To ask the Secretary of State for the Environment, Transport and the Regions what security measures have been taken to protect the London Bridge city site for the proposed Greater London authority building since its designation was announced. [77820]

Mr. Raynsford: The London Bridge city building will be leased for an initial period of 25 years and negotiations are ongoing with site developer, CIT Markborough, regarding these contractual matters.

Driving Licences

Mr. Fabricant: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to change the minimum age at which provisional or full driving licences may be issued for private cars. [77562]

Ms Glenda Jackson: There are at present no plans to change the minimum age of 17 to hold provisional or full car driving licences.

New Roads and Street Works Act 1991

Mr. Field: To ask the Secretary of State for the Environment, Transport and the Regions how many representations from local authorities complaining about the provisions of the New Roads and Street Works Act 1991 he has received since 1 May 1997. [78057]

Dr. Reid: While correspondence is received from time to time on specific aspects of the Act and the secondary legislation, including responses to specific proposals to revise regulations and codes of practice, no central record is held of the number and character of the letters received. In co-operation with the Highway Authorities and Utilities Committee, the Department keeps the workings of the Act under constant review, and a number of initiatives are currently under way to improve the operation of the Act's provisions.

Utility Contractors

Mr. Field: To ask the Secretary of State for the Environment, Transport and the Regions when the research by the Transport Research Laboratory into utility contractors compliance with national specifications will be made available. [78058]

Dr. Reid: It is the Department's normal practice to publish the results of research. In this case, we expect the results to be published in the near future. Arrangements will be made for copies of the publications to be placed in the Library as soon as possible.

Regional Airports

Mr. Loughton: To ask the Secretary of State for the Environment, Transport and the Regions what is his policy regarding ownership of regional airports by local councils. [77910]

Ms Glenda Jackson: Many regional airports, of different sizes, are owned by local authorities. The largest of these airports are structured as public airport companies, with the local authorities as the shareholders. Airports can benefit from local authority ownership and it is for local authorities to decide for themselves whether they wish to own airports, either wholly or through joint ventures with the private sector. The Government will remove central controls over borrowing from public airport companies which are able to demonstrate that they are financially sound. This will enable them to compete for business on a level playing field with private sector airports. Earlier this month we laid an order which will remove borrowing controls from four public airport companies with effect from 1 April. It is open to other public airport companies to apply in the future.

Air Traffic Management

Ms Osborne: To ask the Secretary of State for the Environment, Transport and the Regions for how long NATS has been negotiating with the preferred bidder, Sky Solutions, to agree the new Scottish air traffic control centre PFI; and if he will make a statement. [77919]

Dr. Reid: NATS have been negotiating with Sky Solutions as preferred bidder since February 1997. Negotiations are continuing and I have now taken action to ensure that officials from my Department and from the Treasury are fully involved.

Ms Osborne: To ask the Secretary of State for the Environment, Transport and the Regions (1) if he will estimate the lead time required for construction and commissioning of a new Scottish air traffic control centre; [77921]

(2) what options for the procurement of a new Scottish air traffic control centre will be considered in response to decisions on the future structure of NATS; and if he will make a statement; [77918]

(3) what assessment he has made of the implications of a delay in commissioning a new Scottish air traffic control centre for (i) the airlines, (ii) air users and (iii) NATS in terms of *(a)* provision of services, *(b)* costs to service providers, *(c)* costs of continued use of existing air traffic control equipment at Atlantic House and *(d)* consequent costs of the control centre project; and if he will make a statement. [77922]

Dr. Reid: NATS estimate the lead time for the New Scottish Centre to be about 5–6 years. The consultation period on the Government's preferred option for the future of NATS—establishing a public-private partnership—has now closed and we are actively considering the responses received. At the same time, the Government and NATS are reviewing the procurement options for the New Scottish Centre to ensure that they provide the best fit with the PPP and provides best value for the taxpayer, NATS customers and for Scotland. The Government are keen to ensure that the NSC is completed in time to meet NATS operational needs.

Ms Osborne: To ask the Secretary of State for the Environment, Transport and the Regions what the scheduled operational date for the new Scottish air traffic control centre at Prestwick *(a)* was when the original tender documents were issued and *(b)* is currently. [77920]

Dr. Reid: At the time the original tender documents were issued in 1995, NATS estimated that the centre would be needed in around 2000. This date has been subject to revision in the light of ongoing planning work by NATS. Their current estimate is that it will be needed in 2005–06.

Ms Osborne: To ask the Secretary of State for the Environment, Transport and the Regions if it is his policy to implement the two centre strategy for air traffic management independently of any decision on the future structure and ownership of NATS; if implementation of this strategy will be mandatory for any future owner of NATS; and if he will make a statement. [77923]

Dr. Reid: The Government remain firmly committed to implementing a two-centre strategy for NATS and to having one of those centres at Prestwick. My Department is working closely with National Air Traffic Services Ltd. (NATS) to develop the arrangements for financing the project.

No final decisions have been taken on the future of NATS and my Department is currently developing detailed proposals, taking account of the views put to us in the recent public consultation. We will be making a statement in due course, but our commitment to the two-centre strategy will be reflected in any future arrangements for NATS.

Ms Osborne: To ask the Secretary of State for the Environment, Transport and the Regions if he will publish the responses to the consultation on the proposed public-private partnership for NATS. [77924]

Dr. Reid: We concluded the public consultation on our proposals for National Air Traffic Services Ltd. (NATS) on 31 January 1999. Some 230 responses were received. We will, in due course, make the responses publicly available, except in those cases where confidentiality was requested.

Ms Osborne: To ask the Secretary of State for the Environment, Transport and the Regions if he will list those recommendations contained in the Defence Evaluation and Research Agency report on the technical audit of NATS new en route centre and future of air traffic management which NATS have implemented. [77917]

Dr. Reid: We have received the Defence Evaluation and Research Agency report on NATS new en route centre. Working with NATS, we are actively considering the suggestions and the best ways of implementing them. I will make a statement on this subject in due course.

Town and Parish Councils

Mr. Prior: To ask the Secretary of State for the Environment, Transport and the Regions what was the average time taken for the determination by district auditors of challenges to town and parish councils with annual expenditure levels of under £100,000 in the last year for which figures are available. [77190]

Ms Armstrong: This information is not held by either the Department or the Audit Commission.

Road Noise Mitigation

Mr. Shaw: To ask the Secretary of State for the Environment, Transport and the Regions what progress he has made on the proposals for noise mitigation on existing trunk roads announced in "A New Deal for Trunk Roads in England". [78304]

Ms Glenda Jackson: My noble Friend the Under-Secretary of State announced today that we have established criteria and a budget to deal with some of the most serious and pressing cases of traffic noise on existing trunk roads as promised in "A New Deal for Trunk Roads in England".

The Government recognise that excessive traffic noise is an important issue for many people. Noise mitigation was not required on roads built before 1969, and in many cases the mitigation provided on roads built between 1969 and 1988 (when the approach to assessing traffic noise was changed) was based on unrealistically low predicted noise levels. This means there has been inequity in the

treatment of residents living close to certain trunk roads built before 1988. To help us identify the most serious and pressing cases we are today establishing criteria which will be used in an initial sift. Cases satisfying these sift criteria will be studied in greater depth to determine whether practicable and cost-effective mitigation can be provided. An annual ring-fenced budget of £5 million has been set aside to deal with the most serious of these trunk road cases in England.

Our new sift criteria for noise mitigation will be:

(a) trunk roads must have been opened before June 1988, but priority for attention is to be given to locations affected by roads which have remained unaltered since October 1969 (the qualifying date for the first noise mitigation measures);

(b) current (ie 1998) noise levels immediately adjacent to the road to be at least 80 dB(A); and

(c) in the case of roads opened or altered after October 1969, the current (ie 1998) noise levels must be at least 3 dB(A) greater than predicted for the design year.

As far as Wales and Scotland are concerned, this will be a matter for the Welsh Assembly and Scottish Parliament who, after devolution, will be responsible for trunk roads in Wales and Scotland.

Ministerial Visits

Mr. Jim Cunningham: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement about his recent visit to India and the Maldives. [78413]

Mr. Prescott: I visited India from 4 to 12 March, at the invitation of the Indian Environment Minister, and the Maldives from 12–15 March, as a guest of the Maldives Government.

In India, I had meetings with the Prime Minister, the Ministers for External Affairs, Urban Affairs and Employment, Power, Civil Aviation, Surface Transport and the Environment and Forests, the Chief Minister and Minister of Public Works of Maharashtra, the Mayor and Municipal Corporation in Bombay and the Infrastructure Development Finance Corporation. In most of these meetings I was accompanied by a group of senior business men with interests in India, and a trades unionist. I also addressed the Millennium Tiger Conference, where I announced that the UK would join the Global Tiger Forum and provide further financial support for India's efforts to protect tigers; visited the Ranthambore nature reserve to see at first hand the efforts which the authorities are making to conserve tigers and the rich biodiversity of the Indian sub-continent; visited the Tata Energy Research Institute (TERI); attended a seminar on environment and transport issues organised by TERI; spoke at events organised by the Confederation of Indian Industry (CII) in Delhi, and the British Business Group and the CII in Bombay; and visited a compressed natural gas station in Bombay, with the Minister for Transport of the Government of Maharashrta. I also witnessed the signature of Memoranda of Understanding between the CII and the Joint Environmental Markets Unit of my Department and the Department of Trade & Industry, and between the CII and Asia House.

En route to the Maldives, I met the Sri Lankan Minister of Foreign Affairs, and a number of other Ministers and business leaders, in Colombo. In the Maldives I had meetings with the Ministers of Foreign Affairs, Home Affairs, Housing and the Environment, Tourism, and Construction and Public Works, and with the Director General of Fisheries Research and Development; visited the VSO office in Male, the Islamic Centre and the Maldivian Telecommunications Company; and also visited a sewage works and a desalination plant and various environmental projects. I was also able to see at first hand the coral reef damage resulting from climate change, pollution and other human activities, and to announce an extension of DfID funding for the South Asia region of the Global Coral Reef Monitoring Network.

Water's Edge, Barton upon Humber

Shona McIsaac: To ask the Secretary of State for the Environment, Transport and the Regions if he will list each offer of financial assistance made by English Partnerships to Glandford Council in respect of the Water's Edge site in Barton upon Humber and the dates upon which they were made. [77089]

Mr. Meale *[holding answer 16 March 1999]:* Funding for this project was first approved by the former Department of the Environment in 1991 under the Derelict Land Grant (DLG) scheme. When English Partnerships was established in April 1994, it took on responsibility for the DLG scheme including this project. In addition to administering previously approved aspects of this project, the agency approved grant totalling £162,370 on 28 September 1995, of which £154,252 was paid in the financial year 1997–98.

Driving Licence Holders

Mr. Rowe: To ask the Secretary of State for the Environment, Transport and the Regions how many UK citizens of 65 years or over hold current driving licences. [77458]

Ms Glenda Jackson: The total number of driving licence holder records for people aged 65 or over in Great Britain is 4.40 million. In Northern Ireland (where driver licensing is the responsibility of the Secretary of State for Northern Ireland) the figure is 64,400.

The number of actual licence holders may be smaller than the number of records because of failure to notify death or emigration.

CABINET OFFICE

Civil Servants (Flights)

Mr. Gardiner: To ask the Minister for the Cabinet Office if he will list the flight number, date, time and place of departure and destination, class travelled, cost and purpose of each flight by senior civil servants in his Department in the course of their duties, including attendance at foreign conferences, symposiums and other meetings, between 1 May 1998 and the present; and what were the total costs of flights of each of the three senior civil servants whose flights cost the most between 1 May 1998 and the present. [75509]

Mr. Kilfoyle: The information is not held in the form requested. Most travel arrangements for Cabinet Office staff are made through a contractor. Between May and October 1998, senior civil servants in the Cabinet Offic

made 106 flights booked through the contractor at an average cost of £824.62. During this period, the three most expensive flights were £4,900.70, £4,413.60 and £3,345.90. All travel complied with the requirements of the civil service management code.

Working Time Directive

Mr. Tyrie: To ask the Minister for the Cabinet Office how many civil servants in his Department have been invited to waive the Working Time Directive requirement to work less than 48 hours a week on 17 consecutive weeks; how many civil servants in his Department have refused to waive the requirement; and what is the total cost of compliance with the Directive. [76813]

Mr. Kilfoyle: 491 staff in the Cabinet Office and its agencies have signed an agreement to dis-apply the 48 hour limit.

The standard terms and conditions of service for staff employed by the Cabinet Office and its agencies are well within the limits set by the Working Time Regulations. The Regulations do not require employers to keep records of the number of workers who refuse to sign an opt-out agreement and no central records are kept by this Department. Compliance costs are not kept centrally and could be provided only at disproportionate cost.

Select Committee Documents

Mr. Woodward: To ask the Minister for the Cabinet Office if *(a)* Ministers, *(b)* special advisers and *(c)* civil servants saw the European Scrutiny Committee questions brief in advance of the appearance of the Parliamentary Secretary before the committee on 2 December. [77850]

Mr. Kilfoyle *[holding answer on 19 March 1999]:* It has been a common but not universal practice over a long period for Committees to indicate the broad areas they intend to cover at a hearing, to ensure that the evidence session is as effective and productive as possible. I was informed of likely questions in advance of the Committee hearing on 2 December 1998.

GM Crops

Mr. Yeo: To ask the Minister for the Cabinet Office if he has discussed with representatives of the biotechnology industry the introduction of a voluntary three-year halt in the planting of herbicide-tolerant genetically modified crops. [77682]

Dr. Jack Cunningham *[holding answer on 19 March 1999]:* No.

WALES

Working Time Directive

Mr. Tyrie: To ask the Secretary of State for Wales how many civil servants in his Department have been invited to waive the Working Time Directive requirement to work less than 48 hours a week on 17 consecutive weeks; how many civil servants in his Department have refused to waive the requirement; and what is the total cost of compliance with the Directive. [76797]

Mr. Hain: No staff have yet been invited to waive the Working Time Directive. It is anticipated that a small proportion, less than 2 per cent., may be invited to waive the requirements of the Directive in due course.

The standard terms and conditions of service for staff employed in my Department are well within the limits set by the Working Time Regulations. These Regulations do not require employers to keep records of the number of workers who refuse to sign an opt-out agreement and, therefore, no central record will be kept by my Department. The same applies to compliance costs which could be provided only at disproportionate cost.

Waiting Lists

Mr. Swayne: To ask the Secretary of State for Wales how many patients in each health authority area had been waiting for NHS treatment in December 1996 for *(a)* six months and under, *(b)* six to 12 months, *(c)* 12 to 18 months and *(d)* over 18 months. [77461]

Mr. Jon Owen Jones: Information on waiting times is not collected in the form requested.

In December 1996, the number of patients waiting for treatment in each health authority area is shown in the following table.

Waiting times for December 1996

Health authority	*Outpatients waiting over 6 months*	*In/Daycase waiting over 12 months*	*In/Daycase waiting over 18 months*	*In/Daycase waiting over 2 years*
North Wales	512	390	54	1
Bro Taf	2,906	1,669	331	0
Dyfed Powys	1,167	1,225	146	0
Morgannwg	3,773	671	190	0
Gwent	1,747	1,703	493	3

Following the transfer of functions, in future this issue will be a matter for the National Assembly.

Tir Cymen

Mr. Paice: To ask the Secretary of State for Wales how many applications were received in *(a)* 1996, *(b)* 1997 and *(c)* 1998 from farmers to join Tir Cymen; what area of land they represented; how many were approved; and what area of land they represented. [77858]

Mr. Jon Owen Jones: The number of formal applications and the area of land they represented is not readily available. However, over the first five years, 70 per cent. of formal applications concluded in Tir Cymen agreements.

Year	*Number of agreements*	*Areas of agreements (Ha)*
1996	174	11,955
1997	180	8,597
1998	130	6,157

Following the transfer of functions, this issue will be a matter for the National Assembly.

Mr. Paice: To ask the Secretary of State for Wales if he will list the differences between the Tir Cymen scheme and the Countryside Stewardship scheme operated in England. [77859]

Mr. Jon Owen Jones: The differences between the Tir Cymen Scheme and the Countryside Stewardship Scheme operated in England are as follows:

1. Countryside Stewardship applies not to the whole farm but to specified eligible landscapes, habitats and features.

   In Tir Cymen there is a whole farm code which applies to the entire holding. In addition to this, specific habitats and features on the holding must be managed according to the scheme prescriptions.

2. Countryside Stewardship is a MAFF grant scheme whilst Tir Cymen is an experimental whole farm scheme administered by the Countryside Council for Wales.

3. Countryside Stewardship applies to all of England whilst Tir Cymen applies only to three districts in Wales.

4. Any land manager can apply for a Countryside Stewardship agreement (including local authorities and voluntary bodies). Anyone responsible for a registered farm holding could apply for Tir Cymen.

5. Farms applying for Tir Cymen must meet the qualifying criterion which is that revenue for habitats and permissive paths must amount to a minimum of 10 per cent. of the total revenue payment that the farmer would receive through the scheme. Thus, if the farm area is such that the payment in relation to the whole farm code is £2,000 per annum, then the specific habitat management requirements would have to amount to at least £220 (ie. 10 per cent. of the total of (£2,200).

6. Public Access is not a requirement of Countryside Stewardships. Under Tir Cymen there is an obligation to permit access for the purpose of walking and quiet enjoyment of the countryside, at no charge, on all land which is moorland, heathland, and unenclosed, unimproved upland grassland. Tir Cymen expects agreement holders to fulfil their legal duty to keep existing public rights of way free from obstruction.

Following the transfer of functions, this issue will be a matter for the National Assembly.

Mr. Paice: To ask the Secretary of State for Wales what is the total area of land covered by the Tir Cymen scheme; and what is the area covered by the scheme within the less favoured areas and its proportion of the total less favoured area. [77857]

Mr. Jon Owen Jones: By the end of March 1998 the total area of land under Tir Cymen agreement was 89,304 ha. As at 31 March 1998 there were 898 Tir Cymen agreements within less favoured areas in Wales which amounts to some 88 per cent. of the total number of Tir Cymen agreements (1,023 agreements).

Following the transfer of functions, this issue will be a mater for the National Assembly.

Mr. Paice: To ask the Secretary of State for Wales what was the total budget allocated to Tir Cymen for each of the last three years [77860]

Mr. Jon Owen Jones: The budget allocation was as follows:

£ million

Year	*Total Expenditure*
1996–97	5.3
1997–98	5.7
1998–99	6.2

Following the transfer of functions, this issue will be a matter for the National Assembly.

EDUCATION AND EMPLOYMENT

Green Transport Plan

Mr. Burstow: To ask the Secretary of State for Education and Employment what involvement fleet managers have had in drawing up his Department's Green Transport Plan. [77966]

Mr. Charles Clarke: The DfEE and Employment Service fleet managers have been fully involved in the development of Green Transport Plans.

Departmental Budget

Mrs. Ewing: To ask the Secretary of State for Education and Employment what was his Department's budget in cash terms and at 1998–99 prices for *(a)* 1992–93 to 1998–99 and *(b)* his estimate for 1999–2000 to 2001–02. [77332]

Mr. Mudie: The figures are set out in the following table.

£ million

Year	*Cash*	*Real terms at 1998–99 prices*
1992–93	10,677	12,390
1993–94	13,378	15,123
1994–95	13,988	15,590
1995–96	13,981	15,141
1996–97	14,009	14,718
1997–98	14,533	14,896
1998–90	14,562	14,562
1999–00	15,702	15,319
2000–01	17,531	16,692
2001–02	18,916	17,565

Notes:

1. Figures are DfEE's Departmental Expenditure Limit (DEL) and include both OFSTED and the Employment Service. Figures do not include expenditure on the welfare to work programme financed through the windfall tax, which is classified under a separate DEL. Figures also do not include spending by local authorities. Figures for 1992–93 to 1997–98 are outturn. Figure for 1998–99 is estimated outturn. Figures for 1999–00 to 2001–02 are plans.
2. According to Government accounting conventions, the figures include the recource accounting costs of student loans rather than the cash outlay costs.
3. Figure for 1997–98 includes £527m (cash) transferred from local authorities for the nursery voucher scheme. Figure for 1992–93 does not include funding for further education, which was transferred from local to central government from 1993–94 onwards.

British Lecturers (Italy)

Miss McIntosh: To ask the Secretary of State for Education and Employment what action he has taken to ensure the right of establishment of British lecturers at Italian universities; and if he will make a statement. [77128]

Mr. Wilson: I have been asked to reply.

Mother-tongue foreign language teachers in Italian universities ("*lettori*"), most of whom are non-Italian nationals, are campaigning for recognition of their right under the Treaty of Rome to equality of employment conditions with their Italian colleagues in other disciplines.

The UK Government have been pursuing this issue with the European Commission and the Italian Government. My noble Friend the Minister for Trade and Competitiveness in Europe, whose responsibilities include completion of the Single Market, has written to Minister Letta, his Italian counterpart, to press for an early resolution of the problem. He also urged Minister Letta to ensure that individual university Rectors were aware of their obligation to respect the *lettori*'s acquired rights under the Treaty of Rome. Our Embassy in Rome is currently following up this letter with the Italian authorities.

My noble Friend also wrote to Commissioner Flynn, supporting the infraction proceedings which the European Commission is currently bringing against the Italian authorities in respect of this issue. He received in return Mr. Flynn's assurance that he was fully committed to pursuing the matter.

The Government are committed to making the Single Market work, as much for individual citizens as for business. We will do all we can to help bring about a satisfactory solution to the problems faced by the *lettori*.

FOREIGN AND COMMONWEALTH AFFAIRS

Common Foreign and Security Policy

Mr. Maclean: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 26 January 1999, *Official Report*, column *212*, on common foreign and security policy working groups, if he will list the proposals currently under discussion under each subject heading. [76360]

Ms Quin: The common foreign and security policy working groups meet on average once a month. The agenda for each working group meeting is wide ranging, covering current issues of concern in the group's area of interest. For example, there were 16 items for discussion on the agenda of the Africa working group this month.

Discussion in working groups looks at current EU policy towards all the major foreign policy issues of the day. Among the items on the agenda for the Africa working group this month were Angola, the Democratic Republic of the Congo, Ethiopia and Eritrea, Sierra Leone and Rwanda. Major issues in other working groups in recent weeks have been Kosovo, the Russia common strategy, Sudan, East Timor, the Middle East peace process and preparation for the United Nations Commission on Human Rights. Agendas can change at short notice, given the fast-moving nature of common foreign and security policy issues.

James Miles and Paul Loseby

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received concerning the conditions at Yare prison in Venezuela. [76425]

Mr. Fatchett: Consular staff from the British Embassy in Caracas have not yet visited Yare prison. Following the transfer of James Miles and Paul Loseby on 15 March to Yare, the British Vice-Consul is hoping to visit before the end of this week.

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps are being taken by the British Embassy to ensure that James Miles and Paul Loseby will be considered for parole. [76421]

Mr. Fatchett: James Miles and Paul Loseby are not yet eligible for parole.

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) if he will make a statement on the current whereabouts of James Miles and Paul Loseby in Venezuela; [76424]

(2) what reports the British Embassy in Caracas has received concerning the possible transfer of James Miles and Paul Loseby. [76422]

Mr. Fatchett: James Miles and Paul Loseby were transferred to Yare 1 prison on 15 March.

Gibraltar

Mr. Colvin: To ask the Secretary of State for Foreign and Commonwealth Affairs when he expects to reach agreement with HM Treasury on Financial Services passporting for Gibraltar; and if he will make a statement. [76639]

Ms Quin: In June 1997, after discussions involving the Department of Trade and Industry, the Foreign and Commonwealth Office and HM Treasury, HMG approved the passporting by Gibraltar-based insurance companies of insurance services into the UK and elsewhere in the European Union.

HMG, acting on advice from the Financial Services Authority, have explained to the Government of Gibraltar and the Gibraltar Financial Services Commission what measures need to be in place before HMG will be in a position to approve the passporting by Gibraltar-based credit institutions of banking services into the UK and elsewhere in the European Union. We understand that the Government of Gibraltar and the Financial Services Commission expect to satisfy these requirements in the near future.

The regulation of investment services in Gibraltar is less advanced than the regulation of banking services and insurance services. HMG hope to provide the Government of Gibraltar and the Financial Services Commission in the near future with guidance on which measures need to be in place before Gibraltar seeks HMG's approval for the passporting of investment services into the UK and elsewhere in the European Union.

Working Time Directive

Mr. Tyrie: To ask the Secretary of State for Foreign and Commonwealth Affairs how many civil servants in his Department have been invited to waive the working time directive requirement to work less than 48 hours a week on 17 consecutive weeks; how many civil servants in his Department have refused to waive the requirement; and what is the total cost of compliance with the directive. [76808]

Mr. Tony Lloyd: Records of Foreign and Commonwealth Office staff choosing to sign voluntary agreements to disapply the 48-hour weekly limit for working hours are not maintained centrally. The standard

terms and conditions of service for staff employed by the Foreign and Commonwealth Office are well within the limits set by the Working Time Regulations. The regulations do not require employers to keep records of the number of workers who choose not to sign an opt-out agreement. It is too early to judge the likely compliance costs.

Written Answers

Mr. Mackinlay: To ask the Secretary of State for Foreign and Commonwealth Affairs for what reason his Department's replies to written parliamentary questions for 15 March were in the Press Gallery more than three hours before they were delivered to the Library; and if he will make a statement. [77439]

Mr. Tony Lloyd: The Library copies were left in the House of Commons Post Office at 1700, the same time as copies were delivered to *Hansard* and the Press Gallery.

We have now altered our delivery procedures to ensure that the Library and Table Office copies are hand delivered at the same time as the *Hansard* and Press Gallery copies.

Ambassadors (Appointments)

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs when he expects to announce the appointments of British ambassadors to *(a)* Bahrain and *(b)* Yemen. [77755]

Mr. Tony Lloyd: Mr. Peter Ford will be replacing Mr. Ian Lewty as HM Ambassador to Bahrain in April 1999. This appointment was officially announced on 10 November 1998. Mr. Victor Henderson took up his post as HM Ambassador to the Republic of Yemen in October 1997. There are no current plans for the succession to him.

Consul-General (New York)

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs how many applications for the post of Consul-General in New York were from ethnic minorities; and how many ethnic minority candidates were interviewed. [77756]

Mr. Tony Lloyd: Of the 168 applications for the position of Director-General Trade and Investment, and Consul-General New York, seven declared themselves to be from a minority ethnic background. None of the six candidates interviewed declared themselves to be from a minority ethnic background.

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs how many people applied for the post of consul-general in New York and how many applicants came from *(a)* private sector and *(b)* public sector backgrounds. [77753]

Mr. Tony Lloyd: Of the 168 applicants for the position of Director-General Trade and Investment US, the Consul-General New York, 156 were from the private sector and 12 were from the public sector.

Human Rights

Mr. Mitchell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the remit and powers of *(a)* the European Community Court of Justice in Luxembourg and *(b)* the Court in Strasbourg relating to the European Convention of Human Rights. [77612]

Ms Quin: The European Court of Justice (ECJ) has a general responsibility under Article 31 of the European Coal and Steel Community (ECSC) Treaty, Article 164 of the Treaty establishing the European Community (EC) and Article 136 of the Euratom Treaty, to ensure that in the interpretation and application of these treaties the law is observed.

The ECJ's jurisdiction is laid in the treaties, in particular Articles 169–188 of the EC Treaty, Articles 33–45 of the ECSC Treaty, 141–160 of the Euratom Treaty and Article L of the Treaty on European Union.

The European Court of Human Rights is a key instrument in enforcing the rights contained in the European Convention on Human Rights. The Court is a judicial body and it produces final and binding decisions. Petitions to the Court may be made by any person, group of people, or non-governmental organisation claiming to be a victim of a violation of one of the Convention's rights.

UNSCOM

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will instruct the United Kingdom Ambassador to the United Nations to ask *(a)* Secretary General Kofi Annan and *(b)* the Executive Chairman of Unscom what information has been made available to the office of (i) the Secretary General and (ii) Unscom in respect of allegations of the United States using Unscom as a cover for signals intelligence operations in Iraq. [78155]

Mr. Tony Lloyd: I refer my hon. Friend to the answer given by my right hon. Friend the Prime Minister to my hon. Friend the Member for Linlithgow (Mr. Dalyell) on 8 March 1999, *Official Report*, column *15* and the answer I gave to my hon. Friend the Member for Linlithgow on 9 March 1999, *Official Report*, column *181*. We are in regular touch with both the UN Secretary-General and the Executive Chairman of UNSCOM on many aspects of UNSCOM's work.

European Scrutiny Committee

Mr. Woodward: To ask the Secretary of State for Foreign and Commonwealth Affairs if *(a)* Ministers, *(b)* special advisers and *(c)* civil servants saw the European Scrutiny Committee questions brief in advance of the appearance of the Minister of State before the committee on 25 November. [77851]

Ms Quin *[holding answer 19 March 1999]:* It has been common but not universal practice, over a long period, for Committees to agree to give officials an indication of the broad areas they intend to cover at the hearing to ensure that the evidence session is as effective and productive as possible. I was informed of the likely areas of questioning in advance of the Committee hearing on 25 November.

Eritrea and Ethiopia

Ms Bridget Prentice: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will

make a statement on the steps taken by the European Union to adopt an arms embargo against Ethiopia and Eritrea. [78414]

Mr. Tony Lloyd: Following a UK proposal, the European Union adopted a mandatory arms embargo against Ethiopia and Eritrea at the EU Finance Ministers Council on 15 March 1999.

Following adoption of UN Security Council Resolution 1227 on 10 February 1999, which urged UN member states to end immediately all sales of arms and munitions to Ethiopia and Eritrea, the Government took immediate steps to ban exports from the UK to Ethiopia and Eritrea of all goods and technology on the Military List, which forms Part III of Schedule 1 to the Export of Goods (Control) Order 1994, as amended. Details were reported to Parliament on 15 February 1999, *Official Report*, column *582*. The national measures necessary to implement the EU arms embargo were therefore already in place when the EU embargo was adopted.

The Foreign and Commonwealth Office will be issuing a press release on the EU embargo and has issued guidance to Departments in London, Posts overseas and other Whitehall Departments. An updated version of the list of all UK policy commitments on the application of strategic export controls, including arms embargoes, will be placed in the Library of the House.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received on the current conflict in Eritrea; and if he will make a statement. [78034]

Mr. Tony Lloyd: Fighting between Ethiopia and Eritrea resumed on 6 February, with subsequent violation of the air moratorium. We made clear our strong opposition to this resort to war. We supported UN Security Council resolution 1227 of 10 February, which demanded a cessation of hostilities and a resumption of diplomatic negotiations; reaffirmed support for the OAU Framework Agreement; and called for a voluntary arms embargo. I announced on 15 February 1999, *Official Report*, column *582*, that the United Kingdom had implemented the arms embargo.

Following Ethiopian military gains on the Badume plateau, Eritrea accepted the Framework Agreement on 27 February. The Security Council welcomed this in a Presidential statement the same day. But heavy fighting has continued. We are actively considering with our international partners how to give further support to the OAU in ensuring that both sides now fully accept the OAU proposals, and to secure a formal cessation of hostilities.

Papua New Guinea

Mr. Menzies Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received from the Government of Papua New Guinea regarding Sandline International; and if he will make a statement. [77228]

Mr. Fatchett: In the context of the contractual dispute between Sandline and the Government of Papua New Guinea, the High Commissioner of Papua New Guinea in London spoke to FCO officials on 3 March.

Mercenary Services

Mr. Menzies Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his Department's policy regarding private companies based in the UK offering mercenary services. [77252]

Mr. Tony Lloyd: We and our EU partners have always made it clear that we unequivocally condemn the recruitment, use and financing of mercenaries. We are concerned about the spread of mercenary activity.

Private military companies which carry out their business within the law are generally not a cause for concern. Our concerns relate principally to those companies which are involved in the supply of military equipment or other controller goods and services in breach of the UK's national commitments, or which supply, or offer to supply, mercenaries or related military services.

European Commissioners (Emoluments)

Mr. Cash: To ask the Secretary of State for Foreign and Commonwealth Affairs how much each of the outgoing European Commissioners is to receive in *(a)* salary, *(b)* pension and *(c)* other remuneration following their resignation; what the legal basis is upon which the payments are being made; and if he will place details of the remuneration packages in the Library. [77994]

Ms Quin: Commissioners' terms and conditions of service are set down in the 1967 Council Regulation 422/67, which governs their employment. This Statute provides for generous end-of-service remunerations.

From the first day of the month following resignation, and for three years afterwards, Commissioners are entitled to receive a monthly payment (based upon the number of years served) of:

40 per cent. of salary if they have served for less than 2 years

45 per cent. of salary if they have served for less than 3 years

50 per cent. of salary if they have served for less than 5 years

55 per cent. of salary if they have served for between 5 and 10 years

60 per cent. of salary if they have served for between 10 and 15 years.

Commissioners are also entitled to receive a family allowance for three years after resignation of:

Euro 12,649 per year for the President

Euro 11,457 per year for the Vice-Presidents

Euro 10,311 per year for other Commissioners.

From the age of 65, Commissioners are entitled to receive a pension, which as a full pension for 15 years service would be equivalent to 70 per cent. of final salary based on a 4.5 per cent. annual accrual rate.

Reappointed Commissioners are not entitled to receive end-of-service pay.

If a Commissioner takes new employment, their end-of-service pay plus new gross monthly salary cannot exceed the gross monthly salary they would have received as a Commissioner. If it does, the end-of-service pay is reduced accordingly.

Amsterdam Treaty

Mr. Collins: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to implement parts of the Amsterdam treaty not included in the European Communities (Amendment) Act 1998. [77692]

Ms Quin: The parts of the Amsterdam treaty not included in the European Communities (Amendment) Act 1998 relate to the common foreign and security policy and police and judicial co-operation in criminal matters. They constitute frameworks for action. As such, they themselves can be implemented without the need for UK legislation. That said, measures adopted under these provisions may in due course give rise to the need for legislation. If this is the case, such legislation will be presented to Parliament.

Armenian Foreign Minister

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the outcome of his discussions with the Armenian Foreign Minister. [78035]

Ms Quin: My right hon. Friend the Secretary of State met the Armenian Foreign Minister, Mr. Vartan Oskanian, on 17 March. Their discussions helped to cement the already warm relations which exist between the two countries. They agreed on the need further to promote our growing bilateral commercial ties. The meeting also covered the conflict over Nagorno-Karabakh and other regional issues. My right hon. Friend looked forward to free and fair parliamentary elections in May. He encouraged Armenia to sign the Ottawa convention on anti-personnel landmines and stressed the importance of keeping to the timetable for closing the Medzamor nuclear power station.

Ambassador's Residence

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 14 January 1999, *Official Report*, column *254*, for what reasons it is his policy not to reveal the prices received from the sale of departmental property. [78033]

Mr. Fatchett: The reason for not revealing the prices received for individual departmental properties is that this information is often commercially sensitive at the time of disposal.

UN Finances

Mr. Jack: To ask the Secretary of State for Foreign and Commonwealth Affairs what timetable the fifth committee of the United Nations is following in preparing its proposals to improve the arrangements for the future financing of the organisation; and when its proposals will next be discussed by the General Assembly. [77628]

Mr. Tony Lloyd: The fifth committee of the United Nations is currently considering the future financing of the United Nations and should make recommendations to the General Assembly for its consideration before the end of 1999. On 16 March, the European Union Presidency delegate to the fifth committee again pressed European Union proposals, originally developed by the United Kingdom and France, to put United Nations finances on a more secure and equitable long-term footing.

Nuclear Missiles

Mr. Soames: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what steps he is taking to assist in the implementation of the START 2 Nuclear Missile Reduction Treaty; [77975]

(2) what assessment he has made of the number of Russian long-range nuclear warheads; and what steps he has recently taken to encourage a reduction in that number. [77974]

Mr. Tony Lloyd: Under the START I treaty, Russia and the United States are limited to 6,000 accountable strategic warheads each. Under START II, which has not yet been approved by the Russian Duman, each side would be limited to between 3,000 and 3,500 deployed strategic warheads. Presidents Yeltsin and Clinton agreed in Helsinki in March 1997 that a START III treaty would further reduce these levels to between 2,000–2,500 per side.

My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs has repeatedly urged the Russian to ratify START II, and to proceed promptly to negotiate with the United States a START III treaty, most recently during his visit to Russia from 2–5 March.

Dubai

Mr. Swayne: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 17 March 1999, *Official Report*, columns *682–83*, if, when the response to the note verbale is received from the Government of Dubai, he will *(a)* inform the hon. Member for New Forest, West and *(b)* place the response in the Library. [78136]

Mr. Fatchett: If and when a response is received, I will inform the hon. Member.

Mr. Swayne: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 17 March 1999, *Official Report*, columns *682–83*, how long he plans to wait for a response from the Government of Dubai before making representations. [78114]

Mr. Fatchett: We have no plans to impose a time frame.

Illicit Traffic by Sea

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs for what reasons Her Majesty's Government have not ratified the Convention of the Council of Europe on illicit traffic by sea; and if he will make a statement. [77605]

Mr. George Howarth: I have been asked to reply.

We shall introduce the legislation which will allow us to ratify the Convention as soon as the Parliamentary timetable permits.

SCOTLAND

Football

Mr. Jim Murphy: To ask the Secretary of State for Scotland what Government funding has been given or is planned to be given to Scottish football over *(a)* the past 20 years and *(b)* the next three years. [72272]

Mr. Galbraith *[holding answer 22 February 1999]:* The information in answer to part 1 is available only at disproportionate cost and I cannot, therefore, answer. In relation to part 2 The Scottish Office is currently providing support totalling £2 million for the re-development of Hampden Park, through the Scottish Sports Council. The final payment will be made in 1999–2000.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Mr. Jim Murphy: To ask the Secretary of State for Scotland how much has been given to Scottish football teams by the Foundation for Sports and the Arts in the last five years. [72265]

Mr. Galbraith *[holding answer 22 February 1999]:* Senior levels of association football are expressly excluded from Foundation for Sports and the Arts funding. However, sport at grass roots level has received 857 grants totalling £495,212.60.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Ministerial Costs

Mr. Swayne: To ask the Secretary of State for Scotland what was the cost of funding his private offices and those of his ministers in each year since 1992. [74979]

Mr. Dewar *[holding answer 11 March 1999]:* The table shows costs since 1992. The amounts include staff costs of private offices and non-pay expenditure covering travel and subsistence, office services and general administration costs for both Ministers and the staff of their offices.

Year	£
1992–93	1,200,160
1993–94	1,454,569
1994–95	1,374,555
1995–96	1,628,424
1996–97	1,733,885
1997–98	1,953,219
1998–99 (estimate)	2,027,610

[1] Estimated figure

Hospital Service Reconfiguration

Mr. Moore: To ask the Secretary of State for Scotland if he will list the hospitals, by region, which have consulted the local community health council on service reconfiguration in the last 10 years; how many beds have been (i) gained and (ii) lost under these reconfigurations; and if he will list by region those hospitals that are currently (i) under review and (ii) undergoing service reconfiguration. [74991]

Mr. Galbraith *[holding answer 5 March 1999]:* Information on the hospitals which have consulted the local health council on service reconfiguration in the last 10 years is not available centrally.

Data on the number of available staffed hospital beds in each Health Board in Scotland for 1987–88 and 1997–98 are shown in the table. The reduction in the number of staffed beds between 1987–88 and 1997–98 reflects changes in the pattern of care, including a shift toward the use of day case surgery, continuing reductions in lengths of stay for inpatients and the move to care in the community.

Health Service strategies are kept under review as part of the Health Improvement Programme process introduced in 1998. Every Health Board must set out its intentions annually for service developments in its area for the following five years. Where the planned development represents a significant change of use of a hospital or contains proposals for hospital closure, there must be full public consultation in accordance with The Scottish Office Department of Health guidance.

NHS in Scotland—Average available staffed beds 1987–88 and 1997–98

Health board	*1987–88*	*1997–98*
Argyll and Clyde	4,307	3,527
Ayrshire and Arran	2,952	2,233
Borders	939	743
Dumfries and Galloway	1,505	1,076
Fife	3,254	2,070
Forth Valley	3,151	2,106
Grampian	5,457	3,864
Greater Glasgow	12,242	7,325
Highland	2,142	1,479
Lanarkshire	4,961	3,459
Lothian	8,008	4,993
Orkney	134	147
Shetland	159	116
Tayside	5,057	3,374
Western Isles	221	274

Source:
ISD Scotland

From 1 July 1999, this will be a matter for the Scottish Parliament.

Waiting Lists

Mr. Moore: To ask the Secretary of State for Scotland if he will estimate the number of people in each health region who are currently waiting for an appointment with a consultant following referral by a general practitioner; if he will provide a breakdown of the length of time for which those people *(a)* have already waited and *(b)* are expected to wait; and if he will list for each region the waiting time being issued to new entrants for (i) ear, nose and throat, (ii) trauma and orthopaedic, (iii) general surgery, (iv) ophthalmology and (v) gynaecology consultants. [75066]

Mr. Galbraith *[holding answer 5 March 1999]:* Waiting lists information is collected centrally only for hospital inpatients and day cases. Data are available on first outpatient referrals and the length of time that patients waited for their first outpatient appointment. The

percentage of patients who received a first outpatient appointment within 9 and 18 weeks following a General Medical Practitioner referral at 31 December 1998 for the specialties requested is provided in the table.

Information on waiting times for individual consultants within specialties is not collected centrally. Health Boards provide this information to all General Practitioner practices in their respective areas on a regular basis.

NHS in Scotland: Percentage of patients who received a first outpatient appointment within 9 and 18 weeks for referral at 31 December 1998

Health board	ENT		Orthopaedics		General Surgery		Ophthalmology		Gynaecology	
	9 weeks	18 weeks	9 weeks	18 weeks	9 weeks	18 weeks	9 weeks	18 weeks	9 weeks	18 weeks
Argyll and Clyde	45.5	87.3	31.3	62.3	91.3	99.3	59.0	93.5	84.9	98.9
Ayrshire and Arran	69.1	98.3	54.8	93.3	89.1	98.2	39.5	74.9	68.3	93.4
Borders	72.2	97.6	51.0	97.9	79.3	98.9	80.7	97.6	78.2	96.2
Dumfries and Galloway	20.0	80.0	42.9	60.6	69.3	99.5	64.5	99.6	67.9	93.4
Fife	38.1	86.4	43.6	68.1	83.3	91.9	44.1	77.0	75.9	90.4
Forth Valley	87.5	99.0	32.7	74.8	79.7	92.4	73.4	94.4	75.6	96.8
Grampian	39.1	83.5	45.3	79.5	57.5	96.1	70.6	95.9	84.8	98.5
Greater Glasgow	46.6	77.6	26.6	54.8	77.1	95.8	30.6	69.9	69.9	95.8
Highland	76.8	98.5	36.0	53.6	86.2	99.5	76.5	89.4	66.3	91.2
Lanarkshire	42.7	83.4	33.1	55.3	68.3	95.1	39.0	75.7	77.9	98.3
Lothian	50.5	87.2	39.8	68.6	71.8	93.0	57.8	81.2	72.1	94.4
Orkney	87.5	97.9	76.4	94.5	99.5	100.0	88.3	100.0	80.0	97.5
Shetland	98.6	100.0	61.2	98.5	99.6	99.6	84.8	100.0	73.1	100.0
Tayside	55.6	85.1	66.8	95.3	65.5	91.9	52.7	88.2	71.4	94.9
Western Isles	100.0	100.0	50.0	62.5	98.2	100.0	70.3	86.5	77.8	100.0

Source:
ISD, Scotland

From 1 July 1999, this will be a matter for the Scottish Parliament.

Mrs. Ewing: To ask the Secretary of State for Scotland if he will list the *(a)* surgical waiting list figures and *(b)* specialist outpatient consultation figures in numerical and percentage terms for Scotland for March and September (i) 1992, (ii) 1993, (ii) 1994, (iv) 1995 and (v) 1996. [76148]

Mr. Galbraith *[holding answer 15 March 1999]:* Information on the number of patients on the inpatient/day case waiting list for surgical specialties, on the dates requested, is given in Table 1.

Information on waiting lists is collected centrally only for hospital inpatients and day cases. Data are available on first outpatient referrals and the length of time that patients waited for their first outpatient appointment. The number and percentage of patients who received a first outpatient appointment within 9 and 18 weeks following a General Medical Practitioner/General Dental Practitioner referral for the quarters ending 31 March and 30 September in 1993, 1994, 1995 and 1996, is provided in Table 2. Information is not available for the respective quarters in 1992, as the data were not collected prior to 1 October 1992.

Table 1: NHS in Scotland: Inpatient and day case waiting lists

Date	Number on waiting list for surgical specialties [1]
31 March 1992	68,912
30 September 1992	69,916
31 March 1993	69,515
30 September 1993	68,030
31 March 1994	67,162
30 September 1994	65,691
31 March 1995	64,952

Table 1: NHS in Scotland: Inpatient and day case waiting lists

Date	Number on waiting list for surgical specialties [1]
30 September 1995	65,877
31 March 1996	67,488
30 September 1996	65,225

[1] Surgical Specialties comprises general surgery (excluding vascular), vascular surgery, accident and emergency, anaesthetics, cardiothoracic surgery, cardiac surgery, thoracic surgery, ear, nose and throat (ENT), neurosurgery, ophthalmology, orthopaedics, plastic surgery, surgical paediatrics and urology.
Source:
ISD, Scotland

Table 2: NHS in Scotland: Percentage and numbers of patients who received a first outpatient appointment within 9 and 18 weeks of referral

Quarter ending	Number within		Percentage within	
	9 weeks	18 weeks	9 weeks	18 weeks
31 March 1993	167,733	214,837	72.3	92.6
30 September 1993	167,798	224,719	70.1	93.8
31 March 1994	175,852	223,438	73.3	93.1
30 September 1994	154,729	205,307	70.4	93.5
31 March 1995	168,657	214,468	72.8	92.6
30 September 1995	147,651	199,492	69.6	94.0
31 March 1996	157,179	204,823	71.6	93.3
30 September 1996	151,404	204,333	68.7	92.8

Source:
ISD, Scotland

From 1 July 1999, this will be a matter for the Scottish Parliament.

Inward Investment

Mr. Maclean: To ask the Secretary of State for Scotland what is for each year since 1981 *(a)* the number of inward investment projects, *(b)* the total value of investment in real terms and *(c)* the total number of jobs

in Scotland which were dependent on investment from (i) other United Kingdom countries, (ii) the European Union, (iii) the United States of America and (iv) the rest of the world. [76082]

Mr. Dewar *[holding answer 11 March 1999]: (a)* The numbers of inward investment projects since 1981 are given in the table:

Year	*Number of projects*
1981–82	32
1982–83	46
1983–84	54
1984–85	68
1985–86	58
1986–87	50
1987–88	88
1988–89	55
1989–90	64
1990–91	63
1991–92	59
1992–93	65
1993–94	95
1994–95	97
1995–96	84
1996–97	86
1997–98	87

Source:
1981–82 to 1986–87 published in NAO report
1987–88 to date published in LIS Review for that year

(b) This information is not available.

(c) The number of jobs which the inward investment projects attracted to Scotland since April 1981 were expected to create or safeguard is as follows:

Planned jobs (new and safeguarded)

Year	*US*	*Europe*[1]	*Asia*[2]	*UK*	*Total*
1981–82	6,058	752	192	0	7,002
1982–83	4,177	830	320	0	5,327
1983–84	5,094	1,309	431	72	6,906
1984–85	7,495	561	830	557	9,443
1985–86	5,316	1,527	97	1,277	8,217
1986–87	2,694	1,012	128	1,250	5,084
1987–88	3,581	2,192	2,113	3,333	11,219
1988–89	2,358	972	940	2,819	7,089
1989–90	6,255	462	632	4,940	12,289
1990–91	4,760	1,135	2,154	5,195	10,244
1991–92	3,026	1,138	431	1,407	6,002
1992–93	3,919	1,387	668	2,085	8,059
1993–94	5,464	1,399	1,074	3,135	11,072
1994–95	5,738	1,233	2,259	3,099	12,329
1995–96	4,065	1,627	4,466	2,402	12,560
1996–97	4,933	1,231	3,636	4,495	14,295
1997–98	6,578	2,586	531	8,252	17,947
Total	78,511	21,353	20,902	44,318	
Grand total					165,084

[1] Includes non EC countries
[2] Far East and Rest of World
Source:
1981–82 to 1986–87 published in NAO report
1987–88 to date published in LIS Review for that year

The above figures are based on information provided by the companies involved themselves when the investment decision was taken and take no account of subsequent developments. As a general rule of thumb, two thirds of announced jobs are actually created.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Environmental Payments

Mrs. Ray Michie: To ask the Secretary of State for Scotland what plans he has to remove the financial limit on payments under the environmentally sensitive area and countryside premium schemes. [76363]

Mr. Macdonald *[holding answer 18 March 1999]:* We have no plans to remove the financial limits which are necessary to ensure an equitable spread of available resources.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Long-term Care

Mr. Welsh: To ask the Secretary of State for Scotland which elements of the recommendations contained in Chapter 6 of the report by the Royal Commission on Long Term Care would require *(a)* secondary legislation and *(b)* guidance to be issued for full implementation in Scotland. [75946]

Mr. Galbraith *[holding answer 11 March 1999]:* Requiring property value to be disregarded for up to 3 months and raising the upper capital limit in the means test would both require secondary legislation. On the basis of the current charging arrangements, providing nursing care or all personal care free would require primary legislation. Guidance would be issued to local authorities on all such primary and secondary legislation.

From 1 July 1999, these matters will be for the Scottish Parliament.

Statute and Case Law (Internet)

Mrs. Ewing: To ask the Secretary of State for Scotland what progress has been made towards making statute and case law available on the Internet; and what plans he has to charge for this service. [76151]

Mr. McLeish *[holding answer 15 March 1999]:* The text of all new Acts of Parliament and printed Statutory Instruments are freely available on Her Majesty's Stationery Office website at http://www./open/gov.uk. The Lord Chancellor's Department has set up a Statute Law Database to ensure publication of up-to-date amended text of United Kingdom Public General Acts of Parliament. The partially updated database is presently available to a number of users within central government who have access to the Statutory Publications Office Intranet. The Lord Chancellor's Department are considering options for the future marketing of the Statute Law Database. These options include free Internet access, the granting of non-exclusive licences to legal information publishers and the provision of a subscription on-line service.

A newly dedicated Scottish Courts Internet site went on-line on 24 February 1999. The site provides a free searchable database of the full text of all judgments from the Court of Session with effect from September 1998.

including judgments in commercial cases from January 1998. Selected judgments from the High Court of Justiciary, including opinions in some sentence appeals, are also available. Selected judgments from the sheriff courts will be added as the database is developed.

Psychiatric Care (Children)

Mr. Moore: To ask the Secretary of State for Scotland how many children have been admitted to NHS psychiatric care in each year since 1992. [77137]

Mr. Galbraith: The information requested is shown in the table.

	Under 13 years		*13 to 17 years*	
Year	*First admissions*	*Total admissions, re-admissions, transfers*	*First admissions*	*Total admissions, re-admissions, transfers*
31 March 1992	99	261	230	473
31 March 1993	102	132	221	495
31 March 1994	92	137	219	381
31 March 1995	75	103	237	425
31 March 1996[1]	57	99	217	477
31 March 1997[1]	31	47	186	384
31 March 1998[1]	41	50	227	404

[1] Provisional

Source:
Information & Statistics Division

From 1 July 1999, this will be a matter for the Scottish Parliament.

Private Finance Initiative

Mr. Moore: To ask the Secretary of State for Scotland if he will list those firms which have bid for Private Finance Initiative deals; and which of those bids were successful and where they are located. [77141]

Mr. Dewar: My Department does not maintain a central register of firms which have bid for PFI deals. Information on successful bidders is set out in the table.

Signed PFI projects in Scotland

Procuring Agency	*Project Description*	*Private Sector Partner*
Law Hospital NHS Trust	Provision and operation of a hospital information system	HBO & Co. (UK) Ltd.
Edinburgh Healthcare NHS Trust	Provision of 60 bed nursing home (Ferryfield House)	James Walker (Leith) Ltd.
Ayrshire & Arran Health Board (Irvine)	Provision of 90 elderly care beds	Craigmoore Health Care Co. Ltd.
Ayrshire & Arran Health Board (Saltcoats)	Provision of 60 learning disability beds and 30 elderly care beds	Care First Health Care Ltd.
Lanarkshire Health Board (Bellshill)	Provision of 90 elderly care beds	BUPA Healthcare Homes (originally Taycare)
Dundee Teaching Hospital NHS Trust	Re-equipping of X-ray department	Siemens Healthcare Services Ltd. and IGE Medical Systems
Dundee Teaching Hospital NHS Trust	SMAC Analysis System	Bayer
Grampian Health Board	Provision of 25 beds for mentally ill at Spynie Hospital	Skene Enterprises (Aberdeen) Ltd.
Greater Glasgow Health Board (Darnley)	Provision of 120 elderly care beds	Associated Nursing Services plc
Greater Glasgow Health Board (Ruchill)	Provision of 120 elderly care beds	Westminster Health Care
Greater Glasgow Health Board (Rutherglen)	Provision of 180 elderly care beds	Care First Health Care Ltd.
Greater Glasgow Health Board (Shettleston)	Provision of 120 elderly care beds	Highfield Group
Lanarkshire Health Board (Cumbernauld)	Provision of 40 elderly care beds	Scotcare Group
Lanarkshire Health Board (Cumbernauld)	Provision of 60 elderly with dementia care beds	Grampian Homes Ltd.
Royal Infirmary of Edinburgh NHS Trust	CT and MRI scanning systems	IGE Medical Systems
Lothian and Forth Valley Health Boards	Clinical Waste Disposal	White Rose Environmental
Northern NHS Trusts and Health Boards	Clinical Waste Disposal	Eurocare Environmental Services Ltd.
Grampian Health Board	Provision and operation of a community hospital in Kincardineshire (Stonehaven)	Grampian Healthcare NHS Trust, BLB, Miller and Community Health Services Ltd.
Yorkhill NHS Trust	Provision and operation of a hospital information support system	Data General & Meditech
Yorkhill NHS Trust	Energy Management	AHS Emstar
Perth & Kinross Healthcare NHS Trust	Provision and operation of an integrated healthcare information system	Shared Medical Systems (UK) Ltd.
Victoria Infirmary NHS Trust	Provision of elderly care beds, Mearnskirk Hospital	James Walker (Leith) Ltd.
Western General Hospitals NHS Trust	Provision of energy management system	Scottish Hydro Electric
Monklands and Bellshill NHS Trust	Implementation of a financial management system	Cedardata plc
Dundee Teaching Hospitals NHS Trust	Multistorey car park/car parking facilities	Impregilo (UK) Ltd.
Dundee Teaching Hospitals NHS Trust	Energy Management System	Scottish Hydro Electric
Ayrshire & Arran Community Healthcare NHS Trust	Cumnock Community Hospital	GA Construction Ltd.
Law Hospital NHS Trust	New Law District General Hospital	Summit Healthcare Ltd. (Sir Robert McAlpine, British Linen Bank, Edison Capital Europe Ltd.)
Hairmyres and Stonehouse Hospitals NHS Trust	Hairmyres District Hospital	Kier Build Ltd. and ISS Mediclean Ltd.

Signed PFI projects in Scotland

Procuring Agency	*Project Description*	*Private Sector Partner*
Royal Infirmary of Edinburgh NHS Trust	New Royal Infirmary of Edinburgh	Consort Healthcare (Royal Bank of Scotland plc, BICC Ltd. and Morrison Construction Group plc)
Falkirk College	Stirling Further Education Centre	Stirling Centre Ltd. (MJ Gleeson Group plc, Canmore Partnership Ltd., Bank of Scotland, Reiach & Hall and Noble & Company Ltd.)
North of Scotland Water Authority	Inverness main drainage and Fort William sewage treatment	Catchment Ltd. (Betchel Ltd., Morrison Construction Ltd., North West Water (United Utilities) and Societie Generale)
M6 DBFO	Upgrading and maintenance of A74(M)(M6) between Millbank and Border	Autolink Concessionaires Ltd. (Amey plc, Sir Robert McAlpine (Holdings) Ltd., Taylor Woodrow Construction Holdings Ltd. and Barr Holdings Ltd.)
Scottish Prison Service	HM Prison Kilmarnock	Kilmarnock Prison Services Ltd. (Premier Prison Services Ltd. and Kvaerner Construction Ltd.)
Skye Bridge	Toll bridge between Kyle and Kyleakin	Skye Toll Bridge Ltd. (Miller Civil Engineering Ltd., Dykerhoff & Widmann and Bank of Ameriea)
Dundee City Council	Baldovie Waste to Energy Plant	Dundee Energy Recycling Ltd. (BICC plc, Kvaerner and Dundee City Council) Construction—Balfour Beatty Projects and Engineering Ltd. and Kvaerner Enviropower
The Highland Council	IS/IT Services	ICL Outsourcing
Moray Council	Integrated Education Management System	ICL Education Systems
Falkirk Council	Schools Project	Class 98 Ltd. (Ballast Wiltshier, Charterhouse and Quayle Munro)
Highlands and Islands Airports Ltd.	Inverness Airport Terminal	Inverness Airport Terminal Ltd. (Canmore Partnerships Ltd., MJ Gleeson Group plc, MPM Adams Ltd. and Noble & Company Ltd.)
Scottish Children's Reporter Administration	Integrated Information System and Managed Service	Logica UK Ltd.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Excluded Pupils

Mr. Moore: To ask the Secretary of State for Scotland what evaluation his Department has undertaken of individual social services department's *(a)* policy and *(b)* psychiatric services in relation to children excluded from school. [77146]

Mrs. Liddell: Although social services departments may have an interest in school exclusions, education authorities are responsible for exclusion of pupils from schools in their area and have continuing responsibilities towards pupils who are excluded. There has therefore been no evaluation specifically of individual social services departments' policies in this area but research was commissioned on exclusions from school by the Scottish Office from Moray House Institute of Education. The research reported in 1997 and found that there were differing practices and policies in authorities. National guidelines were therefore issued in April 1998 which stressed the need for a consistent approach and highlighted best practice.

There has been no central evaluation of psychiatric services specifically in relation to children excluded from school.

As from 1 July 1999, this will be a matter for the Scottish Parliament.

NHS Advertising Costs

Mr. Moore: To ask the Secretary of State for Scotland how much the NHS spent on advertising costs in each region in each year since 1993–94. [77147]

Mr. Galbraith: The information requested is not collected centrally.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Health Boards (Debts)

Mr. Moore: To ask the Secretary of State for Scotland if he will list for each region and health board the level of total debt *(a)* in financial terms and *(b)* as a percentage of income in the last year for which figures are available. [77144]

Mr. Galbraith: The following table contains the information requested for 1997/98. Interest Bearing Debt (IBD) is held in NHS Trusts only and therefore no data are presented for the Island health boards. The information has been grouped by Trust within Health Board area. IBD is a technical term used to describe funds made available from the Government on the establishment of NHS Trusts. This debt is held wholly within the public service and no liabilities are owed to any external bodies.

	IBD as at 31 March 1998 (£000)	IBD as a percentage of total Income
Ayrshire and Arran	94,759	47.8
Argyll and Clyde	101,664	42.9
Borders	29,800	47.8
Dumfries and Galloway	25,671	28.6
Fife	71,697	44.1
Forth Valley	78,216	50.8
Grampian	164,352	51.9
Greater Glasgow	272,412	36.9
Highland	58,967	45.3
Lothian	216,131	42.2
Lanarkshire	85,563	32.6
Scottish Ambulance Service	25,312	30.4
Tayside	142,199	45.4

From 1 July 1999, this will be a matter for the Scottish Parliament.

NHS Trusts

Mr. Moore: To ask the Secretary of State for Scotland if he will list the termination payments made by NHS trusts and health boards to *(a)* chief executives and *(b)* general and senior managers including the numbers and amounts. [77135]

Mr. Galbraith: Information on termination payments made by NHS Trusts is not routinely collected. Trusts have the legal ability to make such payments taking due account of financial probity and guidance from the Management Executive. Chief executives are being appointed to the reconfigured Trusts on a standard indefinite contract which includes a maximum 6 month notice period, which, allied to the powers it is intended to take under the Health Bill to enable the Secretary of State to direct Trusts, should effectively eliminate termination settlements to these staff. A limited number of chief executives and executive directors who did not obtain a post in the reconfigured Trusts are taking early retirement under standard Whitley terms and conditions. These staff are not receiving a termination settlement to "buy out" the remainder of their contracts.

Since 1986 there have been 19 recorded termination payments made to a general or senior manager in a Health Board. The total cost of these cases amounts to some £441,000. The majority of these payments are for a payment in lieu of between 3 to 6 months.

From 1 July 1999 this will be a matter for the Scottish Parliament.

Mr. Moore: To ask the Secretary of State for Scotland if he will list each management consultancy contract that has been advertised by NHS organisations in the supplements to the Official Journal of the European Community in each of the last five years. [77139]

Mr. Galbraith: The information required to answer this question is not held centrally and could be obtained only at disproportionate cost.

From 1 July 1999 this will be a matter for the Scottish Parliament.

Mr. Moore: To ask the Secretary of State for Scotland if he will list the *(a)* M1 management costs, *(b)* M2 management costs and *(c)* management consultancy costs (i) in total and (ii) as a percentage of income for each NHS trust for the last five years. [77140]

Mr. Galbraith: The tables provide the information requested for M1 and M2 management costs. Figures are not available for years prior to 1995–96 and no information has yet been collected for 1998–99. Trusts were not asked to calculate the M1 measure for 1997–98.

The information requested on management consultancy costs is not held centrally and could be obtained only at disproportionate cost.

(a) M1 as a percentage of income

	M1 1995–96 (£000)	Income 1995–96 (£000)	Percentage
Aberdeen Royal NHS Trust	3,319	130,607	2.5
Angus NHS Trust	1,436	41,162	3.5
Argyll and Bute NHS Trust	1,123	30,642	3.8
Ayrshire and Arran Community Healthcare NHS Trust	1,999	61,465	3.3
Borders Community Health NHS Trust	1,133	25,998	4.4
Borders General Hospital NHS Trust	1,212	30,833	3.9
Caithness and Sutherland NHS Trust	674	16,223	4.2
Central Scotland Healthcare NHS Trust	2,630	73,327	3.6
Dumfries and Galloway Acute and Maternity Hospitals NHS Trust	1,323	42,224	3.1
Dumfries and Galloway Community Health Services NHS Trust	1,336	42,096	3.3
Dundee Healthcare NHS Trust	1,713	59,002	2.9
Dundee Teaching Hospitals NHS Trust	3,071	119,624	2.6
East and Midlothian NHS Trust	2,060	53,699	3.8
Edinburgh Healthcare NHS Trust	2,888	86,256	3.6
Edinburgh Sick Children's NHS Trust	1,147	28,519	4.0
Falkirk and District Royal Infirmary NHS Trust	1,359	37,528	3.6
Fife Healthcare NHS Trust	2,665	81,331	3.3
Glasgow Dental Hospital and School NHS Trust	556	10,341	5.4
Glasgow Royal Infirmary NHS Trust	3,698	126,883	2.9
Grampian Healthcare NHS Trust	7,002	132,267	5.3
Greater Glasgow Community and Mental Health NHS Trust	4,454	149,681	3.0
Hairmyres and Stonehouse Hospitals NHS Trust	1,638	51,404	3.2
Highland Communities NHS Trust	1,827	51,625	3.6
Inverclyde Royal NHS Trust	1,328	39,603	3.4

(a) M1 as a percentage of income

	M1 1995–96 (£000)	*Income 1995–96 (£000)*	*Percentage*
Kirkcaldy Acute Hospitals NHS Trust	1,993	47,755	4.2
Lanarkshire Healthcare NHS Trust	2,986	88,509	3.7
Law Hospital NHS Trust	1,653	46,805	3.5
Lomond Healthcare NHS Trust	1,384	33,000	4.2
Monklands and Bellshill Hospitals NHS Trust	1,856	56,582	3.3
Moray Health Services	1,275	29,709	4.3
North Ayrshire and Arran NHS Trust	2,286	77,296	3.0
Perth and Kinross Healthcare NHS Trust	1,920	58,017	3.3
Queen Margaret Hospital NHS Trust	1,213	39,187	3.1
Raigmore Hospital NHS Trust	1,844	54,356	3.4
Renfrewshire Healthcare NHS Trust	2,120	68,875	3.1
Royal Alexandra Hospital NHS Trust	1,583	49,166	3.1
Royal Infirmary of Edinburgh NHS Trust	3,166	157,147	2.0
Scottish Ambulance Service	2,667	74,283	3.6
South Ayrshire Hospitals NHS Trust	1,693	48,269	3.5
Southern General Hospital NHS Trust	2,257	88,385	2.6
Stirling Royal Infirmary NHS Trust	1,402	42,238	3.3
Stobhill NHS Trust	1,787	67,858	2.9
Victoria Infirmary NHS Trust	1,881	64,610	3.0
West Glasgow Hospitals NHS Trust	3,506	130,800	2.7
West Lothian NHS Trust	2,780	76,766	3.7
Western General Hospitals NHS Trust	2,471	79,031	3.1
Yorkhill NHS Trust	2,040	58,466	3.5
Total	99,354	3,059,450	3.2

(a) M1 as a percentage of income

	M1 1996–97 (£000)	*Income 1996–97 (£000)*	*Percentage*
Aberdeen Royal NHS Trust	3,101	136,198	2.3
Angus NHS Trust	1,557	42,618	3.6
Argyll and Bute NHS Trust	1,031	31,595	3.3
Ayrshire and Arran Community Healthcare NHS Trust	1,754	62,179	2.8
Borders Community Health NHS Trust	1,003	26,942	3.7
Borders General Hospital NHS Trust	1,238	33,035	3.8
Caithness and Sutherland NHS Trust	575	17,292	3.3
Central Scotland Healthcare NHS Trust	2,516	70,799	3.6
Dumfries and Galloway Acute and Maternity Hospitals NHS Trust	1,493	44,566	3.4
Dumfries and Galloway Community Health Services NHS Trust	1,341	42,260	3.2
Dundee Healthcare NHS Trust	1,768	61,039	2.9
Dundee Teaching Hospitals NHS Trust	3,029	128,675	2.4
East and Midlothian NHS Trust	2,110	54,672	3.9
Edinburgh Healthcare NHS Trust	2,510	90,228	3.1
Edinburgh Sick Children's NHS Trust	1,062	29,529	3.6
Falkirk and District Royal Infirmary NHS Trust	1,321	38,878	3.4
Fife Healthcare NHS Trust	2,572	74,161	3.5
Glasgow Dental Hospital and School NHS Trust	545	10,438	5.2
Glasgow Royal Infirmary NHS Trust	3,308	135,564	2.4
Grampian Healthcare NHS Trust	6,364	136,730	4.7
Greater Glasgow Community and Mental Health NHS Trust	4,238	152,006	2.8
Hairmyres and Stonehouse Hospitals NHS Trust	1,610	51,470	3.1
Highland Communities NHS Trust	1,698	48,364	3.5
Inverclyde Royal NHS Trust	1,329	41,066	3.2
Kirkcaldy Acute Hospitals NHS Trust	1,717	50,403	3.4
Lanarkshire Healthcare NHS Trust	3,036	95,047	3.2
Law Hospital NHS Trust	1,609	48,902	3.3
Lomond Healthcare NHS Trust	1,344	34,317	3.9
Monklands and Bellshill Hospitals NHS Trust	1,779	58,732	3.0
Moray Health Services	952	34,229	2.8
North Ayrshire and Arran NHS Trust	2,209	80,127	2.8
Perth and Kinross Healthcare NHS Trust	1,763	60,717	2.9
Queen Margaret Hospital NHS Trust	1,151	42,585	2.7
Raigmore Hospital NHS Trust	1,764	56,654	3.1
Renfrewshire Healthcare NHS Trust	2,020	71,238	2.8
Royal Alexandra Hospital NHS Trust	1,274	51,653	2.5
Royal Infirmary of Edinburgh NHS Trust	3,450	157,783	2.2

(a) M1 as a percentage of income

	M1 1996–97 (£000)	Income 1996–97 (£000)	Percentage
Scottish Ambulance Service	2,484	78,902	3.2
South Ayrshire Hospitals NHS Trust	1,602	50,278	3.2
Southern General Hospital NHS Trust	2,212	92,339	2.4
Stirling Royal Infirmary NHS Trust	1,279	44,881	2.9
Stobhill NHS Trust	2,026	62,018	3.3
Victoria Infirmary NHS Trust	1,775	62,270	2.8
West Glasgow Hospitals NHS Trust	4,008	144,961	2.8
West Lothian NHS Trust	2,550	78,175	3.3
Western General Hospitals NHS Trust	2,572	82,871	3.1
Yorkhill NHS Trust	1,860	63,005	3.0
Total	95,509	3,162,391	3.0

(b) M2 as a percentage of income

	M2 1995–96 (£000)	Income 1995–96 (£000)	Percentage
Aberdeen Royal NHS Trust	5,040	130,607	3.9
Angus NHS Trust	1,961	41,162	4.8
Argyll and Bute NHS Trust	1,580	30,642	5.2
Ayrshire and Arran Community Healthcare NHS Trust	2,969	61,465	4.8
Borders Community Health NHS Trust	1,482	25,998	5.7
Borders General Hospital NHS Trust	1,772	30,833	5.7
Caithness and Sutherland NHS Trust	928	16,223	5.7
Central Scotland Healthcare NHS Trust	3,416	73,327	4.7
Dumfries and Galloway Acute and Maternity Hospitals NHS Trust	1,873	42,224	4.4
Dumfries and Galloway Community Health Services NHS Trust	1,999	42,096	4.7
Dundee Healthcare NHS Trust	2,502	59,002	4.2
Dundee Teaching Hospitals NHS Trust	3,944	119,624	3.3
East and Midlothian NHS Trust	2,510	53,699	4.7
Edinburgh Healthcare NHS Trust	4,374	86,256	5.1
Edinburgh Sick Children's NHS Trust	1,598	28,519	5.6
Falkirk and District Royal Infirmary NHS Trust	1,812	37,528	4.8
Fife Healthcare NHS Trust	3,334	81,331	4.1
Glasgow Dental Hospital and School NHS Trust	821	10,341	7.9
Glasgow Royal Infirmary NHS Trust	4,832	126,883	3.8
Grampian Healthcare NHS Trust	7,002	132,267	5.3
Greater Glasgow Community and Mental Health NHS Trust	6,829	149,681	4.6
Hairmyres and Stonehouse Hospitals NHS Trust	2,526	51,404	4.9
Highland Communities NHS Trust	2,688	51,625	5.2
Inverclyde Royal NHS Trust	2,119	39,603	5.4
Kirkcaldy Acute Hospitals NHS Trust	3,122	47,755	6.5
Lanarkshire Healthcare NHS Trust	4,082	88,509	4.6
Law Hospital NHS Trust	2,369	46,805	5.1
Lomond Healthcare NHS Trust	2,060	33,000	6.2
Monklands and Bellshill Hospitals NHS Trust	2,523	56,582	4.5
Moray Health Services	1,777	29,709	6.0
North Ayrshire and Arran NHS Trust	2,095	77,296	3.8
Perth and Kinross Healthcare NHS Trust	2,538	58,017	4.4
Queen Margaret Hospital NHS Trust	1,752	39,187	4.5
Raigmore Hospital NHS Trust	2,487	54,356	4.6
Renfrewshire Healthcare NHS Trust	3,090	68,875	4.5
Royal Alexandra Hospital NHS Trust	2,512	49,166	5.1
Royal Infirmary of Edinburgh NHS Trust	5,007	157,147	3.2
Scottish Ambulance Service	3,519	74,283	4.7
South Ayrshire Hospitals NHS Trust	2,389	48,269	4.9
Southern General Hospital NHS Trust	3,155	88,385	3.6
Stirling Royal Infirmary NHS Trust	1,973	42,238	4.7
Stobhill NHS Trust	2,813	67,858	4.1
Victoria Infirmary NHS Trust	2,438	64,610	3.8
West Glasgow Hospitals NHS Trust	5,298	130,800	4.1
West Lothian NHS Trust	3,580	76,766	4.7
Western General Hospitals NHS Trust	3,628	79,031	4.6
Yorkhill NHS Trust	2,916	58,466	5.0
Total	137,844	3,059,450	4.5

(b) M2 as a percentage of income

	M2 1996–97 (£000)	*Income 1996–97 (£000)*	*Percentage*
Aberdeen Royal NHS Trust	4,702	136,198	3.5
Angus NHS Trust	2,035	42,618	4.8
Argyll and Bute NHS Trust	1,503	31,595	4.8
Ayrshire and Arran Community Healthcare NHS Trust	2,778	62,179	4.7
Borders Community Health NHS Trust	1,402	26,942	5.2
Borders General Hospital NHS Trust	1,901	33,035	5.8
Caithness and Sutherland NHS Trust	824	17,292	4.7
Central Scotland Healthcare NHS Trust	3,288	70,799	4.6
Dumfries and Galloway Acute and Maternity Hospitals NHS Trust	2,042	44,566	4.6
Dumfries and Galloway Community Health Services NHS Trust	1,899	42,260	4.5
Dundee Healthcare NHS Trust	2,531	61,039	4.2
Dundee Teaching Hospitals NHS Trust	3,908	128,675	3.0
East and Midlothian NHS Trust	2,770	54,672	5.1
Edinburgh Healthcare NHS Trust	4,156	90,228	5.1
Edinburgh Sick Children's NHS Trust	1,430	29,529	4.8
Falkirk and District Royal Infirmary NHS Trust	1,844	38,878	4.7
Fife Healthcare NHS Trust	3,234	74,161	4.4
Glasgow Dental Hospital and School NHS Trust	758	10,438	7.3
Glasgow Royal Infirmary NHS Trust	4,591	135,564	3.4
Grampian Healthcare NHS Trust	6,364	136,730	4.7
Greater Glasgow Community and Mental Health NHS Trust	6,264	152,006	4.1
Hairmyres and Stonehouse Hospitals NHS Trust	2,484	51,470	4.8
Highland Communities NHS Trust	2,282	48,364	4.7
Inverclyde Royal NHS Trust	2,110	41,066	5.1
Kirkcaldy Acute Hospitals NHS Trust	2,602	50,403	5.2
Lanarkshire Healthcare NHS Trust	3,883	95,047	4.1
Law Hospital NHS Trust	2,281	48,902	4.7
Lomond Healthcare NHS Trust	1,983	34,317	5.8
Monklands and Bellshill Hospitals NHS Trust	2,444	58,732	4.2
Moray Health Services	1,363	34,229	4.0
North Ayrshire and Arran NHS Trust	2,725	80,127	3.4
Perth and Kinross Healthcare NHS Trust	2,409	60,717	4.0
Queen Margaret Hospital NHS Trust	1,723	42,585	4.0
Raigmore Hospital NHS Trust	2,365	56,654	4.2
Renfrewshire Healthcare NHS Trust	2,945	71,238	4.1
Royal Alexandra Hospital NHS Trust	2,230	51,653	4.3
Royal Infirmary of Edinburgh NHS Trust	4,747	157,783	3.0
Scottish Ambulance Service	3,333	78,902	4.2
South Ayrshire Hospitals NHS Trust	2,254	50,278	4.5
Southern General Hospital NHS Trust	3,136	92,339	3.4
Stirling Royal Infirmary NHS Trust	1,814	44,881	4.0
Stobhill NHS Trust	3,056	62,018	5.0
Victoria Infirmary NHS Trust	2,355	62,270	3.8
West Glasgow Hospitals NHS Trust	5,557	144,961	3.8
West Lothian NHS Trust	3,360	78,175	4.3
Western General Hospitals NHS Trust	3,613	82,871	4.4
Yorkhill NHS Trust	2,821	63,005	4.6
Total	132,099	3,162,391	4.2

(b) M2 as a percentage of income

	M2 1997–98 (£000)	*Income 1997–98 (£000)*	*Percentage*
Aberdeen Royal NHS Trust	4,650	140,830	3.3
Angus NHS Trust	1,965	43,170	4.6
Argyll and Bute NHS Trust	1,617	33,158	4.9
Ayrshire and Arran Community Healthcare NHS Trust	2,859	64,459	4.4
Borders Community Health NHS Trust	1,467	27,417	5.4
Borders General Hospital NHS Trust	1,863	34,945	5.3
Caithness and Sutherland NHS Trust	829	17,716	4.7
Central Scotland Healthcare NHS Trust	3,380	67,868	5.0
Dumfries and Galloway Acute and Maternity Hospitals NHS Trust	2,010	46,653	4.3
Dumfries and Galloway Community Health Services NHS Trust	1,850	43,252	4.3
Dundee Healthcare NHS Trust	2,470	60,779	4.1
Dundee Teaching Hospitals NHS Trust	4,000	138,478	2.9
East and Midlothian NHS Trust	2,770	56,456	4.9
Edinburgh Healthcare NHS Trust	3,900	90,045	4.3
Edinburgh Sick Children's NHS Trust	1,361	31,809	4.3
Falkirk and District Royal Infirmary NHS Trust	1,700	39,795	4.3

(b) M2 as a percentage of income

	M2 1997–98 (£000)	Income 1997–98 (£000)	Percentage
Fife Healthcare NHS Trust	2,840	66,464	4.3
Glasgow Dental Hospital and School NHS Trust	821	10,877	7.5
Glasgow Royal Infirmary NHS Trust	4,626	138,926	3.3
Grampian Healthcare NHS Trust	6,144	139,638	4.4
Greater Glasgow Community and Mental Health NHS Trust	7,067	152,044	4.6
Hairmyres and Stonehouse Hospitals NHS Trust	2,494	54,038	4.6
Highland Communities NHS Trust	1,824	52,122	3.5
Inverclyde Royal NHS Trust	2,074	41,760	5.0
Kirkcaldy Acute Hospitals NHS Trust	2,600	52,191	5.0
Lanarkshire Healthcare NHS Trust	3,857	97,041	4.0
Law Hospital NHS Trust	2,346	49,925	4.7
Lomond Healthcare NHS Trust	1,928	35,704	5.4
Monklands and Bellshill Hospitals NHS Trust	2,300	61,747	3.7
Moray Health Services	1,403	36,065	3.9
North Ayrshire and Arran NHS Trust	2,596	81,110	3.2
Perth and Kinross Healthcare NHS Trust	2,566	71,070	3.6
Queen Margaret Hospital NHS Trust	1,714	43,959	3.9
Raigmore Hospital NHS Trust	2,454	60,447	4.1
Renfrewshire Healthcare NHS Trust	2,950	72,471	4.1
Royal Alexandra Hospital NHS Trust	2,100	53,796	3.9
Royal Infirmary of Edinburgh NHS Trust	4,547	167,174	2.7
Scottish Ambulance Service	3,156	83,237	3.8
South Ayrshire Hospitals NHS Trust	2,156	52,624	4.1
Southern General Hospital NHS Trust	3,000	93,303	3.2
Stirling Royal Infirmary NHS Trust	1,857	46,434	4.0
Stobhill NHS Trust	3,678	62,222	5.9
Victoria Infirmary NHS Trust	2,611	64,979	4.0
West Glasgow Hospitals NHS Trust	5,420	150,417	3.6
West Lothian NHS Trust	3,100	78,800	3.9
Western General Hospitals NHS Trust	3,772	87,722	4.3
Yorkhill NHS Trust	2,835	65,894	4.3
Total	131,527	3,261,031	4.0

From 1 July 1999, this will be a matter for the Scottish Parliament.

NHS Clinical Negligence Claims

Mr. Moore: To ask the Secretary of State for Scotland what has been the cost of clinical negligence claims to the NHS in *(a)* each region and *(b)* each NHS trust in each year since 1994–95. [77136]

Mr. Galbraith: The cost of clinical negligence claims to the NHS for each Health Board area including NHS Trusts since 1994–95 is set out in the table.

£

Health Boards	*1994–95*	*1995–96*	*1996–97*	*1997–98*
Argyll and Clyde	197,498	280,773	510,273	741,762
Ayrshire and Arran	57,364	56,716	326,326	130,642
Dumfries and Galloway	46,542	90,737	133,786	85,950
Fife	29,940	81,786	102,380	159,395
Forth Valley	34,997	160,246	1,098,758	226,587
Grampian	136,643	72,993	299,778	106,960
Greater Glasgow	1,033,819	1,459,505	1,136,008	1,376,359
Highland	15,027	224,809	48,968	423,764
Lanarkshire	351,484	123,895	108,350	98,373
Lothian	1,344,507	1,418,026	560,583	474,911
Tayside	132,572	97,698	179,013	256,741
Other Boards	13,583	54,500	92,480	62,685
Total	3,393,976	4,121,684	4,596,703	4,144,129

The information has been aggregated at Health Board level to protect patient confidentiality at Trusts where only one, or very few, claims have been settled. Similarly, Health Boards which have only a small number of claims have been aggregated to protect patient confidentiality.

From 1 July 1999 this will be a matter for the Scottish Parliament.

NHS Training and Education

Mr. Moore: To ask the Secretary of State for Scotland what data his Department collects on expenditure on NHS training and education and its distribution. [77134]

Mr. Galbraith: My Department holds information on expenditure on those education and training activities in the NHS in Scotland which are funded through the Scottish Council for Postgraduate Medical and Dental Education (SCPMDE) and other central funding mechanisms.

From 1 July 1999 this will be a matter for the Scottish Parliament.

Timber Industry

Mr. Öpik: To ask the Secretary of State for Scotland how many acres in the United Kingdom were under softwood timber in each of the last three years; and if he will make a statement. [77204]

Mr. Macdonald: The information is set out in the table.

Year ended	*thousand hectares*
31 March 1996	1,585
31 March 1997	1,597
31 March 1998	1,604

Special Police Officers

Mrs. Ewing: To ask the Secretary of State for Scotland if he will publish the number of *(a)* full-time and *(b)* special police officers, by rank and force, for March and September (i) 1992, (ii) 1993, (iii) 1994, (iv) 1995, (v) 1996, (vi) 1997 and (vii) 1998. [76858]

Mr. McLeish *[holding answer 16 March 1999]:* The information requested is presented in the following table.

Regular Constables/ Special Constables	*1992 December*	*1993 December*	*1994 December*	*1996 March*	*1997 March*	*1998 March*
Central Scotland Police						
Chief Constable	1	1	1	1	1	1
Assistant Chief Constable	1	1	1	1	1	1
Superintendent	8	8	9	9	8	10
Chief Inspector	11	13	13	13	12	7
Inspector	31	33	33	32	33	34
Sergeant	95	101	102	104	101	103
Constable	502	500	495	498	530	547
Total	649	657	654	658	686	703
Special Constables	102	101	110	88	81	72
Dumfries and Galloway Constabulary						
Chief Constable	1	1	1	1	1	1
Assistant Chief Constable	1	1	2	1	1	1
Superintendent	6	6	6	6	6	6
Chief Inspector	6	6	7	7	7	8
Inspector	18	19	19	19	19	20
Sergeant	59	59	61	60	65	68
Constable	296	294	293	296	312	334
Total	387	386	389	390	411	438
Special Constables	167	189	193	214	199	193
Fife Constabulary						
Chief Constable	1	1	1	1	1	1
Assistant Chief Constable	2	2	2	2	2	2
Superintendent	12	11	10	10	9	9
Chief Inspector	14	14	13	11	11	14
Inspector	36	36	39	40	41	36
Sergeant	111	110	112	111	111	110
Constable	610	612	611	614	657	683
Total	786	786	788	789	832	855
Special Constables	151	160	158	140	132	132
Grampian Police						
Chief Constable	1	1	1	1	1	1
Assistant Chief Constable	2	2	2	2	2	3
Superintendent	19	18	19	19	16	16
Chief Inspector	21	22	20	21	19	20
Inspector	62	63	69	69	69	68
Sergeant	186	184	181	186	181	183
Constable	903	903	899	874	885	911
Total	1,194	1,193	1,191	1,172	1,173	1,202
Special Constables	214	204	198	171	146	138
Lothian and Borders Police						
Chief Constable	1	1	1	1	1	1
Assistant Chief Constable	4	4	3	3	3	3

Regular Constables/ Special Constables	*1992 December*	*1993 December*	*1994 December*	*1996 March*	*1997 March*	*1998 March*
Superintendent	35	37	36	34	36	37
Chief Inspector	48	45	43	43	41	40
Inspector	127	124	123	122	125	127
Sergeant	357	361	360	358	361	368
Constable	1,989	1,986	1,990	1,973	2,124	2,115
Total	2,561	2,558	2,556	2,534	2,691	2,691
Special Constables	198	209	236	223	197	198
Northern Constabulary						
Chief Constable	1	1	1	1	1	1
Assistant Chief Constable	1	1	1	1	1	1
Superintendent	10	11	8	8	8	7
Chief Inspector	14	14	8	13	12	13
Inspector	26	25	25	27	27	26
Sergeant	110	108	109	106	108	108
Constable	474	498	484	489	492	501
Total	636	658	643	645	649	657
Special Constables	493	515	531	500	511	480
Strathclyde Police						
Chief Constable	1	1	1	1	1	1
Assistant Chief Constable	7	8	7	7	7	7
Superintendent	111	107	111	112	114	118
Chief Inspector	122	122	122	115	110	102
Inspector	359	357	362	353	357	374
Sergeant	967	966	977	972	980	975
Constable	5,230	5,262	5,423	5,656	5,662	5,722
Total	6,797	6,823	7,003	7,216	7,231	7,299
Special Constables	382	367	351	328	314	319
Tayside Police						
Chief Constable	1	1	1	1	1	1
Assistant Chief Constable	2	2	2	2	2	2
Superintendent	17	17	17	13	14	14
Chief Inspector	20	20	16	14	14	13
Inspector	58	58	59	50	51	53
Sergeant	160	159	158	159	165	163
Constable	826	821	834	874	869	897
Total	1,084	1,078	1,087	1,113	1,116	1,143
Special Constables	140	152	215	214	206	191

From 1 July 1999, this will be a matter for the Scottish Parliament.

Pupil Funding

Mrs. Laing: To ask the Secretary of State for Scotland if he will list, by local authority area, the level of (i) nursery and (ii) secondary education funding per pupil in *(a)* cash terms and *(b)* 1998–99 prices in each year since 1992. [77743]

Mrs. Liddell: The information is given in the tables. 1996–97 is the latest financial year for which actual expenditure information is currently available. The figures, which are derived from local authority returns, do not include the cost of home-to-school transport, school meals, education authority administration costs and loan charges.

Net current expenditure per full time equivalent pupil in local authority nursery schools

(£ at out-turn prices)

Regional/ Islands councils	*1992–93*	*1993–94*	*1994–95*	*1995–96*
Borders	227	242	2,090	1,875
Central	1,974	2,073	2,206	2,298
Dumfries and Galloway	1,988	2,133	2,185	2,018
Fife	1,483	1,636	1,608	1,757
Grampian	2,265	2,313	2,315	2,401
Highland	2,425	2,928	2,877	2,875
Lothian	2,151	2,219	2,258	2,355
Strathclyde	2,820	3,089	3,203	3,437
Tayside	2,111	2,130	2,105	2,204
Orkney	1,959	2,379	2,409	4,386
Shetland	2,573	3,030	3,456	2,691
Western Isles	n/a	n/a	n/a	n/a

Net current expenditure per full time equivalent pupil in local authority nursery schools

(£ at 1998–99 prices)

Regional/ Islands councils	1992–93	1993–94	1994–95	1995–96
Borders	264	274	2,335	2,035
Central	2,296	2,349	2,464	2,495
Dumfries and Galloway	2,313	2,418	2,441	2,190
Fife	1,725	1,854	1,796	1,908
Grampian	2,635	2,621	2,586	2,606
Highland	2,821	3,318	3,215	3,121
Lothian	2,502	2,515	2,523	2,557
Strathclyde	3,280	3,500	3,579	3,731
Tayside	2,456	2,414	2,352	2,393
Orkney	2,279	2,696	2,692	4,762
Shetland	2,993	3,433	3,861	2,922
Western Isles	n/a	n/a	n/a	n/a

Net current expenditure per full time equivalent pupil in local authority nursery schools in 1996–97

Councils	(£ at out-turn prices)	(£ at 1998–99 prices)
Aberdeen, City	2,442	2,572
Aberdeenshire	2,358	2,484
Angus	1,979	2,085
Argyll and Bute	5,327	5,610
Clackmannanshire	3,280	3,454
Dumfries and Galloway	1,896	1,996
Dundee	2,243	2,362
East Ayrshire	3,441	3,624
East Dunbartonshire	8,025	8,452
East Lothian	1,951	2,055
East Renfrewshire	1,893	1,994
Edinburgh, City	2,596	2,734
Eilean Siar	n/a	n/a
Falkirk	2,256	2,376
Fife	2,622	2,762
Glasgow City	3,497	3,683
Highland	2,011	2,118
Inverclyde	4,513	4,753
Midlothian	2,564	2,701
Moray	1,576	1,660
North Ayrshire	1,839	1,937
North Lanarkshire	4,409	4,643
Orkney	2,680	2,823
Perth and Kinross	2,193	2,310
Renfrewshire	5,676	5,978
Scottish Borders	1,812	1,908
Shetland	3,086	3,250
South Ayrshire	3,002	3,162
South Lanarkshire	6,839	7,202
Stirling	3,308	3,484
West Dunbartonshire	4,743	4,995
West Lothian	2,340	2,464

Net current expenditure per pupil in local authority secondary schools

(£ at out-turn prices)

Regional/ Islands councils	1992–93	1993–94	1994–95	1995–96
Borders	2,857	2,873	2,941	2,933
Central	2,801	2,785	2,761	2,784
Dumfries and Galloway	2,957	2,876	2,894	2,941
Fife	2,636	2,569	2,597	2,630
Grampian	3,031	2,958	2,862	2,970
Highland	2,896	2,914	2,975	3,061
Lothian	3,047	2,963	2,959	3,024
Strathclyde	2,842	2,769	2,831	2,914
Tayside	3,036	2,878	2,946	2,932
Orkney	3,827	3,464	3,576	3,592
Shetland	4,492	4,948	5,104	5,397
Western Isles	4,297	4,200	4,405	4,535

Net current expenditure per pupil in local authority secondary schools

(£ at 1998–99 prices)

Regional/ Islands councils	1992–93	1993–94	1994–95	1995–96
Borders	3,324	3,256	3,286	3,184
Central	3,258	3,156	3,085	3,022
Dumfries and Galloway	3,440	3,259	3,233	3,193
Fife	3,066	2,911	2,902	2,855
Grampian	3,526	3,352	3,198	3,224
Highland	3,369	3,302	3,324	3,323
Lothian	3,545	3,358	3,306	3,283
Strathclyde	3,306	3,138	3,163	3,164
Tayside	3,532	3,261	3,291	3,183
Orkney	4,452	3,925	3,995	3,900
Shetland	5,226	5,607	5,702	5,859
Western Isles	4,999	4,760	4,922	4,923

Net current expenditure per pupil in local authority nursery schools in 1996–97

Councils	(£ at out-turn prices)	(£ at 1998–99 prices)
Aberdeen, City	2,971	3,129
Aberdeenshire	2,759	2,905
Angus	2,835	2,986
Argyll and Bute	3,003	3,163
Clackmannanshire	2,932	3,088
Dumfries and Galloway	2,905	3,060
Dundee	3,142	3,309
East Ayrshire	2,747	2,893
East Dunbartonshire	2,599	2,737
East Lothian	2,923	3,078
East Renfrewshire	2,611	2,750
Edinburgh, City	3,011	3,171
Eilean Siar	4,553	4,795
Falkirk	2,751	2,898
Fife	2,674	2,816
Glasgow City	3,322	3,498
Highland	3,135	3,302
Inverclyde	2,844	2,995
Midlothian	2,880	3,033
Moray	2,799	2,948
North Ayrshire	2,776	2,923
North Lanarkshire	2,854	3,006
Orkney	3,778	3,979
Perth and Kinross	2,822	2,972
Renfrewshire	2,909	3,064
Scottish Borders	3,039	3,200
Shetland	5,777	6,085
South Ayrshire	2,780	2,928
South Lanarkshire	2,863	3,015
Stirling	2,987	3,146
West Dunbartonshire	2,833	2,984
West Lothian	2,945	3,102

From 1 July 1999, this will be a matter for the Scottish Parliament.

Higher Education

Mrs. Laing: To ask the Secretary of State for Scotland how many applicants there were for places at Scottish universities in each year since 1992. [77761]

Mrs. Liddell: This information is not held centrally.

UCAS (Universities and Colleges Admission Service) is a central non-Government agency which acts on behalf of UK Higher Education Institutions (HEIs) to process applications for entry to higher education courses. UCAS publishes annual information on applicants and acceptances for courses at Higher Education Institutions in the UK in a report. This information is also available on the UCAS website (www.ucas.ac.uk).

The UCAS report summarises the total applicants to UK HEIs, but does not distinguish total applicants to Scottish HEIs. However, institutions are separately identified, and the information required can be collated from these.

Alternatively, UCAS will collate the required information if requested. The address for UCAS is UCAS, Rosehill, New Barn Lane, Cheltenham, Glos., GL52 3LZ, or telephone 01242 222 444.

From 1 July 1999, Higher Education will be a matter for the Scottish Parliament.

Boundary Commission

Mrs. Laing: To ask the Secretary of State for Scotland when the Boundary Commission concluded its review of the boundaries of each local authority area in Scotland; and if these have been approved. [77747]

Mr. McLeish: The Local Government Boundary Commission submitted its final report relating to the Third Statutory Review of Electoral Arrangements in October 1998. The necessary orders implementing the recommendations with modifications have been made for all 32 Scottish councils and will take effect for the local government elections in May 1999. A statutory review of the Administrative boundaries is not scheduled to commence until 2004.

From 1 July 1999 this will be a matter for the Scottish Parliament.

Green Transport Plan

Mr. Burstow: To ask the Secretary of State for Scotland what involvement fleet managers have had in drawing up his Department's Green Transport Plan. [77963]

Mr. Macdonald: The Scottish Office fleet managers are making a major contribution to our green transport planning. By 31 March, 23 liquid petroleum gas vehicles and 2 electric vehicles will be in the core Scottish Office fleet, representing 16 per cent. of the total. As part of a pilot project, the 2 electric vehicles will be used for staff travelling on official business between our Edinburgh offices. Additional liquid petroleum gas vehicles are to be purchased in the next financial year.

From 1 July 1999 this will be a matter for the Scottish Parliament.

Hospital Disposals

Mr. Canavan: To ask the Secretary of State for Scotland on what basis the sites of *(a)* the Princess Margaret Rose Hospital, *(b)* the City Hospital and *(c)* the Dental Hospital, Edinburgh were valued prior to disposal; and what assumptions his Department made about their future development. [77855]

Mr. Galbraith: The sites at the Princess Margaret Rose Hospital, the City Hospital and the Dental Hospital, Edinburgh were valued both by the District Valuer and the property adviser to the Royal Infirmary of Edinburgh NHS Trust prior to disposal on the basis that the sites would be used for residential purposes.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Water (Local Authority Control)

Mrs. Ewing: To ask the Secretary of State for Scotland what discussions he has had with *(a)* each of Scotland's local authorities and when these consultations took place and *(b)* COSLA and with whom the discussions took place on the return of water to local authority control. [77336]

Mr. Macdonald: The Secretary of State issued a consultation paper on the structure of the Scottish water industry in July 1997. Replies were received from CoSLA, and from 10 local authorities. There were detailed discussions at official level between The Scottish Office and CoSLA. The Secretary of State made a statement to the House on 16 December 1997.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Health Board Expenditure

Mr. Swayne: To ask the Secretary of State for Scotland if he will publish a detailed breakdown of expenditure by each health board in Scotland in the current financial year. [78027]

Mr. Galbraith: A detailed breakdown of expenditure by health board is not yet available for the current financial year. Health Boards are not due to submit their audited annual accounts to the Management Executive until 31 July 1999.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Mr. Swayne: To ask the Secretary of State for Scotland if he will publish, for each health board in Scotland, the allocation given to health boards to purchase health care in their areas in the current financial year. [78026]

Mr. Galbraith: The information requested is as follows:

Health Board	*£ million*
Argyll and Clyde	385.8
Ayrshire and Arran	326.5
Borders	99.8
Dumfries and Galloway	140.0
Fife	284.8
Forth Valley	231.4
Grampian	438.6

Health Board	£ million
Greater Glasgow	880.3
Highland	194.4
Lanarkshire	460.2
Lothian	665.3
Orkney	22.1
Shetland	23.7
Tayside	387.2
Western Isles	36.2
Total	4,576.3

From 1 July 1999, this will be a matter for the Scottish Parliament.

Health Boards (Senior Management)

Mr. Swayne: To ask the Secretary of State for Scotland what the total cost of pay was for chairmen, directors and senior managers of health boards in Scotland in the current financial year. [78028]

Mr. Galbraith: The total cost of pay for executive directors and senior managers in Scotland's Health Boards will not be available until the end of May. Remuneration to Scotland's 15 Health Board Chairmen in 1998–99 is £228,420; the estimated remuneration to non-executive members of the Health Boards is estimated at £390,000.

From 1 July 1999, this will be a matter for the Scottish Parliament.

TREASURY

Dividend Tax Credits

Mr. Gibb: To ask the Chancellor of the Exchequer what provisions the Government have made in the Comprehensive Spending Review for the effects arising from the abolition of the repayment of dividend tax credits to pensions funds. [68753]

Mr. Milburn *[holding answer 2 February 1999]:* The effects of abolition of the repayment of dividend tax credits on funded public sector pension schemes was taken into account in the Comprehensive Spending Review.

European Scrutiny Committee

Mr. Woodward: To ask the Chancellor of the Exchequer if *(a)* Ministers, *(b)* special advisers and *(c)* civil servants saw the European Scrutiny Committee questions brief in advance of the appearance of the Economic Secretary before the Committee on 10 December. [77849]

Ms Hewitt *[holding answer 19 March 1999]:* Ministers, special advisers and officials did not see a copy of the Commons Scrutiny Committee questions brief in advance of my appearance before the Committee.

Company Licences

Mr. Maclean: To ask the Chancellor of the Exchequer if he will list for *(a)* small and medium enterprises and *(b)* larger companies (i) all licences and permits issued by his Department and its agencies to companies permitting them to carry out their business, (ii) the cost of each such licence or permit in (A) 1997–98 and (B) 1999–2000 and (iii) the current number of companies which are in receipt of each such licence or permit. [76852]

Ms Hewitt *[holding answer 16 March 1999]:* The Treasury and the Executive Agencies responsible to the Chancellor of the Exchequer do not issue licences or permits to enable companies to carry out their business.

Government Overdrafts

Mr. Heathcoat-Amory: To ask the Chancellor of the Exchequer what plans he has to repay the Government's overdraft on the Ways and Means account at the Bank of England; and if he will make a statement. [77473]

Ms Hewitt *[holding answer 18 March 1999]:* The Government's Ways and Means overdraft with the Bank of England is the main short-term financing instrument currently used to balance the change in the Government's daily cash position. Responsibility for cash management is due to be transferred to the UK Debt Management Office during the course of 1999–2000. When the transfer is complete, Ways and Means will no longer be drawn upon for cash management purposes, and methods will be explored to repay the Ways and Means balance. This will rationalise the Government's short-term borrowing.

Mr. Heathcoat-Amory: To ask the Chancellor of the Exchequer if it is an EU treaty requirement that countries applying to join the euro should repay any overdraft that they may have with their domestic central bank. [77472]

Ms Hewitt *[holding answer 18 March 1999]:* In accordance with Article 104 and Article 109e(3) of the EC Treaty, overdraft facilities or any other type of credit facility with the ECB or the national central banks of Member States in favour of Community institutions or bodies, central Governments, regional, local or other public authorities, other bodies governed by public law, or public undertakings of Member States were prohibited from the beginning of Stage Two of EMU.

However, in accordance with paragraph 11 of Protocol No. 11 to the EC Treaty, the UK Government may maintain their 'ways and means' facility with the Bank of England if and so long as the UK does not move to Stage Three of EMU.

Petrol Smuggling

Mr. Hoyle: To ask the Chancellor of the Exchequer what plans he has to combat the smuggling of petrol into the UK. [77481]

Ms Hewitt *[holding answer 18 March 1999]:* Customs will soon be deploying extra resources to combat the smuggling of road fuel into Northern Ireland. In addition to the anti-smuggling operations a rolling programme of VAT assurance visits to all petroleum retailers in Northern Ireland is in operation. These inspections will check sales against legitimate purchases by reference to pump readings. There is little evidence that smuggling of fuel into any other area of the United Kingdom is a cause for concern.

Departmental Asset Sales

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer if he will list the items sold by his Department, its agencies and associated public bodies from those listed in the National Assets Register of November 1997; if he will give in each case the amount of money realised; if he will estimate the total cash raised from such sales to date; and if he will make a statement. [70418]

Mr. Milburn *[holding answer 11 February 1999]:* Items sold since the publication of the National Assets Register (NAR) by the Chancellor of the Exchequer's Departments and associated public bodies are as follows:

HM Treasury

(i) As part of the arrangement for contracting out insurance supervision to the Financial Services Authority (FSA), a computer system (transferred from the Department of Trade and Industry in 1997–98) was sold for £3.2 million in January 1999.

The Treasury has also disposed of small quantities of IT equipment, furniture and fittings, as part of routine replacement programmes.

(ii) Sale of financial investments has raised £177.5 million. These comprise:

proceeds of £107.9 million, received on 1 April 1997 from the repurchase of £105.4 million (nominal) of the British Energy bond maturing in 2016; and

the sale in April 1998 of the Treasury's remaining holding of 12,411,795 shares in the Mersey Docks and Harbour Company for £69.6 million.

Bank of England

(i) The Bank is in the process of disposing of its regional branches. The total proceeds to date are around £10 million, close to the book value of these properties.

(ii) The Bank's participating interest in the European Monetary Institute was its contribution (ecu 95 million) to the Institute's capital. Out of this contribution, the Bank paid ecu 37 million (£26 million) in respect of the capital of the European Central Bank. The balance of the contribution was repaid to the Bank of England in January 1999.

(iii) The equipment and machinery used in the Bank's everyday operations are replaced or added to, when necessary. Disposals are for scrap or for second hand value. There have been no material sales of equipment.

HM Customs and Excise

Of the buildings listed in the NAR, a small freehold building at 165 High St., Invergordon, Rosshire has been sold for £25,000. Routine sales of other assets have taken place as part of the normal replacement cycle and in order to maintain the Department's operational capability. The approximate annual income from the sale of Customs assets is £1.25 million.

Inland Revenue

(i) The Inland Revenue has sold two surplus properties, Dundonald House, Bexhill-on-Sea for £210,000 and Montrose House, Glasgow for £750,000. In addition, they have disposed of two further properties as part of Private Finance Initiative projects; Stuart House, Edinburgh and Highland House, Manchester, valued at £0.5 million and £1 million respectively.

(ii) As part of continuing replacement programmes, Inland Revenue has sold some cars, office machinery and information technology equipment. Precise information about the sale proceeds of these items is not readily available.

Registry of Friendly Societies

Since the publication of the NAR, it has been agreed that some services provided by the Registry of Friendly Societies (RFS) should be contracted out to the FSA. As a result, RFS has disposed of a substantial part of the building it occupies to the Property Advisers to the Civil Estate (PACE) on behalf of the Inland Revenue. It has also sold a large proportion of its furniture to the Inland Revenue and has sold the IT assets used by staff transferring to the FSA. A summary of the assets included in the NAR which have since been disposed of is as follows:

Asset	*Disposal to*	*Amount realised £*
Building fitting out costs	PACE	3,611,000
Furniture	Inland Revenue	25,000
IT equipment	FSA	103,000

Other Chancellor's Departments

The following Departments have realised only small amounts from the sale of minor items of IT equipment, furniture or other items listed in the NAR, or have made no sales:

Office for National Statistics

National Savings

National Investments and Loans Office

Government Actuary's Department

Royal Mint.

Stamp Duty

Mr. Maclean: To ask the Chancellor of the Exchequer (1) what has been the average increase in stamp duty payable on purchases of private dwellings as a result of *(a)* the 1997 Budget measures and *(b)* the 1998 Budget measures; [70679]

(2) what has been the average increase in stamp duty payable on the purchase of business premises as a result of *(a)* the 1997 Budget measures and *(b)* the 1998 Budget measures. [70698]

Ms Hewitt *[holding answer 15 February 1999]:* The 1997 Budget measure is estimated to have increased the average stamp duty payable from July 1997 on transactions over the £250,000 threshold on residential property by around £3,000, and by around £15,000 for land and commercial property. The 1998 Budget measure is projected to result in similar average increases in 1998–99.

Individual Savings Accounts

Mr. Gibb: To ask the Chancellor of the Exchequer when he expects the market research into the ISA conducted by the McKinsey consultancy to be published; and what is the cost of the research. [77308]

Ms Hewitt: As announced, the primary aim of the research is to inform Government policy making. On completion, the Government will decide how best to use the results in support of their aims to encourage personal savings.

The terms of the contract are a matter of commercial confidentiality. The contract was let following a competitive tendering exercise conducted in accordance with recognised procurement practice, under the supervision of the Treasury Procurement Unit.

Charities (Tax Relief)

Mr. Cox: To ask the Chancellor of the Exchequer what is his estimate of the amount of tax forgone as a result of tax allowances granted to charities in England and Wales in the last financial year. [76053]

Ms Hewitt: The total cost of tax reliefs for charities in the UK is estimated at over £2 billion for 1997–98. This comprises around £1.2 billion of direct taxes (including the reliefs given to donors and estates for gifts to charity), about £200 million in VAT reliefs, and £600 million in business rate relief. Information is not available on the total cost of tax reliefs for charities in England and Wales.

However, of the approximately £730 million of direct taxes repaid to charities in the UK in 1997–98, around £680 million was repaid to charities in England, Wales and Northern Ireland. And of the approximately £250 million exemption from inheritance tax of transfers to charities on death in 1997–98, around £220 million was for estates in England and Wales. Of the approximately £600 million business rate relief in 1997–98, around £520 million was for charities in England and Wales.

It is not possible to give a reliable breakdown of the remainder of the reliefs from direct taxes, or of the estimated cost of £200 million for reliefs from VAT through a variety of zero rates and exemptions.

Public Consultations

Dr. Lynne Jones: To ask the Chancellor of the Exchequer if his Department follows Cabinet Office guidance on how to conduct public consultations. [73959]

Ms Hewitt: The Treasury conducts public consultations on a variety of issues with interested parties in a number of ways. The Treasury seeks to follow the best practice principles set out in the CO guidance on "How to conduct written consultation exercises". Less formal consultations, such as the recent regional series of Productivity Road Shows, are also conducted by the Treasury.

Financial Services and Markets Bill

Mr. Gibb: To ask the Chancellor of the Exchequer if he will list the jurisdictions referred to in paragraph 2–2 of the Financial Services and Markets Bill Progress report, published by Her Majesty's Treasury in March 1999. [76062]

Ms Hewitt: Both the Treasury and the FSA frequently have meetings with Government officials and regulatory bodies from other key jurisdictions. Many recent contacts have expressed a positive interest in and sought detailed information on the UK reforms.

Credit Suisse First Boston

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer if the circumstances surrounding the dismissal of James Archer, David Crisanti and Adrian Ezra by Credit Suisse First Boston are being investigated by the Financial Services regulator. [77076]

Ms Hewitt: As a matter of policy the UK Financial Regulators do not comment on the existence of any investigation that may be taking place until it is appropriate to make public details of an investigation that has been carried out.

VAT (Domestic Fuel)

Mr. Gummer: To ask the Chancellor of the Exchequer what estimate he has made of the effect on emission levels of the reduction of VAT on domestic fuel. [76381]

Ms Hewitt: The Government estimate that the reduction in VAT on domestic fuel and power from 8 per cent. to 5 per cent. announced in the July 1997 Budget, will increase annual carbon dioxide emissions in 2010 by 240,000 tonnes of carbon, all other things being equal.

Appointments

Mr. Vaz: To ask the Chancellor of the Exchequer if he will list those people he has appointed to public bodies since 1 November 1998, indicating the positions to which they have been appointed and if they receive remuneration. [76465]

Ms Hewitt: The information requested is as follows.

Public body	*Name*	*Position*	*Whether remunerated*
Financial Services Authority	Moira Black CBE	Member	Yes
	Gillian Nott	Member	Yes
	Shamit Saggar	Member	Yes
Policy Holders Protection Board	Andrew Young	Member	Yes

Departmental Expenditure

Mr. Maude: To ask the Chancellor of the Exchequer if he will list for each Department the level of funds that are, according to paragraph 4.22 of the Comprehensive Spending Review, (i) allocated for the delivery of services and (ii) non-allocated, for each of the years from 1997–98 to 2001–02. [68390]

Mr. Milburn: All funds allocated in the Comprehensive Spending Review are for the delivery of modern, efficient and effective public services. Challenging objectives and targets for the delivery of these services were set out in individual departments' service agreements and published in "Public Service for the Future" (Cm 4181), along with their allocations for 1997–98 to 2001–02.

Environmental Tax Reform

Mrs. Brinton: To ask the Chancellor of the Exchequer what research he has *(a)* commissioned and *(b)* evaluated into public attitudes to environmental tax reform. [74818]

Ms Hewitt: The Government are committed to exploring the scope for using economic instruments to secure environmental objectives, as set out in the Statement of Intent on Environmental Taxation published in July 1997. This commitment has been taken forward in an open and consultative way with the publication of a number of consultation documents on environmental tax issues.

The 1999 Budget included the largest ever package of environmental tax reforms. These reforms followed detailed research and full consultation with all interested parties. This package will make a substantial contribution to the Government's aim of protecting the environment, now and for future generations.

Euro Banknotes

Mr. Love: To ask the Chancellor of the Exchequer (1) what action he is taking to ensure that the Bank of England is not disadvantaged in competition for future

printing of euro banknotes by the United Kingdom's position outside the euro zone; and if he will make a statement; [75460]

(2) what plans he has to improve the competitive position of the Bank of England in the printing of banknotes; and if he will make a statement. [75461]

Ms Hewitt: The Bank's competitive position is already excellent and their involvement in preparatory work will ensure they are not competitively disadvantaged.

Public Sector Debt

Dr. Lynne Jones: To ask the Chancellor of the Exchequer if he will list the level of net public sector debt per capita in each of the last 25 years for which figures are available. [74876]

Ms Hewitt: The table shows the figures requested.

Public sector net debt per capita

Year	Net debt (£ billion)[1]	Population (thousands)[2]	Net debt per capita (£)
1971	38.7	55,928	692
1972	40.3	56,097	719
1973	41.8	56,223	744
1974	46.6	56,236	828
1975	54.5	56,226	969
1976	67.5	56,216	1,200
1977	77.2	56,190	1,375
1978	83.9	56,178	1,493
1979	91.2	56,240	1,622
1980	99.8	56,330	1,772
1981	115.3	56,352	2,045
1982	126.8	56,318	2,251
1983	133.9	56,377	2,375
1984	145.7	56,506	2,578
1985	159.4	56,685	2,811
1986	165.2	56,852	2,905
1987	170.2	57,009	2,985
1988	169.9	57,158	2,972
1989	156.0	57,358	2,720
1990	153.6	57,561	2,668
1991	153.4	57,808	2,653
1992	167.5	58,006	2,888
1993	204.8	58,191	3,519
1994	251.7	58,395	4,310
1995	289.9	58,606	4,946
1996	322.1	58,801	5,478
1997	349.8	59,009	5,928

[1] end-March
[2] end-June
Source:
Public Sector Net Debt—Bank of England:Statistical Abstract.
Population—ONS Annual Abstract of Statistics.

Money Transfers (Jersey)

Mr. Cohen: To ask the Chancellor of the Exchequer what discussions he has had with the administration of Jersey about the use of companies based in Jersey for the money transfers by the Russian Central Bank; and if he will make a statement. [76631]

Ms Hewitt: Treasury officials have been briefed by the Jersey authorities about press allegations concerning a Jersey based company FIMACO used by the Central Bank of the Russian Federation to manage assets. Regulation of the financial services industry and company registration in Jersey is the responsibility of the Jersey Financial Services Commission.

Working Time Directive

Mr. Tyrie: To ask the Chancellor of the Exchequer how many civil servants in his Department have been invited to waive the Working Time Directive requirement to work less than 48 hours a week on 17 consecutive weeks; how many civil servants in his Department have refused to waive the requirement; and what is the total cost of compliance with the Directive. [76798]

Ms Hewitt: 58 staff in HM Treasury have been invited to waive the Working Time Directive requirement to work less than 48 hours a week. To date, 31 staff have signed an agreement to disapply this limit and nine staff have refused. Compliance costs are not kept centrally and could be provided only at disproportionate cost.

Euro Coins

Mr. Maclean: To ask the Chancellor of the Exchequer, pursuant to his answer of 2 March 1999, *Official Report*, columns *643–44*, on euro coins, what sanctions against those who damage or destroy the image of the euro are provided for by the reproduction regime; and if he will make a statement. [75637]

Ms Hewitt: Enforcement of the copyright in the common face design of euro coins will be ensured by participating member states or, in the case of non-participating member states, by the Commission, according to national legislation and in compliance with an agreed reproduction regime.

Single Currency

Mr. Maclean: To ask the Chancellor of the Exchequer if he will list the economic advantages of remaining outside the single currency; and what account he has taken of these in formulating policy on economic and monetary union. [73599]

Ms Hewitt: In his statement to the House of Commons on 27 October 1997, *Official Report*, columns 583–85, the Chancellor of the Exchequer set out the Government's policy on Economic and Monetary Union. He said that the potential benefits for Britain of a successful single currency are obvious in terms of trade, transparency of costs and currency stability. The determining factor as to whether Britain joins a single currency is the national economic interest and whether the economic case for doing so is clear and unambiguous.

Electronic Red Boxes

Mr. Maclean: To ask the Chancellor of the Exchequer if he will name the Ministers in his Department who are regular users of electronic Red Boxes. [76178]

Ms Hewitt: I refer the right hon. Member to the answer given to him by the Minister for the Cabinet Office on 16 March 1999, *Official Report*, columns *651–52*.

Select Committee Reports

Mr. Leigh: To ask the Chancellor of the Exchequer, pursuant to his answer to the right hon. Member for Penrith and The Border (Mr. Maclean) and the hon. Member for Chingford and Woodford Green (Mr. Duncan Smith) of 16 March 1999, *Official Report*, columns *641–42*, from whom the PPS to the Chancellor received the draft Social Security Committee report. [78157]

Mr. Gordon Brown: I refer the hon. Member to the answer I gave the hon. Member for Chingford and Woodford Green (Mr. Duncan Smith) on 16 March 1999, *Official Report*, columns *641–42*.

SOCIAL SECURITY

Pensioners

Mr. Duncan Smith: To ask the Secretary of State for Social Security (1) how many pensioners will benefit from the uprating of the minimum income for pensioners in line with earnings at the next benefit uprating; and what this number is as a proportion of the total number of pensioners receiving the basic state pension; [78039]

(2) how many pensioners will become eligible for income support directly as a result of the uprating of the minimum income for pensioners. [78040]

Mr. Timms: The information is not currently available. The information will be available as soon as the forecasts on which the requested figures are based have been published in the Departmental Report on 30 March. I will write to the hon. Member after publication of this Report.

Mr. Duncan Smith: To ask the Secretary of State for Social Security if the uprating of the minimum income for pensioners will be in line with earnings at each annual uprating. [78038]

Mr. Timms: We have made it clear that our aim is to uprate the Minimum Income Guarantee in line with average earnings over time as resources allow. The increase next April will provide a further boost to the incomes of the least well-off among today's pensioners on top of this year's increase of three times the rate of inflation. We will review the economic situation and make decisions for future years at the appropriate time.

Mr. Duncan Smith: To ask the Secretary of State for Social Security how many pensioner households have weekly incomes of *(a)* £65 to £70, *(b)* £71 to £75, *(c)* £76 to £80, *(d)* £81 to £85, *(e)* £86 to £90 and *(f)* over £90 in the case of single pensioner households, and of (i) £110 to £120, (ii) £121 to £130, (iii) £131 to £140, (d) £141 to £150 and (e) over £150 in the case of pensioner couples. [78041]

Mr. Timms: The information is in the tables.

Number of single pensioners in selected income bands

Range of income	*Number of single pensioners (Thousands)*
£65 to £70	180
£71 to £75	200
£76 to £80	220
£81 to £85	130
£86 to £90	130
Over £90	3,080

Number of pensioner couples in selected income bands

Range of income	*Number of pensioner couples (Thousands)*
£110 to £120	80
£121 to £130	80
£131 to £140	110
£141 to £150	160
Over £150	2,100

Notes:
1. Figures are rounded to the nearest 10,000, although they are not necessarily accurate to that degree.
2. 'Income' refers to the net weekly income of the single or couple.
3. Pensioners are defined as single (non-cohabiting) people over State pension age (65 and over for men, 60 and over for women), and couples (married or cohabiting) where the head is over State pension age.
4. Estimates are based on incomes reported in the 1996/97 Family Resources Survey, uprated to April 1998 prices.

Disablement Pension (Asbestosis)

Mr. Clapham: To ask the Secretary of State for Social Security how many *(a)* men and *(b)* women, broken down by occupation, (i) are in receipt of a disablement pension for asbestosis and (ii) were made an award in the last year for which figures are available. [69932]

Mr. Bayley *[pursuant to his reply, 15 February 1999, c. 535–36]:* The information is not available in the format requested. Such information as is available is in the table.

Industrial injuries disablement benefit—newly diagnosed awards of asbestos-related diseases in the period 1 April 1997 to 31 March 1998

	All	*Men*	*Women*
All occupations	1,016	995	21
Corporate managers	2	2	0
General managers	1	1	0
Physical, mathematical and engineering science professionals	3	3	0
Other professionals	1	1	0
Physical and engineering science associate professionals	17	17	0
Life science and health associate professionals	1	0	1
Teaching associate professionals	1	0	1
Office clerks	4	2	2
Personal and protective services workers	6	4	2
Extraction and building trade workers	276	275	1
Metal, machinery and related trades workers	298	296	2
Precision, handicraft, printing and related trades workers	51	50	1
Other craft and related trades workers	37	34	3

Industrial injuries disablement benefit—newly diagnosed awards of asbestos-related diseases in the period 1 April 1997 to 31 March 1998

	All	Men	Women
Stationary plant and related trades workers	95	94	1
Machine operators and assemblers	41	36	5
Drivers and mobile plant operators	69	69	0
Sales and services elementary occupations	14	12	2
Agricultural, fishery and related labourers	2	2	0
Labourers in mining, construction, manufacturing and transport	96	96	0
Armed forces	1	1	0

Notes:

1. Figures are not available by occupation or attributable agent for the total numbers of people receiving benefit related to asbestos.
2. Asbestos related diseases that are prescribed for the purposes of industrial injuries Disablement Benefit are Pneumoconiosis (prescribed disease D1), where the attributable agent is asbestos; Diffuse mesothelioma (prescribed disease D3); Carcinoma of the lung (prescribed disease D8); and Bilateral diffuse pleural thickening (prescribed disease D9). The table shows new diagnoses for benefit purposes of these asbestos-related diseases, which have attracted an award of benefit in the 1997-98 year, by gender and occupation.

Source:

DSS (Analytical Services Division). Figures based on 100 per cent. data.

Widows' Benefits

Mr. Rendel: To ask the Secretary of State for Social Security if he will estimate the cost of *(a)* delaying the halving of the additional pension payments for widows whose spouse dies after 5 April 2000 until 2010, *(b)* delaying the reduction of the additional pension payments for widows whose spouse dies after 5 April 2000 and instead reducing the payments by 10 per cent. each year until 2004 and *(c)* delaying the reduction of the additional pension payments for widows whose spouse dies after 5 April 2000 until 2010 and then reducing the payments by 10 per cent. each year up until 2014. [75664]

Mr. Timms *[holding answer 9 March 1999]:* The information is in the table.

£ million

	Cumulative cost	Continuing cost per annum				
	2000-09	2010	2020	2030	2040	2050
(a)	5,620	1,130	740	350	110	20
(b)	1,710	180	130	50	10	0
(c)	5,620	1,190	950	470	150	30

Notes:

1. Costs are supplied by the Government Actuary's Department.
2. No allowance has been made for income related benefit offsets.
3. Costs are rounded to nearest £10 million and are presented in 1998-99 benefit rates.
4. Costs include SERPS pension paid to widows and widowers above the state pension age and to widows below state pension age.
5. The estimates are based on current legislation.
6. Real earnings growth of 1.5 per cent. has been assumed.

Housing Benefit

Mr. Vaz: To ask the Secretary of State for Social Security what plans he has to amend the housing benefit system. [77738]

Angela Eagle: Our aim is to modernise Housing Benefit so that it is fairer, better administered, secure and promotes the incentive to work. A Housing Green paper will be published later this year which will discuss options for reforms to Housing Benefit within the context of housing policy.

Single Gateway

Mr. Duncan Smith: To ask the Secretary of State for Social Security what budgets have been allocated for each of the three phases of the Single Gateway pilot schemes. [78115]

Angela Eagle: The additional funding for the 12 single Work-Focused Gateway pilots, that is the amount allocated on top of that which would be required to administer benefits in the pilot areas under the current arrangements, has been allocated as follows:

£ million

Year	Allocation
1998-2000	32.49
2000-01	23.97
2001-02	23.07

These amounts do not differentiate between the three phases. They include information technology and capital expenditure over the period of the pilots. The funding allocation for 1998–99 and 1999–2000 has been combined.

Unclaimed Benefits

Mr. Burstow: To ask the Secretary of State for Social Security, pursuant to his answer to the hon. Member for Pendle (Mr. Prentice) of 8 March 1999, *Official Report*, column 52, on unclaimed benefits, what factors caused the error in the data; and when he expects to conclude his review of relevant data. [77995]

Angela Eagle: Take up of income related benefits is calculated by comparing an estimate of the number of people entitled to, but not receiving, each benefit with the number of people known to be claiming it.

The error was caused by a failure to include, in our calculations of entitlement, payments to widows from a deceased spouse's former employer (widows occupational pension). The failure occurred when these payments were first recorded separately from other occupational pensions in the Family Resources Survey, from which these estimates are made.

This caused the Department's statisticians to under-estimate the incomes of some pensioners, leading to an over-estimation of benefit entitlement. This resulted in an over-estimation of the numbers of pensioners not claiming Income Support to which they are entitled.

We expect to publish a revised set of figures for 1996–97 in May.

Bereavement Benefits

Mr. Rendel: To ask the Secretary of State for Social Security if he will estimate the cost of increasing the disregard in the bereavement benefits to *(a)* £20, *(b)* £30, *(c)* £40 and *(d)* £50. [78031]

Angela Eagle: The information is in the table.

The estimated total costs of increasing the proposed disregard for Widowed Parent's Allowance

£ million

WPA disregard in all benefits	*Year 1*	*Year 2*	*Year 3*	*Long run*
£20	15	15	15	10
£30	25	25	25	15
£40	40	40	40	25
£50	55	55	55	35

Notes:

1. The proposed disregard for Widowed Parents Allowance is £10 for Income Support and £15 for Housing Benefit, Council Tax Benefit and Working Families Tax Credit. The figures estimate the cost of increasing these rates for these benefits to the requested levels.
2. The estimates presented are broad orders of magnitude. They are rounded to the nearest £5 million and are our best estimate of the cost of increasing the disregards, but are nonetheless subject to a degree of uncertainty.
3. Estimates use information from the 1996–97 Family Resources Survey, the Income Support Quarterly Statistical Enquiry and forecasts from the Government Actuary's Department. The offset ratio is assumed to remain constant across the years in order to provide illustrative estimates.

Green Transport Plan

Mr. Burstow: To ask the Secretary of State for Social Security what involvement fleet managers have had in drawing up his Department's Green Transport Plan. [77968]

Angela Eagle: The Department's Environment Officer is also the Department's fleet manager and had considerable involvement in developing the 27 Departmental Green Transport Plans which will be in place by 31 March 1999.

Miners (Compensation Payments)

Mr. Canavan: To ask the Secretary of State for Social Security if social security benefits previously paid out will be recoverable from the compensation payments recently announced for miners suffering from *(a)* emphysema, *(b)* bronchitis and *(c)* vibration white finger; and if he will make a statement. [78137]

Mr. Bayley: It has been a long standing principle that victims of personal injury or disease should not be compensated twice for the same need. Consequently compensation paid to miners for loss of past earnings, cost of care and loss of mobility may be reduced to take account of the liability to repay benefits paid in respect of the disease in question. Compensation for pain and suffering will be paid in full.

Disability Allowance Review

Mr. Burstow: To ask the Secretary of State for Social Security (1) for what period disability living allowance recipients whose cases were examined by the Benefit Integrity Project will be excluded from the new checking regime; [77889]

(2) what estimates he has made of the likely level of savings or increased expenditure arising from the new disability allowance review regime. [77891]

Mr. Bayley: We are committed to achieving a coherent, fair and sensitive system for the delivery of Disability Living Allowance (DLA). This will encompass new methods of claiming and periodic inquiry arrangements to be applied ultimately to all cases in payment. The Benefits Agency is working to establish the proper frequency with which individuals should be asked about their current needs so that, in the future, inquiries can be made at the most appropriate time and new claimants can be advised from the outset when inquiries are likely to be made in their case. Developmental work is well underway, in consultation with organisations of, and for, disabled people.

As a first step in the process, a prototype periodic inquiry system will be introduced in April 1999 for existing DLA cases, followed in the Summer by trials to test new ways of handling claims for DLA and Attendance Allowance (AA). Both strands of work will be closely monitored and evaluated. Developments and data from each strand will be used to design the final overall process.

People whose cases were examined under the Benefit Integrity Project (BIP) will not, at the outset, be subject to the new periodic inquiry arrangements. Once the full new system is introduced, they are likely to be allocated a periodic inquiry frequency on the same basis as new claimants for DLA and AA. It is, however, too early to provide details.

We have made it clear that the main objective of these changes is to ensure that benefit is being paid properly. They are not savings driven. There will be additional administrative costs as the new inquiry process develops. The effect of the new processes on programme spending will be factored into the expenditure forecasts in the normal way.

TRADE AND INDUSTRY

Global Services and JMT Charlesworth Ltd.

Mr. Mackinlay: To ask the Secretary of State for Trade and Industry what meetings his Department have had with Global Services and JMT Charlesworth Ltd.; what were the terms of the grants made to these companies over the past two years; and if he will make a statement. [71805]

Mr. Wilson *[holding answer 16 February 1999]:* JMT Charlesworth applied in 1997 to the British Chambers of Commerce (BCC) for a DTI funded Export Marketing

Research Scheme grant. The grants are open to British companies with fewer than 500 employees wishing to research specific overseas markets and are payable after the work has been successfully completed. The company received a grant of just over £1,000 from BCC following their study of the market for used, refurbished trucks for sale to Eritrea and Ethiopia.

Mansion House Speech

Mr. Hammond: To ask the Secretary of State for Trade and Industry what representations he has received following his speech at the Mansion House on 2 February. [75180]

Mr. Byers: Several.

Trade Promotion

Mr. Chope: To ask the Secretary of State for Trade and Industry what was the last occasion on which a Government Minister led a trade delegation to *(a)* Lithuania, *(b)* Malawi, *(c)* Malaysia and *(d)* Mauritius; and what future trade delegations are planned. [76544]

Mr. Wilson: *(a)* Lithuania—I will be leading a trade mission to Estonia, Latvia and Lithuania from 26 to 30 April 1999. The mission will look at opportunities for British companies in ports and railways development and it is hoped that more than 15 high level British companies will take part in the mission. This is the first occasion that a Government Minister has led a trade delegation to the Baltic States during this administration.

(b) Malawi—There have been no Minister-led trade delegations by a Government Minister in this Administration and none are currently planned.

(c) Malaysia—The last occasion on which a Government Minister led a trade delegation to Malaysia was in September 1995 by the then President of the Board of Trade, Ian Lang.

Thirteen DTI sponsored trade missions are planned during FY 1999–2000.

(d) Mauritius—There have been no trade delegations led by a Government Minister in this Administration. Future DTI supported outward trade missions to Mauritius are planned for July 1999, November 1999 and March 2000.

Mr. Chope: To ask the Secretary of State for Trade and Industry what was the last occasion on which a Government Minister led a trade delegation to *(a)* Kazakhstan, *(b)* Kyrgyzstan, *(c)* Lebanon and *(d)* Lesotho; and what future trade delegations are planned. [76541]

Mr. Wilson: *(a-b)* The last occasion on which a Government Minister led a trade delegation to Kazakhstan and/or Kyrgyzstan was when Viscount Goschen, then Minister for Aviation and Shipping, led a delegation to Kazakhstan, Kyrgyzstan and Uzbekistan between 9–16 September 1995.

There are no firm plans for future trade delegations led by a Minister to visit either country. The Department of Trade and Industry plans to support 4 trade missions to Kazakhstan in 1999–2000, two of which will visit Kyrgyzstan. They are as follows:

Date	*Trade missions*
April 1999	Agricultural sector working group mission to Kazakhstan, Kyrgyzstan and Uzbekistan
October 1999	Infrastructure and Energy projects Directorate oil and gas trade mission to Kazakhstan
October 1999	British Water Trade mission to Kazakhstan
March 2000	British Consultants Trade mission to Kazakhstan and Kyrgyzstan

Additionally, the Chairman of the British Overseas Trade Board will be visiting Central Asia in September with a trade mission. He is expected to include Kyrgyzstan in the visit.

(c) The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions, my hon. Friend the Member for Mansfield (Mr. Meale), led a mission of British Water companies to Lebanon in December 1998. My Department plans to support five trade missions to Lebanon in the financial year 1999–2000:

Date	*Trade missions*
11–24 April 1999	Business Link Gloucester
18–22 May 1999	Middle East Association
3–15 October 1999	Business Link Milton Keynes
16–24 November 1999	Nottingham Chamber of Commerce and Industry
January 2000	Birmingham Chamber of Commerce and Industry

(d) There have been no Minister-led trade delegations to Lesotho and there are no plans for one in the future.

Mr. Chope: To ask the Secretary of State for Trade and Industry what was the last occasion on which a Government Minister led a trade delegation to *(a)* Colombia, *(b)* Cuba, *(c)* Cyprus, *(d)* Dominica and *(e)* the Dominican Republic; and what future trade delegations are planned. [76526]

Mr. Wilson: The then Minister for Trade led a trade delegation to Colombia in 1996. There are no plans for another Minister-led trade delegation in the near future. The following trade missions are planned:

Date	*Trade missions*
May 1999	ABHI/LATAG
September 1999	British and Colombian Chamber of Commerce
November 1999	London Chamber of Commerce
March 2000	Northern Development Company

The then Minister for Science and Technology led a trade delegation to Cuba in 1994. I will be leading a

trade delegation in April 1999 and the Caribbean Trade Advisory Group (CARITAG) are planning a trade mission in June.

There have been no recent Minister-led trade delegations to Cyprus, Dominica or the Dominican Republic and none is planned in the near future.

The London Chamber of Commerce and Industry are planning a trade mission to Cyprus in September 1999 and CARITAG are organising a trade mission to the Dominican Republic in June 1999.

Mr. Chope: To ask the Secretary of State for Trade and Industry what was the last occasion on which a Government Minister led a trade delegation to *(a)* Peru, *(b)* Qatar, *(c)* Saudi Arabia and *(d)* Singapore; and what future trade delegations are planned. [76556]

Mr. Wilson: The information is as follows:

Peru

The last occasion a Government Minister led a trade delegation to Peru was November 1996.

My Department plans to support four trade missions to Peru in the financial year 1999–2000:

	Date
BEAMA	14–18 June 1999
Birmingham Chamber of Commerce	27 September–1 October 1999
British and Chilean Chamber of Commerce	22–26 November 1999
London Chamber of Commerce	20–26 March 2000

Qatar

The former Minister for Trade led a trade delegation to Qatar in November 1997.

My Department is planning to support four trade missions to Qatar in the financial year 1999–2000:

	Date
Northern Development Company	5–7 February 2000
Middle East Association	26–28 February 2000
East Mercia Chamber of Commerce and Industry	1–3 April 2000
Rotherham Business Link	9–11 April 2000

Saudi Arabia

The last occasion a Government Minister led a trade delegation to Saudi Arabia was in November 1995.

My Department is planning to support six trade missions to Saudi Arabia in 1999–2000.

	Date
Coventry and Warwickshire Chamber of Commerce and Industry	18–27 September 1999
Middle East Association	15–25 October 1999
Birmingham Chamber of Commerce and Industry	18–28 November 1999
Thames Valley Chamber of Commerce and Industry	25 January–3 February 2000
London Chamber of Commerce and Industry	29 February–9 March 2000
Business Link Rotherham	26 March–4 April 2000

Singapore

I led a trade delegation to Singapore in October 1998.

My Department is planning to support 14 trade missions to Singapore in 1999–2000:

	Date
The Scottish Council for Development and Industry	19–23 April 1999
Defence Manufacturers Association	3–7 May 1999
East Mercia Chamber of Commerce and Industry	10–14 May 1999
Business Link Shropshire	21–25 June 1999
BESA	28 June–2 July 1999
Aberdeen Chamber of Commerce	20–24 September 1999
Business Link Kent	27 September–1 October 1999
Manchester Chamber of Commerce	5–29 October 1999
Southern Derbyshire Chamber of Commerce	1–5 November 1999
Northern Development Company	22–26 November 1999
Birmingham Chamber of Commerce and Industry	January 2000 (tbc)
Luton and Bedfordshire Chamber of Commerce	7–11 February 2000
North Staffordshire Chamber of Commerce	28 February–3 March 2000
Business Link Sheffield	27–31 March 2000

Mr. Chope: To ask the Secretary of State for Trade and Industry what was the last occasion on which a Government Minister led a trade delegation to *(a)* Japan, *(b)* Jordan, *(c)* Kenya and *(d)* Kuwait; and what future trade delegations are planned. [76538]

Mr. Wilson: The information is as follows:

Japan

The Minister of State, Northern Ireland Office, my right hon. Friend the Member for East Kilbride (Mr. Ingram) led a trade delegation to Japan from 15–27 March 1998.

My Department plans to support 38 trade missions to Japan in the financial year 1999/2000:

	Date
British Nuclear Industry Forum	5–15 April 1999
British Tourist Authority	11–17 April 1999
Manchester Chamber of Commerce and Industry	May 1999 (tba)
Motor Sport Industries Association	17–21 May 1999
JTA/Exports to Japan Unit	24–28 May 1999
British Knitting and Clothing Export Council	31 May-4 June 1999 (tbc)
Aromatherapy Trade Council	June 1999 (tbc)
Birmingham Chamber of Commerce	7–11 June 1999
London Chamber of Commerce and Industry	14–18 June 1999 (tbc)
British Airports Group	21–23 June 1999
The National Wool Textile Export Corporation	21–25 June 1999
The British Council	Between September 1999 and March 2000 (tba)
Export Action Centre for Building Materials	September 1999 (tba)
JTA/Exports to Japan Unit	September 1999 (tba)
Northern Development Company	6–10 September 1999
JTA/Department of Trade and Industry	Autumn 1999 (tba)
The British Council (Education Counselling Service)	1–11 October 1999
British Jewellery and Giftware Federation	11–15 October 1999
Energy Industries Council	2–5 November 1999
British Knitting and Clothing Export Council	November 1999 (tba)
Food From Britain	November 1999 (tba)
The Federation of Garden and Leisure Manufacturers Ltd.	November 1999 (tba)
The Scottish Council For Development and Industry	15–19 November 1999
Wolverhampton Chamber of Commerce, Trading and Enterprise	November 1999 (tba)
JTA/Exports to Japan Unit	November 1999 (tba)
Society of Motor Manufacturers and Traders	November 1999 (tba)
North Staffordshire Chamber of Commerce and Industry	January 2000 (tbc)
Nottinghamshire Chamber of Commerce and Industry	late January 2000
British Marine Industries Federation	February 2000 (tba)
Publishers Association	14–16 February 2000
British Furniture Manufacturers	March 2000 (tba)
Bedfordshire and Luton Chamber of Commerce	March 2000 (tba)
Business Link Kent	March 2000 (tba)
Federation of British Electrotechnical and Allied Manufactures' Association	March 2000 (tba)
EBA/JTA/Exports to Japan Unit	tba
JTA/Exports to Japan Unit	tba
JTA/Exports to Japan Unit	tba
JTA/Exports to Japan Unit	tba

Jordan

The Parliamentary Under-Secretary of State for the Department of the Environment, my hon. Friend the Member for Mansfield (Mr. Meale) led a trade delegation to Jordan from 5–8 December 1998.

My Department is planning to support five trade missions to Jordan in the financial year 1999–2000.

	Date
Middle East Association	24 May-9 June 1999
South of England Exporters Association	19–22 September 1999
Business Link Milton Keynes and North Bucks	3–15 October 1999
Northern Ireland Chamber of Commerce and Industry and the British Consultants Bureau	20–22 November 1999
Birmingham Chamber of Commerce and Industry	January 2000 (tbc)

Kenya

There have been no recent Minister-led trade delegations to Kenya.

My Department is planning to support one trade mission to Kenya in the financial year 1999–2000.

Business Link Sussex 1–10 February 2000.

Kuwait

There have been no recent Minister-led trade delegations to Kuwait. However, Kuwait has been visited by many UK Ministers and I plan to visit next month.

My Department plans to support three trade missions to Kuwait in the financial year 1999–2000.

	Date
Birmingham Chamber of Commerce and Industry	11–13 September 1999
Sheffield International Trade Centre	2–4 November 1999
Middle East Association	18–21 February 2000

Mr. Chope: To ask the Secretary of State for Trade and Industry what was the last occasion on which a Government Minister led a trade delegation to *(a)* Ecuador, *(b)* Egypt, *(c)* Estonia and *(d)* Gambia; and what future trade delegations are planned. [76529]

Mr. Wilson: The information is as follows:

Ecuador

There have been no recent Minister-led trade delegations to Ecuador.

My Department has no plans to support any trade missions to Ecuador.

Egypt

I led a trade delegation to Egypt in February 1999.

My Department is planning to support eight trade missions to Egypt in the financial year 1999–2000:

	Date
North Staffordshire Chamber of Commerce	16–20 May 1999
Northern Ireland Chamber of Commerce and Industry	June 1999
Business Link Sussex	12–16 September 1999
South of England Exporters Association	19–29 September 1999
Northern Ireland Development Company	28 November–2 December 1999
London Chamber of Commerce	30 January–3 February 2000
The Guage and Toolmakers Association	February 2000
Business Link Barnsley and Doncaster	Date to be confirmed

Estonia

I will be leading a trade mission to Estonia, Latvia and Lithuania from 26 to 30 April 1999. The mission will look at opportunities for British companies in ports and railways development and it is hoped that more than 15 high level British companies will take part in the mission.

No other trade missions are being passed by my Department.

Gambia

There have been no recent Minister-led trade delegations to the Gambia.

My Department has no plans to support any trade missions to the Gambia.

Mr. Chope: To ask the Secretary of State for Trade and Industry what was the last occasion on which a Government Minister led a trade delegation to *(a)* Algeria, *(b)* Argentina, *(c)* Australia, *(d)* Bahrain and *(e)* Bangladesh; and what future trade delegations are planned. [76520]

Mr. Wilson: There has been no Minister-led trade mission to Algeria during the past 10 years. There are no trade missions planned for Algeria.

My hon. Friend the Minister for Transport in London, led a trade delegation to Argentina in July 1998. There are 8 trade missions planned to Argentina during the next financial year:

	Date
Trade International Northern Ireland	April 1999
Latin American Trade Advisory Group/ABHI	May 1999
Northern Development Company	May 1999
Mid Yorkshire Chamber of Commerce and Industry	July 1999
Southern Derbyshire Chamber/BL North Derbyshire	September 1999
Birmingham Chamber of Industry and Commerce	November 1999
British Argentine Chamber of Commerce	November 1999
London Chamber of Commerce and Industry	March 2000

The Parliamentary Under-Secretary of State for Wales, my hon. Friend the Member for Neath (Mr. Hain) led a trade mission to Australia in October last year. The following 12 missions are planned for the coming year:

	Date
The Northern Offshore Federation	19–23 April 1999
The Sports Industries Federation	21–25 June 1999
Association of British Healthcare Industries	5–9 July 1999
Business Link Sussex	30 August–3 September 1999
Dorset Chamber of Commerce and Industry	20–24 September 1999
Northern Development Company	4–8 October 1999
North Staffordshire Chamber of Commerce and Industry	18–22 October 1999
Australia and New Zealand Trade Advisory Committee (ANZTAC)	22–26 November 1999
Liverpool Chamber of Commerce and Industry	7–11 February 2000
Business Link Shropshire	13–17 March 2000
Birmingham Chamber of Commerce and Industry	20–24 March 2000
The Scottish Council Development and Industry (SCDI)	date not yet decided

My hon. Friend the Minister for Competition and Consumer Affairs opened a British Week event in November last year in Bangladesh. One trade mission is planned this year:

Birmingham Chamber of Commerce and Industry
6–13 November 1999.

The last visit by a Minister to Bahrain was undertaken by my hon. Friend the Parliamentary Under-Secretary of State for Education and Employment, the hon. Member for Leeds, East (Mr. Mudie), in November 1997. The following four missions are planned for the coming year:

	Date
Coventry and Worcester Chamber of Commerce	28–30 September 1999
Thames Valley Chamber of Commerce International	22–24 January 2000
Middle East Association	22–25 February 2000
Rotherham Business Link	5–8 April 2000

I commend the hon. Member to the Overseas Trade Services website (http://www.dti.gov.uk/ots) on which a list of future missions, seminars and trade fairs is displayed for all our major markets.

Sombrero Island

Mr. Cohen: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 9 December 1998, *Official Report*, column *199*, on the island of Sombrero, if he will make a statement about officials' discussions with the Government of Anguilla. [76629]

Mr. Battle: Officials from the British National Space Centre are in contact with the Government of Anguilla on the outer space aspects of the request by the US company Beal Aerospace to lease Sombrero Island for the purpose of launching commercial satellites. A meeting was held in London on 10 December between UK Government Departments and representatives of the Governor and Government of Anguilla to discuss the process and timetable for considering the application. Representatives of Beal Aerospace and of the Non-Governmental Organisations were also present.

I understand that subsequent discussions have also been held by officials of the Foreign and Commonwealth Office with the Government of Anguilla on this and on other aspects of this unique proposal. My officials continue to be in contact when appropriate.

Discussions are continuing on the full implications of the project.

Ilisu Dam, Turkey

Mr. Dafis: To ask the Secretary of State for Trade and Industry what criteria are applied by the Export Credits Guarantee Department in reaching decisions on giving support for the Ilisu Dam project in Turkey. [77133]

Mr. Wilson: The Export Credits Guarantee Department will employ its normal underwriting criteria to ensure that the provision of support for this project involves an acceptable risk. Part of the underwriting process involves looking, with other Export Credit Agencies, at environmental issues, including social issues, such as the resettlement of the local population and protection of cultural heritage, as well as the economic and political risks involved. Ministers will be consulted.

Mr. Dafis: To ask the Secretary of State for Trade and Industry if he will publish a full environmental and social impact assessment before granting export credit insurance for British firms involved in the Ilisu Dam project in Turkey. [77079]

Mr. Wilson: I do not propose to publish a full environmental and social assessment on this project. We are working on the basis of documents which have been produced by other parties to the project and which are not our property. However, we shall be reviewing very carefully the environmental and social aspects of this project.

Export Credits Guarantee Department

Mr. Dafis: To ask the Secretary of State for Trade and Industry if he will adopt World Bank policies on *(a)* environmental assessment, *(b)* involuntary resettlement and *(c)* the protection of cultural heritage for the screening of projects receiving support from the Export Credits Guarantee Department. [77132]

Mr. Wilson: I refer the hon. Member to the reply I gave him on 11 February 1999, *Official Report*, columns *410–11*.

Mr. Dafis: To ask the Secretary of State for Trade and Industry if it is part of the standard procedure that projects considered for support by the Export Credits Guarantee Department are assessed in respect of their compliance with the OECD's guidelines for the conduct of multinational enterprises. [77081]

Mr. Wilson: I refer the hon. Member to the reply I gave him on 11 February 1999, *Official Report*, columns *410–11*. ECGD is aware of the OECD Guidelines for Multinational Enterprises, but it is not part of its normal underwriting procedures to assess compliance with these. HMG (through DTI) are currently engaged, together with their OECD partners, in the review of the Guidelines. One of the issues under discussion is the broader question of how Governments can encourage greater awareness and observance.

One of the main aims of the procedures ECGD is developing is to raise the awareness of UK exporters, investors and overseas buyers of environmental issues.

Waste Tyres

Mr. Jim Cunningham: To ask the Secretary of State for Trade and Industry what safe forms of disposal for waste tyres the Government are promoting. [75963]

Dr. Howells *[holding answer 16 March 1999]:* There are a number of options for handling waste tyres. These options include retreading a used tyre to give it another life, energy recovery in the form of electricity generation or as fuel in cement kilns, recycling and re-use. The Government believe that all these options have an important role to play in meeting the 100 per cent. recovery target for waste tyres that the EU landfill Directive will bring. Together with industry, in the form of the Government/Industry Scrap Tyre Working Group, we are considering what steps may be necessary to improve our scrap tyre recovery performance from its level of 74 per cent. in 1997 to the target of 100 per cent., which it is anticipated we will need to achieve by 2003.

Soft Timbers

Mr. Öpik: To ask the Secretary of State for Trade and Industry if he will list the tonnage of soft timbers imported from *(a)* Latvia, *(b)* Lithuania and *(c)* Estonia during each of the last three years; and if he will make a statement. [77200]

Mr. Wilson: It is possible to differentiate most, but not all, imported timbers between softwood and other timber. For those categories which can be distinguished, available figures for the imports of softwood from the Baltic States are:

(thousand metric tons)

	1995	*1996*	*1997*
Latvia	352	449	718
Lithuania	38	73	97
Estonia	68	93	161

Source:
Eurostat Intra & Extra EU Trade

The figures cover Standard International Trade Classification (Rev3) 247.30, 247.40, 248.20 and 248.30.

Mr. Öpik: To ask the Secretary of State for Trade and Industry if he will list the output figures of softwoods for the UK timber industry over each of the last three years; and if he will make a statement. [77201]

Mr. Wilson: Information on the output of UK sawmills is available in "Product Sales and Trade, PRA17", published by the Office for National Statistics. A copy is held in the Library of the House. The latest year for which data is available is 1996.

Mr. Öpik: To ask the Secretary of State for Trade and Industry what reports he has assessed of illegal dumping of imported softwoods onto the UK market; and if he will make a statement. [77205]

Mr. Wilson: I am aware of the difficulties being experienced by the UK soft wood industry and have had discussions with their representatives. However, it is the responsibility of the European Commission to investigate complaints about allegedly dumped imports into the EU. So far as I am aware the industry has not made a complaint to the European Commission about the dumping of soft wood.

Pains Wessex

Ann Clwyd: To ask the Secretary of State for Trade and Industry if he will list the licensed production agreements that Pains Wessex has established in other countries, indicating the products which the agreements cover. [77238]

Dr. Howells: Companies wishing to license overseas production of their products do not require DTI approval, nor are they required to notify DTI of agreements entered into.

However, I would also refer my hon. Friend to the answer given by my hon. Friend the Parliamentary Under-Secretary of State for Small Firms, Trade and Industry on 12 January 1999, *Official Report*, columns *149–50*.

Wind Turbines

Dr. Kumar: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 1 March 1999, *Official Report*, column *571*, on the potential inclusion of offshore wind energy in NFFO, if he will introduce a support scheme for long-term investment in wind turbine manufacture. [77271]

Mr. Battle: The Government are already supporting the commercial development of wind energy in the UK under the Non-Fossil Fuel Obligation (NFFO). At 31 December 1998, there were 58 wind projects operational, comprising 138 MW Declared Net Capacity. In addition, a further 69 wind projects, comprising 368 MW of capacity were contracted under NFFO-5 which I announced last September.

Support for manufacturers for research and development of wind turbine technology is available under my Department's New and Renewable Energy Programme. As referred to in my answer of 17 March 1999, *Official Report*, columns *700–01*, total DTI expenditure on wind energy projects in 1997–98 was £1.5 million.

Support under the Department's Regional Selective Assistance (RSA) scheme is also available. This is a discretionary scheme aimed at attracting investment and creating/safeguarding jobs in the Assisted Areas. Guidance notes and application forms for this scheme can be obtained from local Business Links or Government Offices.

Prison Labour

Mr. Cox: To ask the Secretary of State for Trade and Industry if he will list the Governments his Department made representations to in 1998 on the use of prison labour in the manufacture of goods imported into the United Kingdom. [77600]

Mr. Wilson: My Department has neither made nor received representations about the import of prison made goods.

Argentina

Mr. Cox: To ask the Secretary of State for Trade and Industry if he will list the visits made to Argentina in 1998 by Ministers in his Department. [77599]

Mr. Wilson: There were no visits to Argentina by Ministers in my Department during 1998.

Northern Cyprus

Mr. Cox: To ask the Secretary of State for Trade and Industry what checks are made on goods imported into the United Kingdom to ensure they were not manufactured in the occupied area of Northern Cyprus; and if he will make a statement. [77601]

Mr. Wilson: None.

Export Promotion Directorate

Mr. Vaz: To ask the Secretary of State for Trade and Industry how many visits abroad have been made by officials in the Export Promotion Directorate since 1 January. [77746]

Mr. Wilson: This information is not held centrally and could be obtained only at disproportionate cost.

Mr. Vaz: To ask the Secretary of State for Trade and Industry how many staff are employed in his Department's Export Promotion Directorate; and of these how many are *(a)* women and *(b)* from ethnic minorities. [77745]

Mr. Wilson: The Department currently employs 632 staff in the Export Promotion Directorates, of these *(a)* 255 are female and *(b)* 118 are known to be from ethnic minorities.

Exports (Gulf States)

Mr. Vaz: To ask the Secretary of State for Trade and Industry if he will make a statement on his Department's export promotion activities in *(a)* Oman, *(b)* Bahrain, *(c)* Saudi Arabia and *(d)* the UAE. [77744]

Mr. Wilson: Our export promotion activities for these markets are contained in the Markets and Sectors Matrix, published on 4 March, a copy of which has been placed in the Library of the House. We provide a range of help for exporters to all these markets, including targeted market information, market research services and, where appropriate, support for missions and trade fairs.

Petrol Retail Prices

Mr. Peter Bradley: To ask the Secretary of State for Trade and Industry what has been the percentage change in pre-tax petrol retail prices over the last two years. [78007]

Mr. Battle: Excluding duty and VAT, unleaded petrol prices have fallen by 32 per cent. between February 1997 and February 1999.

Oil Prices

Mr. Peter Bradley: To ask the Secretary of State for Trade and Industry what has been the percentage change in oil prices over the last two years. [78109]

Mr. Battle: The average price of crude oil, acquired by UK refineries, fell by 53 per cent. between February 1997 and February 1999.

Gas-fired Power Stations

Mr. Whittingdale: To ask the Secretary of State for Trade and Industry if he will *(a)* list the consents he has refused for gas-fired power stations and *(b)* estimate the proposed investments in each station by those applying for the consents. [78013]

Mr. Battle: In accordance with the policy set out in the White Paper entitled "Conclusions of The Review of Energy Sources for Power Generation and Government Response to fourth and fifth Reports of the Trade and Industry Committee" (Cm 4071) the following proposals have not been granted clearance:

Barking—154 MW (black start and open cycle gas turbine plant)

AES Partington—380 MW (combined cycle gas turbine plant)

Keadby II—770 MW (combined cycle gas turbine plant)

Spalding—800 MW (combined cycle gas turbine plant)

Fleetwood—1,000 MW (combined cycle gas turbine plant).

The level of investment involved is a commercial matter for the companies.

Energy Regulator

Mr. Boswell: To ask the Secretary of State for Trade and Industry what preparations are being made by the Energy Regulator in respect of his responsibilities under the Competition Act 1998; what increase in staff is required; and what action is being taken to co-ordinate policy with the Director General of Fair Trading. [77688]

Mr. Battle: The Office of Gas Supply (Ofgas) and Office of Electricity Regulation (OFFER) are members of the Concurrency Working Party (CWP), chaired by the Office of Fair Trading. The CWP is working to ensure that a consistent approach is being taken by all regulators on areas of training, internal procedures for the investigation of cases, IT requirements and guidance for industry. At present it is unclear if further staff will be required in Ofgas and OFFER to undertake work resulting from the prohibitions in the Competition Act coming into force in March 2000.

Naturally, the Director General of Electricity and Gas Supply is aware of the need to ensure that the appropriate level of trained staff is in place to deal with these new responsibilities. A guideline, "Concurrent Application to Regulated Industries", which deals with how regulators work with the Director General of Fair Trading (DGFT) and with each other, has been produced by the CWP and issued by the DGFT. In February, the DTI issued a consultation document "Concurrency: consultation on the possible need and scope for regulations".

New Roads and Street Works Act 1991

Mr. Field: To ask the Secretary of State for Trade and Industry how many representations from local authorities complaining about the provisions of the New Roads and Street Works Act 1991 he has received since 1 May 1997. [78056]

Mr. Battle: My Department has received one representation from a local authority.

LORD CHANCELLOR'S DEPARTMENT

Civil Court Fees

Mr. Stinchcombe: To ask the Minister of State, Lord Chancellor's Department (1) what estimate he has made of the cost to the Legal Aid Fund of civil court fees in the next financial year; [77344]

(2) what is the estimated cost to the Legal Aid Fund of civil court fees in *(a)* the current and *(b)* each of the last three financial years. [77345]

Mr. Hoon: As I told my hon. Friend on 8 February 1999, *Official Report*, column *14*, the Legal Aid board does not record separately the amounts paid from the Legal Aid Fund in respect of civil court fees; court

fees are recorded under the general heading of 'disbursements'. Therefore no reliable estimate of the cost to legal aid of civil court fees is possible.

County Courts

Mr. Stinchcombe: To ask the Minister of State, Lord Chancellor's Department how many county courts are due for closure in the current financial year. [77350]

Mr. Hoon: Seven county courts have closed during the current financial year. No further closures are planned for the remainder of this financial year.

Access to Justice

Mr. Edwards: To ask the Minister of State, Lord Chancellor's Department if he will make a statement on the recommendations made by the Law Commission in its 1994 report "Administrative Law, Judicial Review and Statutory Appeals" and by Lord Woolf in Chapter 18 of his 1996 report "Access to Justice". [77082]

Mr. Hoon: The Lord Chancellor has decided to establish a full Review of the High Court 'Crown Office List', which includes, for example, *habeas corpus* and the judicial review of administrative decisions. The Review, under the chairmanship of Sir Jeffery Bowman, will be fundamental. It will consider, not only the recommendations made by the Law Commission and Lord Woolf, but also the Rules, procedures, jurisdiction, organisation and work of the Crown Office List.

Green Transport Plan

Mr. Burstow: To ask the Minister of State, Lord Chancellor's Department what involvement fleet managers have had in drawing up his Department's Green Transport Plan. [77962]

Mr. Hoon: There are separate Green Transport Plans for the Headquarters of the Lord Chancellor's Department, the Court Service and the Public Trust Office. All fleet managers have been consulted in drawing up the plans.

Freemasons

Mr. Mullin: To ask the Minister of State, Lord Chancellor's Department what the latest figures are for the declaration of membership of the freemasons among the judiciary, together with the numbers from whom replies have not yet been received; and if he will break down the figures between *(a)* the professional judiciary and magistrates and *(b)* men and women. [78053]

Mr. Hoon: All serving members of the judiciary were invited by the Lord Chancellor to declare on a voluntary basis whether they were freemasons. Responses are still being processed and analysed. The latest figures available are given in the table, but these remain subject to revision in the light of new replies and further analysis. In addition, all new appointees to judicial office are now required as a condition of appointment to state whether or not they are freemasons, and if not, required to notify the Lord Chancellor if they subsequently join. Declarations obtained from new appointees are also in the process of being collated.

Register of freemasons among judiciary: interim responses

	Professional judiciary	*Lay magistracy*[1]
Forms sent out	5,290	24,964
Declared non-mason	4,744	20,300
Declared mason:		
Male	260	1,176
Female	3	32
Status not disclosed:		
Male	65	413
Female	5	186
No reply received	213	2,857

[1] Excluding the Duchy of Lancaster

Written Answers to Questions

Tuesday 23 March 1999

DEFENCE

Parliamentary Questions

Mr. Tyrie: To ask the Secretary of State for Defence what his Department's estimate was of the cost of answering the question from the hon. Member for Chichester of 17 March 1999, *Official Report*, column *689*, concerning the waiving of the working time directive (Ref. 76811); and if he will provide a breakdown. [78048]

Mr. Spellar: The cost to my Department's budget of answering individual parliamentary questions is not held centrally, however, the advisory cost of limit answering a parliamentary question is £500.

Compensation Claims

Mr. McNamara: To ask the Secretary of State for Defence, pursuant to his answer to the hon. Member for Mid-Norfolk (Mr. Simpson) of 21 January 1999, *Official Report*, column *529*, on outstanding compensation cases, if he will indicate the year of submission of each claim for compensation on the grounds of *(a)* post-traumatic stress disorder and *(b)* physical injury; and if he will categorise them according to the geographical region where it is alleged the injuries were sustained. [78174]

Mr. Spellar *[holding answer 22 March 1999]:* I refer my hon. Friend to the answer I gave him on 8 February 1999, *Official Report*, column *17*.

Iraq

Mr. Dalyell: To ask the Secretary of State for Defence, pursuant to his answer on Iraq of 18 March 1999, *Official Report*, column *810*, what evidence he has received of Saddam Hussein attempting to use his air force in 1999 for repressing his own people; and to which people he is referring. [78367]

Mr. George Robertson: The no-fly-zones were established in April 1991 (north) and August 1992 (south) in support of UN Security Council Resolution 688 which condemned Saddam Hussein's brutal repression of his own people. This repression involved extensive use of helicopter gun ships against the Kurdish minority in the north as well as both fixed wing aircraft and helicopter gun ships against Sh'ia muslims in the south. Since the end of December 1998, over 170 Iraqi aircraft have violated the no-fly zones. Coalition patrols have successfully prevented any of these aircraft from attacking the Kurdish minority in the northern no-fly zone or the Sh'ia muslims in the southern no-fly zone. However, given the extensive history of brutality by Saddam's regime, there is no reason to believe that he would not resume these tactics were we to cease patrols.

Mr. Dalyell: To ask the Secretary of State for Defence, pursuant to his answer of 18 March 1999, *Official Report*, column *811*, on no-fly zones, what agreement he has sought from the UN that Rules of Engagement should be entirely a national matter. [78364]

Mr. George Robertson: None.

Mr. Dalyell: To ask the Secretary of State for Defence what was the approximate weight of ordnance fired against targets in Iraq on Tuesday 16 March. [78249]

Mr. George Robertson: UK forces did not launch or drop any ordnance against Iraqi targets on 16 March.

Military Exports (Private Flights)

Ann Clwyd: To ask the Secretary of State for Defence what records are kept regarding the export of military, police or security goods from RAF airfields by private companies. [77245]

Dawn Primarolo: I have been asked to reply.

Customs declarations are lodged for exports from military airfields of goods originating in the UK on the same basis as exports from civil airports. They are retained for a minimum period of three years.

ATTORNEY-GENERAL

Departmental Report

Mr. Gareth R. Thomas: To ask the Attorney-General when he expects his 1999 departmental report to be published. [78497]

The Attorney-General: I can confirm that copies of my departmental report have been placed in the Libraries of the House today.

Crown Prosecution Service

Mr. Jack: To ask the Attorney-General what proportions of cases put by the police to the Crown Prosecution Service for prosecution are rejected. [76343]

The Attorney-General: The Crown Prosecution Service discontinued 12 per cent. of cases completed in magistrates courts in 1998, almost unchanged from the figure recorded for each of the four preceding years.

More than half of discontinued cases are unable to proceed because witnesses fail to appear in court, refuse to give evidence, or change their evidence; defendants produce documents proving their innocence in motoring cases on the day of the trial; evidence is excluded because of irregularities in its collection; or there are gaps in the prosecution case which cannot be filled by the police. In these circumstances, the Crown Prosecution Service has no choice but to discontinue proceedings.

The number of cases discontinued against the opinion of the police is very small; a survey conducted in 1994 showed that the police objected to discontinuance on only 4 per cent. of occasions when they were consulted.

Hamilton *v* Al Fayed Case

Mr. Peter Bottomley: To ask the Attorney-General what factors underlay the decision of the Solicitor General to intervene in the Hamilton *v* Al Fayed case. [77739]

The Solicitor-General: The Attorney-General intervened before the Court of Appeal in this case, on behalf of the Speaker and the Authorities of the House of Commons, as it raised fundamental constitutional issues as to the respective jurisdictions of Parliament and the Courts. It was important that such issues should not be decided by default. The Speaker and Authorities of the House of Commons have a direct interest in protecting the privileges of the House, which were directly in issue in the appeal.

Before deciding whether to intervene, the Attorney-General took into account the judgment of Mr. Justice Popplewell in the High Court, together with representations made to him following that judgment by the Clerk of the House.

PRIME MINISTER

Al Shifa

Mr. Dalyell: To ask the Prime Minister, pursuant to his answer of 10 March 1999, *Official Report*, columns 364–65, on the Al Shifa factory, if he will identify the international terrorists to whom he refers. [77103]

The Prime Minister: The US Government have stated that they took action against international terrorist groups which had played a key role in the US embassy bombings in Kenya and Tanzania. They had reason to believe that these groups were planning further terrorist attacks against US and other citizens.

Mr. Dalyell: To ask the Prime Minister, pursuant to his answer of 10 March 1999, *Official Report*, columns 364–65, on Al Shifa, what discussions he has held with the US Administration since the strike on Al Shifa concerning the compelling evidence that the plant was being used for the production of chemical weapons materials. [77104]

The Prime Minister: It is established practice under section 1(c) of the Code of Practice on Access to Government Information not to disclose or discuss information received in confidence from foreign governments.

Mr. Dalyell: To ask the Prime Minister, pursuant to his answer of 10 March 1999, *Official Report*, column 364–65, on Al Shifa, to which places he was referring, as the bases for terrorist organisations. [77105]

The Prime Minister: The US Government have stated that their airstrikes last August against targets in Afghanistan and Sudan were against camps and facilities linked with groups who had played a key role in the US embassy bombings in Kenya and Tanzania killing over 200 innocent people.

WALES

Green Transport Plan

Mr. Burstow: To ask the Secretary of State for Wales what involvement fleet managers have had in drawing up his Department's Green Transport Plan. [77964]

Mr. Hain *[holding answer 22 March 1999]:* The Welsh Office does not run a large fleet of vehicles and therefore does not have a Fleet Manager. However, the Department's car purchasing and hiring arrangements reflect a concern for the environment. Current practice is to replace petrol driven vehicles with those fitted with catalytic converters and run on unleaded petrol. All vehicles are regularly serviced and fuel consumption, mileage and maintenance costs are closely monitored. These policies will be reflected in the Department's Green Transport Plan.

Following the transfer of functions, this issue will be a matter for the National Assembly.

SSA Formula

Ms Lawrence: To ask the Secretary of State for Wales if he has received the final report of the independent review of the standard spending assessment formula; and if he will make a statement. [78532]

Mr. Michael: Yes, I have placed copies of the report in the Library of the House.

The Welsh Consultative Council on Local Government Finance will meet on 29 March to consider how the report's recommendation should be taken forward, although final decisions on changes to the formula for 2000–01 and later years will be for the National Assembly for Wales and local government, through the Partnership Council.

Driving Wales Forward

Ms Lawrence: To ask the Secretary of State for Wales what estimate he has made of the cost of implementing the potential road programme identified in Driving Wales Forward; and if he will make a statement. [78573]

Mr. Hain: I am placing copies of tables in the Library of the House which give the requested information on a constant price base up to the year 2011–12.

The tables cover maintenance expenditure, schemes for making better use of the network, safety schemes and small scale improvements, as well as the major schemes included in the "short term" programme set out in Driving Wales Forward. That document also announced the Government's intention of undertaking corridor studies in relation to several other major road schemes in the programme inherited from the previous administration. The cost of implementing those schemes has been included in order to show the full potential costs of the trunk road programme.

Following the transfer of functions, decisions on whether these or any other schemes should proceed will be matters for the National Assembly.

Road Noise

Ms Lawrence: To ask the Secretary of State for Wales if he will adopt noise reduction criteria as they apply in England for road schemes in Wales. [78574]

Mr. Hain: A preliminary analysis of the criteria adopted to deal with the worst problems of noise on English trunk roads indicates that no trunk road sites in Wales currently suffer from noise levels sufficiently high to meet those criteria. We will be extending our analysis

of noise levels adjacent to the trunk road network in Wales and considering the scope for adapting the criteria to meet specific Welsh circumstances.

Following the transfer of functions, this issue will be a matter for the National Assembly.

HOUSE OF COMMONS

IT Services

Dr. Cable: To ask the Chairman of the Information Committee what estimate he has made of the savings to public funds which could be generated by the central provision of information technology services and equipment for hon. Members' offices. [77932]

Mr. Allan: Last year, the Information Committee conducted an inquiry into options for provision of IT services and equipment for Members. The Committee's report (HC, 1998–99, 76) was published on 18 December 1998. The Committee did not find convincing evidence for savings to public funds from central provision of IT. It did receive evidence that more value could be gained from the same investment if there were more co-ordination of purchases. It therefore recommended that a catalogue of standard equipment should be negotiated with suppliers and made available to Members. This catalogue is now in preparation and is expected to be published before the summer recess.

SCOTLAND

Farm Support

12. **Mrs. Ann Winterton:** To ask the Secretary of State for Scotland when he last met representatives of the farming industry to discuss support for Scottish farms. [76317]

Mr. Dewar: I last met representatives of the farming industry on 4 March at the SNFU annual dinner at which I spoke.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Beef Ban

13. **Mr. Lansley:** To ask the Secretary of State for Scotland if the Scottish Parliament will have the power to lift the beef-on-the-bone ban in Scotland. [76318]

Mr. Galbraith: Yes, from 1 July 1999 this will be a matter for the Scottish Parliament.

Salmon Anaemia

14. **Mr. Swayne:** To ask the Secretary of State for Scotland what action he has taken to tackle the spread of infective salmon anaemia in the salmon farming industry. [76319]

Mr. Macdonald: We are obliged by European law to eradicate the disease and we have put in place monitoring and control measures designed to that end. It is encouraging that the last confirmed outbreak was in September of last year but there are no grounds for complacency and we shall continue to monitor and maintain the control measures.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Social Exclusion

15. **Mr. Savidge:** To ask the Secretary of State for Scotland what plans he has to tackle the problems of those who suffer social exclusion, despite living within areas of general affluence. [76320]

Mr. Macdonald: We are committed to tackling poverty and exclusion wherever it occurs. Initiatives like the New Deal, the Working Families Tax Credit, the National Minimum Wage and the highest ever increase in Child Benefit and the minimum income guarantee for all pensioners, index-linked to average earnings will help individuals and families in every community in Scotland.

From 1 July 1999 action taken forward under the social inclusion strategy will be a matter for the Scottish Parliament.

22. **Mr. Gorrie:** To ask the Secretary of State for Scotland what plans he has to ensure that financial support is provided to enable voluntary organisations which provide community services relevant to social exclusion to continue to function and to plan ahead. [76327]

Mr. Galbraith: The importance of voluntary organisations in helping to deliver the range of policies aimed at tackling social exclusion in Scotland is already recognised in the high level of funding which is provided by the Government. Scottish Office funding for the sector totals nearly £283 million a year, with £23 million in direct aid and a further £260 million provided through other funded agencies. These funds support organisations working in the fields of social welfare, health promotion, homelessness, the provision of social housing, rural poverty and urban deprivation.

From 1 July 1999, this will be a matter for the Scottish Parliament.

National Grid for Learning

16. **Ms Osborne:** To ask the Secretary of State for Scotland if he will make a statement about the national grid for learning. [76321]

Mrs. Liddell: Building the NGfL in Scotland began in 1998 and good progress is being made towards achieving the published targets by 2002.

From 1 July this will be a matter for the Scottish Parliament.

Sentences (Women)

17. **Mrs. Fyfe:** To ask the Secretary of State for Scotland what discussions he has had with the Association of Sheriffs in Scotland concerning sentencing policy for women. [76322]

Mr. McLeish: I meet Sheriffs regularly and discuss various matters. Of course, sentencing is a matter for the courts. The Government's role is to ensure that the courts have a range of effective disposals for offenders. We have set up a project in Glasgow under the chairmanship of

Professor Sheila McLean to tackle the particular issues related to female offenders. We have introduced Supervised Attendance Orders to all sheriff and district courts throughout Scotland, to ensure that an alternative to custody for fine default is always available.

From 1 July 1999 this will be a matter for the Scottish Parliament.

Low Pay

18. **Ms Squire:** To ask the Secretary of State for Scotland if he will make a statement on the incidence of low pay in Scotland. [76323]

Mr. Macdonald: The Government's commitment to helping the low paid is reflected in the introduction of the National Minimum Wage on 1 April. It is estimated that the National Minimum Wage will benefit 157,000 employees in Scotland.

Lockerbie

19. **Mr. Dalyell:** To ask the Secretary of State for Scotland what progress he has made towards organising a trial in relation to the Lockerbie affair; and if he will make a statement. [76324]

Mr. McLeish: Construction work on the prison which will be used to house the accused temporarily after their arrival is now complete. Design work for the remainder of the site is well advanced.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Empty Homes Initiative

20. **Mr. Hood:** To ask the Secretary of State for Scotland when he last met representatives of Scottish local government to discuss the empty homes initiative. [76325]

Mr. Macdonald: My officials have recently met on a number of occasions with other members of the Empty Homes Initiative Advisory Group to assess bids for funding under the Initiative. The Advisory Group includes two Scottish local government representatives nominated by the Convention of Scottish Local Authorities.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Bed Blocking

21. **Dr. Godman:** To ask the Secretary of State for Scotland what recent representations he has received anent the problem of bed blocking. [76326]

Mr. Galbraith: Since the beginning of this year I have dealt with 5 letters and 6 Parliamentary Questions relating in whole or in part to the question of delayed discharge from NHS continuing care.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Poverty

23. **Mr. David Marshall:** To ask the Secretary of State for Scotland if he will make a statement on his policies to reduce the number of people in Scotland who are living in poverty, as defined by his Department. [76328]

Mr. Macdonald: The Government are taking forward a wide-ranging and well-resourced programme of action to tackle poverty and social exclusion in Scotland. Our programme is described in detail in the report "Social Inclusion: Opening the door to a better Scotland", published on 1 March. Further action will be taken forward under our social inclusion strategy, published on the same day.

Manufacturing Industry

24. **Mr. McAllion:** To ask the Secretary of State for Scotland what recent discussions he has had with the Scottish Trades Union Congress relating to the performance of the Scottish manufacturing industry. [76329]

Mr. Macdonald: My right hon. Friend's last formal meeting with the Scottish Trades Union Congress was on 18 January, during which a range of issues affecting the Scottish manufacturing industry were discussed. Ministers and officials are, of course, also in regular informal contact with the STUC.

Genetically Modified Food

25. **Mr. St. Aubyn:** To ask the Secretary of State for Scotland how many local authorities have banned the use of genetically modified foods in schools. [76330]

Mrs. Liddell: The information requested is not collected centrally.

Secretary of State for Scotland

26. **Sir Sydney Chapman:** To ask the Secretary of State for Scotland what the role of the Secretary of State for Scotland will be at Westminster following the establishment of the Scottish Parliament and Executive. [76331]

Mr. Dewar: The Government set out their proposals for the role of the Secretary of State for Scotland after devolution in the White Paper, "Scotland's Parliament" (cm 3658). The Secretary of State will focus on promoting communication between the Scottish Parliament and Ministers on the one hand and the UK Parliament and Government on the other on matters of mutual interest; and on representing Scottish interests in reserved areas.

New Deal

27. **Mr. Jim Murphy:** To ask the Secretary of State for Scotland what estimate he has made of the numbers of young people entering *(a)* full-time jobs and *(b)* further education, as a result of the new deal. [76332]

Mr. Macdonald: Figures to the end of December 1998 show that 5,700 young people had secured jobs, the vast majority of which were full-time and a further 2,549 had entered the full-time education or training option.

Mrs. Laing: To ask the Secretary of State for Scotland how many people *(a)* entered and *(b)* completed the New Deal scheme in (i) 1997 and (ii) 1998. [77832]

Mr. Dewar: The New Deal programmes for young people and those aged 25 and over began in 1998. Figures to the end of December 1998 show that 22,700 young people and 6,900 people aged 25 and over entered the programmes.

By the end of December 1998, 8,500 young people and 1,200 people aged 25 and over had left the New Deal programme, 44 per cent. of whom had moved into jobs.

Mrs. Laing: To ask the Secretary of State for Scotland how many people have obtained full-time employment as a result of the New Deal scheme. [77833]

Mr. Dewar: Figures to the end of December 1998 show that 5,700 young people and 470 long-term unemployed people aged 25 and over had secured jobs, the vast majority of which were full-time.

EU Structural Funds

28. **Mr. Moore:** To ask the Secretary of State for Scotland what discussions he has had with ministerial colleagues on the next programme for European Union structural funds. [76333]

Mr. Macdonald: My right hon. Friend the Secretary of State has been closely involved with ministerial colleagues developing and agreeing the UK negotiating priorities on Structural Funds reform. In addition, the Secretary of State has met with the German Minister responsible for Structural Funds reform in January. I have met with the appropriate Swedish Minister twice and the Finnish Minister once in recent months. The Secretary of State discussed Structural Funds reform with Commissioner Wulf-Mathies early last year and I have followed that up with a further meeting in January.

Scottish Beef

29. **Mr. Brady:** To ask the Secretary of State for Scotland if he will make a statement on the progress he has made in promoting Scottish beef. [76334]

Mr. Macdonald: The Government are making every effort in conjunction with the industry to re-establish the market for Scotch beef in Europe. My noble Friend the Minister for Agriculture, Environment and Fisheries in Scotland led a successful industry mission to Italy earlier this month. Italy was one of the best markets for Scotch beef before the export ban.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Departmental Drinks

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland what stocks of *(a)* wine, *(b)* spirits and *(c)* beer and other alcoholic beverages are held by his Department; what is their value in each case; and if he will make a statement. [74244]

Mr. Dewar *[holding answer 3 March 1999]:* The following represents the total stocks of wines, spirits and beers and other alcoholic beverages held in the hospitality cabinets of all 7 Scottish Office Ministers in St. Andrew's House, Victoria Quay, Meridian Court and Dover House:

Total purchase price (£)

	Ministerial drinks cabinets	*Stocks held centrally for dinners and receptions*
Wines	27.75	1,225.90
Spirits	265.28	776.59
Beers and other alcoholic beverages	56.83	286.34

These costs are part of the provision of £75,000 made for hospitality in The Scottish Office for the current financial year. That provision, of course, also covers the other more significant costs associated with hospitality, i.e. food, catering staff costs, venue hire, flowers, etc., of all official receptions, lunches and dinners hosted by The Scottish Office during 1998–99. I consider this to be reasonable provision for maintaining acceptable standards of hospitality for official visitors and guests, including representatives of foreign Governments.

Timber Industry

Mr. Öpik: To ask the Secretary of State for Scotland what measures his Department has taken to assist the UK timber industry since May 1997; and if he will make a statement. [77202]

Mr. Macdonald: Scottish Office support to assist the timber industry in Scotland is channelled through the Enterprise Network. I have asked the Chairmen of Scottish Enterprise and Highlands and Islands Enterprise to write to the hon. Member.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Primary Class Sizes

Mr. Nigel Griffiths: To ask the Secretary of State for Scotland what estimate he has made of the number of children in primary 1 classrooms in Scotland who will benefit from the extra funding to reduce class sizes to 30 pupils or under from summer 1999. [76314]

Mrs. Liddell: This Government have already reduced by more than 5,000 the number of primary 1, 2 and 3 children educated in classes with more than 30 pupils. By working together with authorities and providing new money—£4 million this year and a further £48 million over the next three years—we will meet our commitment that no 5, 6 or 7 year old will be educated in a class of more than 30 by August 2001.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Sentencing Policy

Ms Osborne: To ask the Secretary of State for Scotland if he will list the members of the committee established under Lord MacLean to review the sentencing and treatment of serious violent and sexual offenders. [78296]

Mr. McLeish *[pursuant to his reply, 19 March 1999, c. 841]:* The membership details in the previous reply were incorrectly reproduced.

The following have accepted my invitation to serve on Lord MacLean's Committee:

Mr. Andrew Brown, Chief Constable, Grampian Police

Mr. David Burns QC, Advocate

Dr. Derek Chiswick, Consultant Psychiatrist, Edinburgh Healthcare NHS Trust

Professor David Cooke, Professor of Forensic Psychology, Glasgow Caledonian University

Mr. David Crawford, Head of Operations, Social Work Department, Renfrewshire Council

Ms Jeane Freeman, Parole Board member, Chief Executive, APEX

Professor Christopher Gane, Professor of Scots Law, University of Aberdeen

Mr. William Gilchrist, Regional Procurator Fiscal, North Strathclyde

Mr. Roger Houchin, Governor, Barlinnie Prison

Mr. Murray Macara, Solicitor Advocate, Beltrami and Co.

Mr. Jamie Malcolm, Nursing Officer, Mental Welfare Commission for Scotland

Dr. Linda Treliving, Consultant Psychotherapist, Dundee Healthcare NHS Trust

Sheriff Charles Stoddart, Director of Judicial Studies.

Arrangements for taking evidence will be announced later.

LORD CHANCELLOR'S DEPARTMENT

Law Centres (North Yorkshire)

35. **Mr. Grogan:** To ask the Minister of State, Lord Chancellor's Department if he will make a statement on the provision of law centres in North Yorkshire. [76340]

Mr. Hoon: There are currently no law centres in North Yorkshire. The Lord Chancellor's Department is not directly responsible for the provision of law centres. They are not-for-profit organisations established within communities in response to particular needs, and funded from a number of different sources. The Department has provided grant support to a small number of law centres since the 1970s.

Immigration Adjudicators

36. **Fiona Mactaggart:** To ask the Minister of State, Lord Chancellor's Department what plans he has to ensure the effective use of immigration adjudicators' time while explanatory statements from the Home Office are delayed. [76341]

Mr. Hoon: The adjudicators plan to use this opportunity to reduce the number of outstanding cases, to undertake training and to assist the Immigration Appeal Tribunal.

Legal Aid

37. **Dr. Whitehead:** To ask the Minister of State, Lord Chancellor's Department what measures he is taking to ensure that the proposed reduction in approved legal aid practices does not result in geographical inequality of access to legal aid. [76344]

Mr. Hoon: We are intent on providing access to quality assured legal service providers for those who qualify for help from public funds. Over seven thousand firms have already applied to join the bid panel for the first round of contracts. We expect to let over five thousand for family work alone. Comprehensive coverage will be achieved by matching legal provision to community need. There will not be a shortage of providers and the needs of all geographical areas will be catered for.

Immigration Appellate Authorities

38. **Mr. Corbett:** To ask the Minister of State, Lord Chancellor's Department what steps he is taking to encourage more women to apply for appointment as regional adjudicators to the immigration appellate authorities. [76345]

Mr. Hoon: My right hon. and noble Friend the Lord Chancellor wishes to see more women appointed to all levels of the judiciary, including the Immigration Appellate Authority. His guiding principle remains that judicial appointments are made solely on merit. He has already announced a number of measures designed to encourage more applications from women practitioners, including more flexible arrangements for some part-time judicial sittings and the development of work-shadowing and mentoring schemes.

Magistrates Court, Lichfield

39. **Mr. Fabricant:** To ask the Minister of State, Lord Chancellor's Department if he will visit Lichfield to meet the Lichfield Magistrates Bench to discuss the dispensing of justice in Lichfield; and if he will make a statement. [76346]

Mr. Hoon: I am always willing to consider any invitation to meet magistrates.

Magistrates courts are locally managed by magistrates courts committees under the provisions of the Justices of the Peace Act 1997. It is for each Magistrates Courts Committee to decide how best to deploy its resources in order to carry out its statutory responsibility to provide an efficient and effective service to court users. Decisions concerning the future and number of magistrates courts in their area are for the relevant MCC to determine. A local authority that contributes financially may appeal to the Lord Chancellor against a proposed closure. The procedure for such appeals is set out in section 56 of the Justices of the Peace Act 1997. In the absence of an appeal, however, the Lord Chancellor plays no part in the process.

Young Offenders

40. **Mr. Ian Bruce:** To ask the Minister of State, Lord Chancellor's Department what was the average time taken from charging to conviction for juveniles in *(a)* April 1997 and *(b)* at the latest date for which figures are available. [76347]

Mr. Hoon: The exact information requested is not available. Information on delay in Crown Court proceedings is not available broken down between juvenile and adult defendants, and therefore this answer includes only information on magistrates' courts.

The Lord Chancellor's Department Time Intervals Survey collects information on the duration of criminal cases completed in magistrates' courts in sample weeks of each February, June and October. The date of conviction is not available; instead the answer is based on the date of completion, which includes sentence, dismissal, committal, discontinuance and other final decisions in magistrates' courts.

The accompanying table gives average times from charge to completion for defendants in indictable cases in the Youth Court. Seasonal variations in the figures mean that assessments of trends are best made between surveys conducted at the same time of year.

Average number of days from charge to completion for charged defendants in indictable cases in the Youth Court, 1997 and 1998

Year	*Survey*	*Average number of days from charge to completion*
1997	February	101
1997	June	93
1997	October	90
1998	February	91
1998	June	81
1998	October	80

Notes:
1. Excludes summonsed defendants.
2. Cases where offence to charge was over 10 years, or where charge to first listing or first listing to completion was over 1 year, are excluded from the analysis.

Source:
Lord Chancellor's Department Time Intervals Survey.

Public Appointments

41. **Mr. Canavan:** To ask the Minister of State, Lord Chancellor's Department for how many public appointments the Lord Chancellor is responsible; and how many such appointments he has made since he took office. [76348]

Mr. Hoon: The latest edition of the Cabinet Office publication, "Public Bodies", specifies that, as at 1 September 1998, there are 1,818 non-judicial positions in non-departmental public bodies for which the Lord Chancellor is responsible.

The Lord Chancellor has made 496 appointments to NDPBs since he came to office on 2 May 1997. This number does not include other appointments, such as judicial appointments; or appointments the Lord Chancellor may make to bodies for which other Ministers are responsible.

Dispute Resolution Arrangements

Mr. Dismore: To ask the Minister of State, Lord Chancellor's Department what plans he has to promote alternative dispute resolution; and if he will make a statement. [77872]

Mr. Hoon: This Government's radical programme of reform to modernise the civil justice system will encourage the use of alternative dispute resolution in appropriate cases through the exercise of the courts' new case management powers, the reform of civil legal aid, and the development of the Community Legal Service. What further steps, if any, should be undertaken to promote alternative dispute resolution is a matter currently under consideration.

Environmental Offences (Sentencing and Fines)

Dr. Whitehead: To ask the Minister of State, Lord Chancellor's Department what guidelines have been issued to magistrates in respect of appropriate sentences and fines for those committing environmental offences. [77674]

Mr. Hoon: Guidelines for magistrates are in the form of judgments by the higher courts, or contained in the guidelines issued by the Magistrates Association. Local benches may also formulate guidelines for local use. I am not aware of any guidelines for magistrates on environmental offences other than those which have been issued in the Nottinghamshire Magistrates Courts Service.

Judges

Mr. Dismore: To ask the Minister of State, Lord Chancellor's Department what plans he has to review the retirement age of judges; and if he will make a statement. [77868]

Mr. Hoon: The Lord Chancellor has no plans to review the retirement age of judges. The retirement age was changed by the Judicial Pensions and Retirement Act 1993, which came into force on 31 March 1995. This Act established a normal compulsory retirement age of 70 (except where a lower age is specified in the statutory conditions of tenure for a particular office) for all judicial office holders initially appointed on or after that date, subject to a power given to the Lord Chancellor to extend or re-extend service for a year at a time up to a limit of 75. Under the transitional provisions, judges appointed before 31 March 1995 retain their pre-existing retirement age.

Mr. Dismore: To ask the Minister of State, Lord Chancellor's Department how many *(a)* House of Lords judges, *(b)* Court of Appeal judges, *(c)* High Court judges, *(d)* circuit judges, *(e)* District judges and High Court masters and *(f)* stipendiary magistrates are presently serving; and of those, how many and what percentage in each case (i) are women, (ii) are from ethnic minorities, (iii) have Oxbridge degrees, (iv) had public school education and (v) were Queen's Counsel before appointment. [77866]

Mr. Hoon: The available information is set out in the table.

Figures showing the number of judicial officer holders who have Oxbridge degrees, had a public school education or were Queen's Counsel before appointment are not available. Information of this kind is held on individual person records and is not collated centrally. It could therefore be obtained only at disproportionate cost. In any event, the information would be incomplete as details of secondary education are no longer collected.

	In post 1 March 1999	Women		Ethnic Minorities[1]	
		Number	Percentage	Number	Percentage
(a) House of Lords Judges	12	0	0	0	0
(b) Court of Appeal Judges	35	1	2.9	0	0
(c) High Court Judges	98	7	7.1	0	0
(d) Circuit Judges	562	36	6.4	4	0.7
(e) District Judges	379	52	13.7	5	1.3
& High Court Masters	24	0	0	0	0
	403	52	12.9	5	1.2
(f) Stipendiary Magistrates Metropolitan & Provincial	93	13	14	1	1.1

[1] Details of ethnic origin are provided on a voluntary basis and have been collected only since October 1991.

Mr. Dismore: To ask the Minister of State, Lord Chancellor's Department what is the average (i) age and (ii) length of professional experience on appointment of *(a)* High Court and *(b)* circuit judges currently serving. [77867]

Mr. Hoon: There are currently 98 High Court judges. Their average age is 59 years and on appointment their average length of professional experience since they were called to the Bar or admitted as a solicitor was 28 years. There are currently 562 Circuit Judges. Their average age is 58 years and their average length of professional experience on appointment was 26 years.

Mr. Dismore: To ask the Minister of State, Lord Chancellor's Department what formal training *(a)* House of Lords judges, *(b)* Court of Appeal judges, *(c)* High Court judges, *(d)* circuit judges, *(e)* district judges, *(f)* High Court masters and *(g)* part-time judges in categories (c) to (f) have in each case received on the new civil justice system to be introduced in April 1999. [77871]

Mr. Hoon: Judicial training is the responsibility of the Judicial Studies Board (JSB), which is an independent non-departmental public body and is chaired by Lord Justice Henry.

The JSB held a series of residential seminars on the new civil justice procedures during January and February 1999 which were attended by nearly all full-time judges exercising civil jurisdiction. Those attending comprised 29 Court of Appeal judges, 83 High Court judges, 352 circuit judges, 387 district judges and 20 High Court masters and registrars. A separate seminar was held on 15 March for judges of the technology and construction court.

The JSB will hold a series of 22 one day seminars in April, May and June 1999 on the new civil justice procedures which will be attended by all 1,400 part-time judges exercising civil jurisdiction, and by those few full-time judges who were unable to attend the residential seminars.

The JSB has not given training to House of Lords judges.

Mr. Dismore: To ask the Minister of State, Lord Chancellor's Department what arrangements are in place to monitor judicial competence and performance; what plans he has to review these arrangements; and if he will make a statement. [77869]

Mr. Hoon: The Lord Chancellor believes that any such arrangements must strike an appropriate balance between the obligations of the judiciary to the public and the overriding constitutional principle of judicial independence which means that judges must be able to determine each case fairly and on its merits, without fear of improper intervention. Almost all judicial decisions are subject to appeal or review enabling higher courts to comment on or redress judicial decisions or conduct. The work of part-time judges provides opportunities for their performance and, therefore, their suitability for appointment to full-time office to be assessed. The Lord Chancellor has decided to review the scope for refining and improving the arrangements for the appraisal of part-time judicial office holders, and in that context has endorsed a pilot scheme involving more structured arrangements for the performance appraisal of deputy District Judges which he hopes to extend in due course.

Mr. Dismore: To ask the Minister of State, Lord Chancellor's Department what arrangements are in place to provide continuing education for judges; what plans he has to review those arrangements; and if he will make a statement. [77870]

Mr. Hoon: Judicial education is the responsibility of the Judicial Studies Board (JSB), which is an independent non-departmental public body and is chaired by Lord Justice Henry.

The JSB provides continuing education for judges through a programme of seminars on criminal, civil and family law which are attended by Circuit Judges, District Judges, Stipendiary Magistrates, Recorders, Assistant Recorders, Deputy District Judges and acting Stipendiary Magistrates. In general, full- and part-time Judges attend training courses run by the JSB every three years.

The JSB draws up a strategy, covering three years, which is reviewed annually. In the light of the strategy the JSB draws up an annual plan. Both the strategy and annual plan are sent to the Lord Chancellor, who considers the performance targets and allocates resources to the JSB in the light of the plans and the overall resources available to him.

TRADE AND INDUSTRY

Gene Patenting

Mr. Baker: To ask the Secretary of State for Trade and Industry if he will make a statement on his policy in respect of gene patenting. [74830]

Mr. Battle *[holding answer 5 March 1999]:* The Patents Act 1977 lays down the requirements which must be met to obtain patents for inventions in all fields of technology. Patents may be obtained for inventions which are new, not obvious and have industrial applicability. However, the Act excludes certain matter from patent rights. This includes plant and animal varieties and discoveries where there is no accompanying technical step, such as the mere discovery that a gene exists in nature. Any patent can be challenged before the courts, on the grounds that it does not meet the requirements laid down by the Patents Act. In July 1998, an EC Directive on the Legal Protection of Biotechnological Inventions was adopted. This Directive clarifies and harmonises the patent legislation as it applies to biotechnological inventions in all Member States. However, the Directive will not change what is and what is not currently patentable in the United Kingdom.

Genetically Modified Organisms

Mr. Baker: To ask the Secretary of State for Trade and Industry if he will list by title the unpublished reports into aspects of genetic modification which are held by his Department. [75099]

Mr. Battle *[holding answer 8 March 1999]:* It is not the practice of Governments to release details of information relating to internal policy analysis, as is made clear in the Code of Practice on Access to Government Information.

BMW

Mr. Letwin: To ask the Secretary of State for Trade and Industry if he will ensure that, as a condition for any grant, BMW will sell cars in the UK at prices equal to or below the prices charged for the same cars elsewhere in the European Union. [76758]

Mr. Battle *[holding answer 15 March 1999]:* The offer of support for Longbridge is based upon being satisfied that the project will meet a number of key criteria, including the improvement of skills levels, improvements in productivity and the securing of substantial investment by BMW. It would be inappropriate, however, to place individual competitive restraints on Rover/BMW as a condition of any aid package.

A recent report by the European Commission on car prices in the European Union showed that price differences had significantly decreased since the previous report but that the UK continued to be the most expensive market for many models. We shall be encouraging the Commission, as part of the evaluation on the cars block exemption, to identify the reasons for these price differences.

Packaging Proposals

Mr. Gale: To ask the Secretary of State for Trade and Industry (1) what assessment he has made of the impact on costs to industry of Post Office proposals for the packaging of veterinary, medical and other samples; [77224]

(2) what clarification his Department has received from the Post Office of packaging requirements for pathological specimens; and if he will make a statement. [77225]

Mr. Byers *[holding answer 17 March 1999]:* This is an operational matter for the Post Office, which is proposing to introduce changes in transport and packaging requirements for diagnostic specimens and infectious substances in order to ensure compliance with national and international requirements on the safe transport of these substances. Discussions are continuing between officials of the Post Office, the Department of the Environment, Transport and the Regions, the Health and Safety Executive and the Civil Aviation Authority to ensure both that the requirements for the safe transport of infectious and diagnostic substances are met and that costs to industry are minimised.

Renewable Energy Sources

Mr. Soley: To ask the Secretary of State for Trade and Industry if his Department is preparing a White Paper on renewables; and if he will make a statement. [77901]

Mr. Battle: I plan to publish a consultation document on my review of renewable energy shortly, which will analyse the status and prospects for renewables, and present options for developing renewables further.

Nuclear Waste

Mr. Llew Smith: To ask the Secretary of State for Trade and Industry what reports he has received from British Nuclear Fuels in respect of its current collaboration with Pangea Resources to establish a repository for high level nuclear waste in Australia. [77979]

Mr. Battle: BNFL's involvement in the Pangea project is a matter for the company's management. They have kept my Department in touch with developments from time to time.

European Scrutiny Committee

Mr. Woodward: To ask the Secretary of State for Trade and Industry if *(a)* Ministers, *(b)* special advisers and *(c)* civil servants saw the European Scrutiny Committee questions brief in advance of the appearance of the Parliamentary Under-Secretary of State, the hon. Member for North Swindon (Mr. Wills), before the Committee on 16 February. [77847]

Mr. Wills *[holding answer 19 March 1999]:* Neither Ministers, special advisers nor civil servants saw the European Scrutiny Committee questions brief in advance of my appearance. However, it has been a common but not universal practice over a long period for Committees to agree to give officials an indication of the broad areas they intend to cover at the hearing to ensure that the evidence session is as effective and productive as possible. I was informed of the likely broad areas of questioning in advance of the European Scrutiny Committee hearing on Tuesday 16 February.

Clothing and Textile Industry

Mr. Hoyle: To ask the Secretary of State for Trade and Industry what help his Department is providing to the United Kingdom textile industry to assist it to compete. [77470]

Mr. Battle *[holding answer 18 March 1999]:* The DTI is currently funding around twenty projects to encourage the growth and competitiveness of the UK textiles and clothing industry. These projects cover research into product innovation and development, design, education and training, benchmarking and the development of supply chain partnerships. In addition, 770 textiles, clothing and footwear companies benefited from trade fair support last year. My Department is also supporting the recently formed industry-led Textiles and Clothing Strategy Group, which aims to develop a strategy for the long term sustainable development of the industry.

Mr. Woolas: To ask the Secretary of State for Trade and Industry (1) how many meetings there have been of the clothing and textile industry actions group; on what dates; who was in attendance; what progress has been made; and if he will make a statement; [77897]

(2) what issues are being considered by the Textiles and Clothing Strategy Group. [77899]

Mr. Battle: The Textiles and Clothing Strategy Group (TCSG) is an industry-led body resulting from a joint management/union initiative. It is looking at long-term competitiveness issues affecting the UK textiles and clothing industry. In response to a request to the Chairman of the TCSG, James McAdam CBE (BATC), I am able to say that the TCSG meets on a monthly basis and, over the coming months, intends to look at a number of issues including: international productivity comparisons, supply chain relations, human resources (training, recruitment and skills), product development, investment, technological development, and design and marketing. As well as James McAdam, the membership of the TCSG includes Peter Aubusson (Courtaulds Textiles), Peter Booth (TGWU), Des Farrell (GMB), Paul Gates (KFAT), Professor Dick Horrocks (Bolton Institute), David Sutcliffe OBE DL (Benson Turner) and John Wilson (BATC). My Department is represented on the group by Brian Hopson, the Director of Consumer Goods and Business Services.

Millennium Compliance

Mr. Jim Cunningham: To ask the Secretary of State for Trade and Industry what estimate he has made of the number of *(a)* businesses and *(b)* British oil companies operating in the North Sea which have adequately dealt with the millennium bug to date. [77694]

Mr. Battle *[holding answer 22 March 1999]:* The offshore oil industry together with the other key UK utilities and services are providing regular public reports on their state of Y2K compliance through the Action 2000-National Infrastructure Forum arrangements, and also via the Action 2000 and UKOOA Internet sites.

DTI, acting through UKOOA, the trade body which represents UK offshore oil operators, has asked companies to provide assessments of their state of Y2K preparedness. All these assessments are either being carried out by peer group reviewers or by entirely independent organisations. In addition WS Atkins have been appointed by DTI to provide an independent validation of the results of these assessments. WS Atkins aim to report their findings to DTI in early April, so they can be included in the presentation which the DTI will make to the National Infrastructure Forum meeting on 21 April.

An analysis of the first completed assessments already shows the majority of the companies to be in the "blue" category (the assessment has not identified any risks of material disruption). The activities which remain in the "amber" category (the assessment indicates that there is some risk of material disruption, but that there is an agreed containment plan to rectify shortcomings) relate to outstanding work on external dependencies, staffing and contingency plans which are scheduled for completion by end October.

Mr. Jim Cunningham: To ask the Secretary of State for Trade and Industry what assessment he has made of the adequacy of measures taken to deal with the millennium bug in Britain's *(a)* nuclear and *(b)* conventional power stations. [77691]

Mr. Battle *[holding answer 22 March 1999]:* The Office of Electricity Regulation announced the findings of an independent assessment of the whole electricity industry on 17 March. The results show that the sector is on course to beat the millennium bug.

74 per cent. of generation plant is judged to already have Action 2000 "blue" status, meaning that the assessment has not identified any risks of material disruption. Most remaining compliance work is expected to be completed by the end of June, with a few systems programmed for later completion, by September. The assessors were satisfied that sufficient resources were available for this work to be completed in time for the millennium.

The Nuclear Industries Inspectorate, the UK body responsible for regulating the safe operation of Nuclear Generating Stations, has carried out a full assessment of nuclear plant and is satisfied that this plant will function safely over the century date change period.

My Department is closely monitoring the preparations being made in the electricity sector for the millennium.

FOREIGN AND COMMONWEALTH AFFAIRS

Government Codes and Cypher School

Mr. John D. Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs when the following documents relating to the Government Codes and Cypher School's work in the Second World War will be released to the Public Record Office: the history or histories of *(a)* Hut 8 or German naval machine systems by C. H. O. S. Alexander, *(b)* the organisation and evolution of British naval sigint, by F. L. Birch, *(c)* the organisation and uses of naval special sigint, *(d)* the handling of naval special intelligence, *(e)* German naval signals intelligence, by Miss M. E. Storey, *(f)* Hut 6 and *(g)* 15K cryptography (Abwehr machine cyphers); and if he will make a statement. [75133]

Mr. Robin Cook: GCHQ maintains a document review unit which handles the release to the Public Record Office of potentially sensitive material, including the work of the

Government Codes and Cypher School. GCHQ has been able to identify all the documents referred to except: "The organisation and uses of naval special sigint", "15K cryptography (Abwehr machine cyphers)" and "The German Navy's use of Special Intelligence by McMahon". The other documents referred to by the right hon. Member have been considered for release in the past but contained information the disclosure of which at the time would have been damaging to national security, and have, for that reason, not been released.

A version of the "History of hut 8 by A. A. Mahon" has been released in the United States.

Documents are reviewed in the light of the degree of public interest in their release, and of advice from the PRO. I have asked that the documents in question be reviewed before the end of the year. I will write to the right hon. Member when the review is complete.

Foreign Media Articles

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs if he gave prior approval to the article by the hon. Member for Rotherham (Mr. MacShane) published in *Le Monde* on 3 March. [75478]

Mr. Robin Cook *[holding answer 8 March 1999]:* The views expressed by my hon. Friend the Member for Rotherham (Mr. MacShane) in the article are his own.

Sierra Leone

Mr. Howard: To ask the Secretary of State for Foreign and Commonwealth Affairs when *(a)* telegram 277 regarding Sierra Leone, *(b)* his Department's daily bulletins regarding the scope of the arms embargo in Sierra Leone and *(c)* the text of the Commonwealth Heads of Government Conference communiqué were first brought to his attention. [75808]

Mr. Robin Cook *[holding answer 9 March 1999]:* Telegram 277 contains guidance for media inquiries on UN Resolution 1132. This and FCO Daily Bulletins are not operational papers and would not have been drawn to my attention at the time they issued. I would not have seen these papers until some time after the arrival of the letter from S. J. Berwin and Co. dated 24 April 1998. In October 1997, I attended the CHOGM which produced the Communiqué in question.

Government Communications Headquarters

Mr. Maples: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answers of 15 February 1999, *Official Report*, column *579*, on Government communications headquarters, when he expects the final cost of the compensation packages to be established. [76301]

Mr. Robin Cook *[holding answer 15 March 1999]:* I refer to my earlier answers to the hon. Member on 1 February 1999, *Official Report*, column *493* [66489] and 15 February 1999, *Official Report*, column *579* [69380].

Gibraltar

Mr. Austin: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the implications for his policy in respect of extending the franchise to the people of Gibraltar for elections to the European Parliament, of the determination of the European Court of Human Rights of 18 February; and if he will make a statement. [77188]

Ms Quin *[holding answer 17 March 1999]:* I refer my hon. Friend to the replies I gave to the hon. Member for Romsey (Mr. Colvin) on 17 March 1999, *Official Report*, column *681* [76637] and 18 March 1999, *Official Report*, columns *760–61* [76638].

EU Budget Contribution

Dr. Marek: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will *(a)* list the funding from the EU affected by the UK's abatement and *(b)* state the amount of required matched funding and the adjustments which had been made as a result of the abatement, for the last year for which figures are available. [78335]

Ms Quin: The UK abatement is one year in arrears and is, broadly, two thirds of the difference between what the UK contributes to the EU budget and what is received. It is deducted from the resources side of the budget, so reduces contributions rather than receipts. There is no requirement for matched funding linked to the abatement.

NORTHERN IRELAND

Electronic Red Boxes

Mr. Maclean: To ask the Secretary of State for Northern Ireland if she will name the Ministers in her Department who are regular users of electronic Red Boxes. [76182]

Marjorie Mowlam: None at present. I refer the right hon. Member to the answer given by my right hon. Friend the Minister for the Cabinet Office on 16 March 1999, *Official Report*, columns *651–52*.

Prisoners (Accelerated Release)

Mr. McNamara: To ask the Secretary of State for Northern Ireland if she will update her answer of 3 November 1998, *Official Report*, column *488*, on prisoners to indicate how many prisoners applied to the Prison Sentence Review Commission for an accelerated release date by 31 December 1998; in how many cases the Commission made a determination; and for unsuccessful applications, what reasons were given. [78158]

Mr. Ingram *[holding answer 22 March 1999]:* Responsibility for the subject in question has been delegated to the Sentence Review Commissioners. I have asked them to arrange for a reply to be given.

CABINET OFFICE

People's Panel

Dr. David Clark: To ask the Minister for the Cabinet Office on how many occasions members of the People's Panel have been used as a source of membership of focus groups; and if he will provide details of each occasion. [78339]

Mr. Kilfoyle: Members of the People's Panel have been used as a source of membership for focus groups on two occasions earlier this year. Details are as follows:

The Women's Unit commissioned 24 focus groups as part of a wider programme of consultation with women—Listening to Women. The focus groups explored a broad range of priorities women felt important to their lives, and probed in-depth their opinion on specific topics, such as women's incomes. The Women's Unit has particular interest in teenage girls and this research included 6 focus groups with this age-group in order to inform the Unit's policy area with the views of girls themselves.

The Department for Education and Employment commissioned six focus groups to investigate parents' attitudes towards value added information in school performance tables. The research will be used to inform the development of value added measures for publication in the performance tables.

SOCIAL SECURITY

National Insurance

Mr. Love: To ask the Secretary of State for Social Security if he will estimate the amount paid in National Insurance, excluding contributions to SERPS, as a percentage of national income for each income decile of the working population for *(a)* 1997–98 *(b)* 2002–03 and *(c)* 2007–08 and *(d)* each 10 years to 2047–48; what impact he estimates the changes will have on the re-distributive nature of national insurance contributions; and if he will make a statement. [74176]

Mr. Timms: Information is not available in the form requested because Class 1 National Insurance contributions are not separable into elements for SERPS or for the other benefits paid out of the National Insurance Fund. The information that is available is in the table and relates to gross Class 1 contributions as a percentage of all employed earnings by earnings decile. This takes account of the changes to the structure of Class 1 contributions announced in the Chancellor's 1998 and 1999 Budgets.

Gross class 1 contributions as a percentage of all employed earnings, by earnings decile

Income decile		*1997–98*	*2002–03*	*2007–08*	*2017–18*	*2027–28*	*2037–38*	*2047–48*
1st	Employee	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	Employer	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0
2nd	Employee	0.1	0.0	0.0	0.0	0.1	0.1	0.1
	Employer	0.0	0.0	0.0	0.0	0.1	0.1	0.1
	Total	0.1	0.0	0.0	0.1	0.1	0.2	0.2
3rd	Employee	0.3	0.2	0.2	0.2	0.2	0.3	0.3
	Employer	0.2	0.2	0.2	0.3	0.3	0.3	0.3
	Total	0.5	0.4	0.4	0.5	0.5	0.6	0.6
4th	Employee	0.4	0.4	0.4	0.4	0.4	0.4	0.5
	Employer	0.4	0.4	0.4	0.5	0.5	0.5	0.6
	Total	0.9	0.8	0.8	0.9	0.9	1.0	1.0
5th	Employee	0.6	0.5	0.5	0.6	0.6	0.6	0.6
	Employer	0.7	0.6	0.6	0.7	0.7	0.7	0.8
	Total	1.3	1.1	1.1	1.2	1.3	1.3	1.4
6th	Employee	0.8	0.7	0.7	0.7	0.8	0.8	0.7
	Employer	0.9	0.8	0.8	0.9	0.9	0.9	0.9
	Total	1.7	1.5	1.5	1.6	1.6	1.7	1.6
7th	Employee	0.9	0.9	0.9	0.9	0.9	0.8	0.7
	Employer	1.1	1.0	1.0	1.1	1.1	1.1	1.2
	Total	2.1	1.9	1.9	2.0	2.0	1.9	1.9
8th	Employee	1.2	1.1	1.1	1.1	0.9	0.8	0.7
	Employer	1.4	1.3	1.3	1.4	1.4	1.4	1.4
	Total	2.5	2.4	2.4	2.4	2.3	2.2	2.1
9th	Employee	1.4	1.3	1.2	1.1	0.9	0.8	0.7
	Employer	1.6	1.6	1.7	1.7	1.8	1.8	1.8
	Total	3.0	2.9	2.9	2.8	2.7	2.6	2.5
10th	Employee	1.5	1.4	1.3	1.1	0.9	0.8	0.7
	Employer	2.7	2.9	3.0	3.0	3.0	3.1	3.1
	Total	4.2	4.3	4.3	4.1	4.0	3.9	3.8
Total	Employee	7.1	6.4	6.3	6.1	5.8	5.4	5.0
	Employer	9.2	8.9	9.1	9.4	9.7	10.0	10.2
	Total	16.3	15.3	15.4	15.5	15.5	15.4	15.2

Notes:

1. Class 1 Contributions, including the National Health Service Allowance, gross of contracted out rebates and permitted employers' recoveries on account of their Statutory Sick Pay and Statutory Maternity pay payments to employees, and expressed in terms of accruals rather than receipts.

2. The 1st earnings decile covers the one tenth of the employed population with the lowest earnings. The other deciles are defined similarly.

Source:

Government Actuary's Department (GAD).

Disability Living Allowance

Mr. Coleman: To ask the Secretary of State for Social Security how many residents in Hammersmith and Fulham are in receipt of disability living allowance; and of those how many have had their benefits *(a)* reduced and *(b)* removed by the Benefit Integrity Project. [77841]

Mr. Bayley: The administration of Disability Living Allowance is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to my hon. Friend.

Letter from Peter Mathison to Mr. Iain Coleman, dated 22 March 1999:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking how many residents in Hammersmith and Fulham are in receipt of Disability Living Allowance, and of those how many have had their benefits (a) reduced and (b) removed by the Benefit Integrity Project.

The number of people in the London Borough of Hammersmith and Fulham who are in receipt of Disability Living Allowance, as at 31 May 1998 is 4,338.

The information concerning how many of these have had their benefits reduced or removed by the Benefit Integrity Project is not available. To provide geographical information routinely would incur high costs and disrupt the processing of ongoing case work.

You may find it helpful to know that a monthly statistical report can be found in the House of Commons Library.

Welfare Reform

Dr. Lynne Jones: To ask the Secretary of State for Social Security if he will list those respondents to the welfare reform Green Paper, "New Ambitions for our Country: A New Contract for Welfare", who *(a)* requested the abolition of means testing and *(b)* called for means testing to be extended to all benefits. [77540]

Mr. Timms: The Welfare Reform Green Paper, "New Ambitions for our Country: A New Contract for Welfare" (CM 3805), set out the framework for welfare reform, based on eight principles, together with a range of success measures. Views were invited on the contents of the Green Paper, specifically on those principles and success measures. The information gathered from the responses was categorised to reflect this. As views were not specifically sought on means testing and it did not feature in the guiding principles or success measures, a list of those who commented on it is not available and could be provided only at disproportionate cost.

A list of those organisations and academics who responded to the exercise, excluding those who requested confidentiality, has been placed in the Library. Copies of these responses are available on request from the Department. We have also placed in the Library a summary of responses.

Benefit Fraud

Mrs. Laing: To ask the Secretary of State for Social Security if he will estimate the cost of benefit fraud in Scotland in each year since 1992 in *(a)* cash terms and *(b)* 1998–99 prices. [77769]

Mr. Timms: The information is not available in the format requested. Such information as is available is in the table.

The Green Paper "Beating Fraud is Everyone's Business: securing the future" set out the difficulties of measuring a covert activity such as fraud.

Estimated fraud in Great Britain

£ billion

	Amount
Confirmed fraud	2
Strong suspicion of fraud	3
Low suspicion of fraud	2

Kali Mountford: To ask the Secretary of State for Social Security when he will publish his strategy for combating fraud in social security. [78576]

Mr. Darling: I am publishing today "A New Contract for Welfare—Safeguarding Social Security", which sets out the Government's strategy for reducing fraud and error in the Social Security system.

When we came into office far too much money was being lost through fraud and error. Targets were set to find fraud but not to stop it happening, and safeguarding Social Security was too often an afterthought rather than an integral part of processing claims.

We are determined to focus on a single goal—reducing the amount of fraud and error. We will achieve this by getting payments right in the first place, keeping them right throughout the claim and putting mistakes right when we find them. We will make sure that we have a suitable range of sanctions, including prosecutions, to make those who steal Social Security realise that crime does not pay.

We have already made a good start and have set clear goals against which our success can be judged. By tightening the gateways to benefit and requiring more supporting evidence before benefit is paid we expect to save £1 billion in Income Support alone over this Parliament. We are providing an extra £100 million to local authorities so that they can make tougher checks on Housing Benefit. We are making greater use of new technology to share information between the agencies and councils paying benefits to improve service and to avoid duplication. We are helping local authorities to prosecute more cases of Housing Benefit fraud and have launched an independent review of how best to tackle the threats to Social Security from organised fraud.

We shall keep checking that our plans are working and we will review local performance to trace how well we are doing in each area. We have set a challenging target to reduce by 30 per cent., losses from fraud and error in Income Support and Jobseeker's Allowance, by 31 March 2007, with at least a 10 per cent. reduction by 31 March 2002. This will take sustained effort by all staff delivering Social Security. We know that they will rise to the challenge.

Our strategy builds on the work set out in the Green Paper published last July "Beating Fraud Is Everyone's Business: securing the future" (Cm 4012). The responses we had to the Green Paper were largely supportive and I am placing a summary of these in the Library today.

We are determined to root out fraud and reduce error in the Social Security system. It will be a tough job, but for the first time we have a systematic and deliverable strategy to reduce the losses from fraud and error and safeguard Social Security.

Housing Benefit (Scotland)

Mr. Wallace: To ask the Secretary of State for Social Security what estimate he has made of expenditure on housing benefit in Scotland in *(a)* 1997–98 and *(b)* 1998–99, for (i) public sector tenants, (ii) housing association tenants and (iii) other private sector tenants. [78213]

Angela Eagle: The information is not yet available. The information will be available after the publication of the Departmental Report on 30 March 1999. I will write to the hon. and learned Member when the information is available.

Benefit Integrity Project

Mr. Burstow: To ask the Secretary of State for Social Security what evaluation he has made of the effectiveness of the training undertaken by staff conducting Benefit Integrity Project interviews. [77890]

Mr. Bayley: The training of Benefits Agency Staff is a matter for Peter Mathison, Chief Executive of the Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Paul Burstow, dated 22 March 1999:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking what evaluation he has made of the effectiveness of the training undertaken by staff conducting Benefit Integrity Project interviews.

The Benefits Agency is committed to high quality training and all training courses, including those delivered to Benefit Integrity Project staff, are evaluated on an ongoing basis with training needs under continual review.

All training events, including refresher training undertaken with input from the Disablement Income Group (DIG), have been separately evaluated for their effectiveness. Post-course evaluation questionnaires are completed by all staff and post-training workshops have been carried out. This information has been used to further improve the training.

The findings of the evaluation were that the training:

sufficiently equipped the visiting staff to be able to carry out the visits

focused on good practices

reinforced the purpose of the project

Managers accompany visiting staff on a number of visits each year to ensure that the training principles have been assimilated. There has been much positive feedback from customers on how the visits have been carried out.

DIG has prepared a report for the Benefits Agency that summarises their input into the training. They have made valuable suggestions for the future. We will be using their findings and our own evaluation to develop training for staff who will be working on the new periodic enquiry process from April 1999.

Jobseeker's Allowance

Mr. Shepherd: To ask the Secretary of State for Social Security what plans he has to amend regulation 81 of the Jobseeker's Allowance Regulations 1996; and if he will make a statement. [78244]

Angela Eagle: We currently have no plans to amend regulation 81 of the Jobseeker's Allowance Regulations.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Food Control

Mr. Martyn Jones: To ask the Secretary of State for the Environment, Transport and the Regions how much money was provided in the standard spending assessment in each year between 1989–90 and 1998–99 for enforcement of the law in relation to food control. [77523]

Ms Armstrong: The information requested is not available.

Standard spending assessments cover the whole range of local authority services. Specific amounts are not identified for enforcement in relation to the law on food control. The level of resources for enforcement of food control legislation is a matter for individual local authorities.

Millennium Compliance

Mr. Nigel Jones: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the preparedness of local authorities and emergency services in Gloucestershire for dealing with the millennium bug; and if he will make a statement. [77484]

Ms Armstrong: It is each authority's responsibility, for which they are accountable to their local people, to ensure they are adequately prepared for the Millennium Bug and have proper plans in place for the emergency services. Independent assessment of the state of preparedness is being carried out by auditors and the Audit Commission, which, in June, will be naming any council which is not making sufficient progress. We have also appointed teams in the Government Offices to help councils to prepare for the Millennium Bug, and to report on the state of preparedness of the local government sector to Action 2000's National Infrastructure Forum.

Road Surfaces

Mr. Gorrie: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to hold trials of the use of shredded tyres in new road surfaces. [77424]

Ms Glenda Jackson: There are no proposals for trials of surfacings incorporating shredded tyres within new road surfaces on the Department's trunk roads. New road surfaces are being developed with shredded tyres forming part of their composition. The Highways Agency is working closely with surfacing manufacturers and local authority associations to develop further the scope for using recycled tyres in road surfaces and in other highways applications. The materials will be subjected to trials when capable of meeting the required levels of performance for safety and durability.

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions what use is made of recycled material from car tyres in road surfaces; and if he will make a statement. [77825]

Ms Glenda Jackson: Recycled material from car tyres is not currently used in road surfaces specified for the Department's trunk roads. New road surfaces are being developed with shredded tyres forming part of their composition. The Highways Agency is working closely with surfacing manufacturers and local authority associations to develop further the scope for using recycled tyres in road surfaces and in other highways applications. The materials will be subjected to trials when capable of meeting the required levels of performance for safety and durability.

Environmental Rights Convention

Mr. Chaytor: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to ratify the Convention on Environmental Rights signed at the Aarhus Conference in Denmark on 25 June 1998. [77656]

Mr. Alan Simpson: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on progress made following the signing of the Aarhus Convention on environmental rights in June 1998; and whether Britain will have ratified the Convention in time to be involved in the first meeting of signatories in Moldova in April. [78014]

Mr. Meale: We intend to ratify the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (the Aarhus Convention) as soon as we have the necessary measures in place to implement its provisions. In particular, that requires new legislation on access to environmental information. We are considering including measures in the forthcoming Freedom of Information Bill to implement the access to information provisions of the Convention.

The United Kingdom will play a full part in the first meeting of signatories to the Convention in Moldova in April, which will discuss a work programme on follow-up to the Convention. The United Kingdom has offered to host a workshop as part of that work programme.

The Convention will come into force when sixteen countries have ratified it. That is not expected to be until 2000 at the earliest. The Convention Secretariat is not aware that any country has yet ratified.

Residential Leasehold Reform

Mr. Darvill: To ask the Secretary of State for the Environment, Transport and the Regions when the Government plan to consult on the proposal contained in the consultation paper, "Residential Leasehold Reform in England and Wales", to give to leaseholders of houses a similar right of first refusal to that of qualifying tenants in blocks of flats. [77650]

Mr. Raynsford: We must first consider all the responses to the existing consultation paper, which are still being received. We expect to proceed with further consultation later in the year.

Mr. Darvill: To ask the Secretary of State for the Environment, Transport and the Regions what form the consultation about the technical details of the Government's proposal to create a new right for a majority of the leaseholders in a block of flats to take over the management of the block will take; and when that consultation will take place. [77651]

Mr. Raynsford: We will issue a consultation paper on the new right to manage once we have decided on the main issues of principle in the light of the responses to our existing paper. I would expect that to be later this year.

Mr. Darvill: To ask the Secretary of State for the Environment, Transport and the Regions what research his Department has carried out on the numbers of former local authority tenants who have acquired leasehold flats under the right to buy legislation and are now unable to resell their homes on the open market; and if he will publish the results of that research. [77649]

Mr. Raynsford: My Department carried out two research studies which were published by HMSO in 1995 as Housing Research Reports, "The Resale of Former Council Homes" and "Leaseholders and Service Charges in Former Local Authority Flats". Copies of both reports and summaries are in the Library of the House.

The Department has been carrying out further research into leaseholders of social landlords since 1996 as part of the Survey of English Housing. The Survey involves an annual sample of around 1 in 1,000 households and has collected data only on 256 leasehold properties which had been purchased from a local authority by a sitting tenant; and of these, only 18 had put their home on the market at some time since purchase. We shall publish results once we have statistically significant information.

Rent Assessment Panels

Mr. Darvill: To ask the Secretary of State for the Environment, Transport and the Regions (1) when he plans to publish the result of the financial management and policy review of rent assessment panels in England; [77653]

(2) when he expects to complete his consideration of the future of the Leasehold Valuation Tribunal following the financial management and policy review of rent assessment panels in England. [77652]

Mr. Raynsford: We intend to publish a report on the outcome of the first phase of the financial management and policy review of rent assessment panels in England by the summer. This phase will involve examining the role of the panels and their functions, assessing the extent to which these are necessary and considering options for achieving best value. We will, as part of the review, be considering all aspects of the operation of the leasehold valuation tribunals.

RAF East Camp Site, Colindale

Mr. Dismore: To ask the Secretary of State for the Environment, Transport and the Regions when he expects to make a decision on the planning application for the RAF East Camp site, Colindale. [77865]

Mr. Caborn: Shortly.

Barnet Football Club

Mr. Dismore: To ask the Secretary of State for the Environment, Transport and the Regions when he expects to make a decision on the planning application for Barnet Football Club at Copthall Stadium. [77873]

Mr. Caborn: Shortly.

Home Energy Efficiency Scheme

Mrs. Ellman: To ask the Secretary of State for the Environment, Transport and the Regions what criteria are used to assess bids for agencies seeking appointment to installerships under the Home Energy Efficiency Scheme with particular reference to *(a)* pricing of measures, *(b)* quality of work, *(c)* customer care provisions and *(d)* training opportunities; and if he will make a statement. [77657]

Mr. Meale: The Home Energy Efficiency Scheme (HEES) is managed for the Department under contract by Eaga Ltd. As part of the contract, Eaga is responsible for the appointment of installers to carry out work in designated areas under the scheme. Installers seeking appointment are required to demonstrate that they can meet the required standard of quality of work and customer care, and have the appropriately qualified and trained staff. Those meeting these criteria are then assessed on the basis of price.

To maintain quality standards, Eaga inspect 5 per cent. of jobs done by installers. Additionally, there is an 8 month probationary period for newly appointed and re-appointed installers. The recent National Audit Office report on HEES confirmed the high quality of work achieved by the scheme.

A51, Cheshire

Sir Alastair Goodlad: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received about the need for by-passes around villages on the A51 in Cheshire; and if he will make a statement. [77608]

Dr. Reid: Since the Government's Roads Review, "A New Deal for Trunk Roads in England", was published last July, written representations have been received via the right hon. Member, from my hon. Friend the Member for City of Chester (Ms Russell), and from several local residents. In addition a report has been compiled by the A51 Environmental Group that also makes representations on this issue.

Sir Alastair Goodlad: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received about the need for *(a)* reducing traffic volume, *(b)* lowering traffic speed and *(c)* decreasing the number of heavy goods vehicles on the A51 in Cheshire; and if he will make a statement. [77607]

Dr. Reid: I have asked the Chief Executive of the Highways Agency, Mr. Lawrie Haynes, to write to the right hon. Member.

Letter from Lawrie Haynes to Sir Alastair Goodlad, dated 23 March 1999:

The Minister for Transport, Dr John Reid, has asked me to reply to your recent Parliamentary Question concerning representations received about the need for reducing traffic volume, lowering traffic speed and decreasing the number of heavy goods vehicles on the A51 in Cheshire.

We have received written representations covering all three issues from eight local residents. We have also received a copy of a report prepared by the A51 Environmental Group, which covers these points.

As you know, the Highways Agency is carrying out two studies involving the A51. Firstly, a study of the full length of the road in Cheshire to identify where measures may be required to address safety problems either at specific locations or on the road as a whole. Secondly, a review of all villages on the Cheshire trunk roads to identify and place in order of priority, any locations that would benefit from new or improved traffic calming measures. We expect to have the results of both studies shortly.

The A51 provides a direct link for traffic travelling between the M6 and Chester, North Wales and Merseyside. A number of residents have suggested that Heavy Goods Vehicles should be signed to use the longer route provided by the M6, M56 and M53 rather than using the A51. We have considered this carefully but have no plans to change the existing signing.

The A51/A500 Chester to the M6 is one of the trunk routes identified as non-core and one which would be more appropriately managed by the local highway authority. Responsibility for non-core roads is to be transferred to local highway authorities by means of detrunking. I understand that the Government will be announcing a final decision on the split of the network into core and non-core routes as soon as possible.

If the A51/A500 is confirmed as a non-core route to be detrunked, then from 1 April 2000 the Agency will only initiate further improvements that we consider necessary to keep the route in a safe and serviceable condition. It will be for the local highway authority, in this case Cheshire County Council, to consider the need for other improvements in the context of their Local Transport Plan. Provisional plans covering the period 2000/01—2004/05 are to be submitted by the end of July.

Halon

Mr. David Stewart: To ask the Secretary of State for the Environment, Transport and the Regions (1) what research his Department has commissioned to study the level of halon 1202 emissions to the atmosphere; [77595]

(2) what action his Department will take to encourage the international community to include halon 1202 in the list of chemicals controlled by the Montreal protocol. [77594]

Mr. Meale: My Department commissions research at the University of East Anglia to analyse air samples from the archive at Cape Grim in Tasmania. They have made the first measurements of the atmospheric concentration of halon 1202 anywhere in the world. Although the concentration of halon 1202 is currently very low (0.05 parts per trillion), it is growing very rapidly, some 17 per cent. per year in 1998. We also commission routine measurements of the background concentrations of halons at Mace Head in the Republic of Ireland as part of the International Global Atmospheric Gases Experiment. Halon 1202 concentrations are currently below the limit of detectability of the instrumentation in place but instrument development is taking place to cover this substance.

As there is little information on the source of halon 1202 emissions, the United Kingdom and other Parties to the Montreal Protocol have requested the Protocol's Technical and Economic Assessment Panel and Science Assessment Panel to identify the source and availability of this substance and report back to the Parties by 2001. This information will enable Parties to take a decision to decide whether it is necessary to control this substance under the Protocol.

Mr. David Stewart: To ask the Secretary of State for the Environment, Transport and the Regions (1) what action his Department is taking to help developing countries fulfil the Montreal Protocol ban on halon 1211 production by 2005; [77592]

(2) what steps his Department is taking to help the Chinese Government fulfil the Montreal Protocol ban on halon 1211 production by 2005. [77593]

Mr. Meale: China, together with other developing countries, is committed under the Montreal Protocol to phasing out the production and consumption of halons by 2010. Assistance is available for developing countries under the Protocol's Multilateral Fund to meet their commitments. To this end, US$ 62 million has been provided from the Fund to enable China to phase out halon production, as a result of which China has given a commitment to stop production of halon 1211 by 2006, four years earlier than required under the Protocol. The United Kingdom currently contributes in the region of £6.5 million per year to the Multilateral Fund.

Business Rates

Dr. Whitehead: To ask the Secretary of State for the Environment, Transport and the Regions what modelling he has done of local authority costs incurred in implementing the procedures for localising elements of the business rate as set out in the Local Government White Paper. [77677]

Ms Armstrong: Local authorities already have a statutory duty to consult businesses. The proposals in the White Paper, in respect of local authorities' responsibility to listen to their communities, require authorities to make such consultation arrangements effective. The partnership arrangements between business and local authorities needed for the localisation scheme will be based on these effective consultation arrangements. In addition, local authorities will be given the maximum flexibility to agree both suitable partnership arrangements for their areas, and the methods for securing the endorsement of these arrangements by business. The additional costs arising from the localisation scheme are expected to be small, but we will discuss with the Local Government Association any concerns it may have. A consultation paper is to be issued shortly.

EU Fraud

Mr. Grieve: To ask the Secretary of State for the Environment, Transport and the Regions what *(a)* discussions he has had and *(b)* proposals his Department has put forward at Council of Ministers' meetings in respect of EU fraud; and if he will make a statement. [77779]

Mr. Meale *[holding answer 19 March 1999]:* I refer the hon. Member to the reply given to him by my hon. Friend the Economic Secretary on 19 March 1999, *Official Report*, columns *858–59*.

Renewable Energy

Mr. Martyn Jones: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to amend the planning regulations in order to help the UK to meet its targets for renewable energy generation. [77944]

Mr. Raynsford: None. I am satisfied that the existing regulatory framework is adequate.

Ofwat

Mr. Boswell: To ask the Secretary of State for the Environment, Transport and the Regions what preparations are being made by Ofwat in respect of his responsibilities under the Competition Act 1998; what increase in staff is required; and what action is being taken to co-ordinate policy with the Director General of Fair Trading. [77687]

Mr. Meale *[holding answer 22 March 1999]:* The Director General of Water Services is currently preparing guidelines on the application of the Competition Act 1998 to the water industry to be published later this year. I understand that he is considering, but has yet to determine, what increase in staff might be required in respect of his new responsibilities. The Office of Water Services (Ofwat) is a member of the Concurrency Working Party (CWP), comprising representatives from the Office of Fair Trading and those regulators having concurrent functions, which is working to ensure a co-ordinated approach to the application of the 1998 Act. Guidelines on the application and enforcement of the Act have been prepared by the CWP and issued by the Director General of Fair Trading (DGFT). In February, the Department of Trade and Industry issued a consultation document "Concurrency: consultation on the possible need and scope for regulations" on the Secretary of State's powers to make regulations for the purpose of co-ordinating the functions exercisable by the DGFT and the regulators.

EC Transport Council

Mr. Maclean: To ask the Secretary of State for the Environment, Transport and the Regions if he will publish the agenda for the forthcoming EC Transport Council of 29 March. [78393]

Dr. Reid: The proposed agenda for the 29 March Transport Council comprises the following items:

1. Adoption of the agenda
2. Approval of "A" points

Inland transport

3. Railways policy
4. Combined transport
5. Working time in the road transport sector

Air transport

6. Modernisation of the Warsaw system on airline liability

Measures concerning all modes of transport

7. Amendments to Trans-European Network guidelines

8. Satellite navigation systems ("Galileo")

9. Other business.

Water Charges (Pensioners)

Mr. Jim Cunningham: To ask the Secretary of State for the Environment, Transport and the Regions what action the Government plans to take to assist pensioners with the payment of water charges, with particular reference to those who cannot have water meters installed for technical reasons. [77695]

Mr. Meale: Under proposals in the Water Industry Bill, currently before Parliament, household water customers would have a new entitlement to be charged on a measured basis without paying any initial costs for the installation of a meter. Customers using water only for basic domestic purposes who opted for a measured basis of charging and found that this did not suit their needs would have the opportunity within the first 12 months to revert to unmeasured charging. These proposals will benefit households using little water including many pensioners.

In a small minority of cases it may not be possible to fit a meter because it would be not reasonably practicable or would involve unreasonable expense to do so. In such cases the Government would expect a water company to make an alternative charging arrangement for customers who asked to pay on a measured basis.

The Government propose to consult later this year on what guidance should be issued and regulations made governing the provisions of companies' charges schemes.

Leasehold Reform

Mr. G[illegible]omas: To ask the Secretary of State for the Env[illegible]t, Transport and the Regions what proposals he has for reforming the law in respect of leaseholds. [76342]

Mr. Raynsford: We propose to make it easier and simpler for leaseholders of flats to exercise their right to collective enfranchisement, give leaseholders a new "no-fault" right to manage, improve the standards of residential leasehold management and stamp out specific abuses examples of which have been brought to our attention. Further details are set out in our consultation paper on residential leasehold reform, a copy of which is in the Library.

Private Hire Vehicles

Dr. Tonge: To ask the Secretary of State for the Environment, Transport and the Regions when he expects the consultation document on the implementation of the Private Hire Vehicles (London) Act 1998 to be published. [78362]

Ms Glenda Jackson: We intend shortly to publish, jointly with the Public Carriage Office, a consultation document on the licensing of minicab operators in London.

Bus Policy

Jane Griffiths: To ask the Secretary of State for the Environment, Transport and the Regions when he will publish his detailed proposals on bus policy following the White Paper, A New Deal for Transport, Better for Everyone. [78531]

Mr. Prescott: I have today published a bus policy document which sets out the Government's proposals for a comprehensive range of measures to ensure that the bus can play its full role in an integrated transport policy. The document invites comments on specific measures for implementation. Copies of the document are in the Library and are available in the Vote Office.

Local Government

Mrs. Curtis-Thomas: To ask the Secretary of State for the Environment, Transport and the Regions when he intends to publish the draft bill on political management structures and the new ethical framework for local government; and if he will make a statement. [78575]

Mr. Prescott: I intend tomorrow to lay before the House a paper describing new forms of local governance, and including a draft of a Bill making provision for them. If enacted, the Bill would transform local government's political management structures and ethical framework. Local people would be able to choose forms of local governance with strong leadership for communities, powerful roles for all councillors, and high standards of conduct.

Trunk Roads

Dr. Naysmith: To ask the Secretary of State for the Environment, Transport and the Regions what was the outcome of consultation with Regional Planning Bodies on the study programme proposed in "A New Deal for Trunk Roads in England"; and if he will announce the final programme of studies. [78577]

Dr. Reid: The consultation exercise with Regional Planning Bodies, launched on 10 December 1998, is now complete and we have received representations from all the regions. We want to take the studies forward in partnership with Regional Planning Bodies in order to ensure that they are closely integrated with regional planning objectives. The study programme reflects regional priorities and will feed into the development of regional transport strategies as part of regional planning guidance. I am pleased that the responses we have received are generally in favour of our approach and, in particular, our determination to examine the contribution that all modes can make to the problems of congestion, environment and safety within the study areas.

I am now able to announce the final study programme which takes into account many of the Regional Planning Bodies' proposals, and to give more details about the timing of the studies.

Tranche 1—to begin 1999–2000

Multi-modal studies

West Midlands to North West Conurbation

London Orbital

Access to Hastings

Tyneside

West Midlands Area

South and West Yorkshire Motorway Box

London to South West and South Wales

North South Movements in East Midlands

South East Manchester

Cambridge to Huntingdon

A453 (M1-Nottingham)

Roads-based studies

A1 Bramham to Barton

A66 Safety

M40/A46 Longbridge roundabout

A3 Hindhead

M1 Junction 19

A419 Blunsdon

Tranche 2—to begin 2000–01

Multi-modal studies

Southampton to Folkestone

London to South Midlands

West Midlands to Nottingham

London to Reading

Hull

London to Ipswich

Roads-based studies

Deeside Park Junctions

Norwich to Great Yarmouth

A5/A483 Shrewsbury to Chester

A38 Derby Junctions

Provisional Tranche 3

Multi-modal studies

A34 North from Southampton

A47 West of Norwich

A1 North of Newcastle.

The studies are divided into two categories—full multi-modal studies which will be taken forward by the Government Offices for the Regions in consultation with regional partners, and roads based studies which, although they will take account of the contributions which can be made by other modes, are primarily directed at specific points on individual roads, and which will be led by the Highways Agency.

Work on most of the studies in Tranche 1 will begin this spring, with all of them commencing by the autumn. The length of time it will take to complete each study will vary depending on the complexity of the issues, but we expect that they will take, on average, 2 years to complete. As a first step, steering groups will be established, chaired by the Government Offices and to include representatives from the Regional Planning Bodies, and other regional partners, to finalise the terms of reference for each study and the timescale for delivery. Tranche 2 studies need not wait for tranche 1 studies to be completed, and we expect to begin work on these in 2000–01.

The multi-modal studies are not a one off exercise. As we described in the recently published draft planning policy guidance note 11 (PPGII) "Regional Planning", multi-modal studies of transport problems will be one of the major inputs to the development of Regional Transport Strategies. Therefore in the future we expect Regional Planning Bodies, rather than central Government, to commission and lead their own multi-modal studies. From some of the additional studies proposed by the Regional Planning Bodies, we have identified a provisional third tranche of studies which could be taken forward in this way. The case for a study of the A1 North of Newcastle will depend on the outcome of the current Highways Agency route management study.

Planning Guidance (Housing)

Dr. Whitehead: To ask the Secretary of State for the Environment, Transport and the Regions when his Department will publish new planning policy guidelines on housing; and if he will make a statement. [78607]

Mr. Caborn: We have today published for public consultation a new version of Planning Policy Guidance note 3: Housing (PPG3). This is another major step in delivering our commitment to revitalise our towns and cities and to protect our countryside from unnecessary development. Our aim is to achieve nothing less than an urban renaissance. Copies of the new PPG3 have been placed in the Library and are available in the Vote Office.

The guidance emphasises the importance of making the best use of previously developed urban land and existing buildings in order to achieve our 60 per cent. land recycling target. This will minimise the use of green-field sites, encourage urban regeneration and help create more sustainable patterns of development. Local planning authorities are also advised to provide a greater choice of housing to meet the nation's changing housing needs, and to promote mixed development.

We propose to introduce a sequential approach to the choice of sites. Local planning authorities will be required to consider using previously developed land and buildings before releasing green-field sites for development.

Local planning authorities are also required to consider the capacity of the urban area to accommodate additional development. The guidance proposes the use of higher densities, reduced car parking and the release for housing of excess land held for other types of development. The Government are also looking for an improved quality of development and are therefore looking for improved urban design, better layouts and wider choice of sizes and types of housing. They advise developers and local

authorities to place the needs of people before cars in designing the layout of residential developments. Creating a more attractive residential environment must be a central aim for new development.

The Government recognise that not all additional housing development can be accommodated on previously developed sites. The next most sustainable option is to develop urban extensions, making use of existing infrastructure and public transport links.

The new draft PPG3 represents a major departure in content and style from the previous planning guidance and is an essential toolkit for planning for housing in the new Millennium.

Public Rights of Way

Mr. Paul Marsden: To ask the Secretary of State for the Environment, Transport and the Regions what *(a)* percentage and *(b)* length of public rights of way are open to (i) horseriders and (ii) cyclists in each county in England and Wales; and if he will make a statement. [76882]

Mr. Meacher *[pursuant to his reply, 15 March 1999, c. 468–69]:* The figures contained a miscalculation. The second part of the reply should have read:

"England and Wales have an estimated total of 130,000 miles (209,000km) of rights of way, of which over 29,000 miles (47,000km) or 22 per cent. may be used lawfully by horseriders and cyclists".

HOME DEPARTMENT

Police Stations

Mr. Beith: To ask the Secretary of State for the Home Department how many police stations there were in the Metropolitan Police force area in *(a)* 1980 and *(b)* each of the last three years; and if he will make a statement. [77289]

Kate Hoey: The Receiver for the Metropolitan Police District (MPD) tells me that there were 164 police stations in the MPD in 1980.

There are 152 police stations and 38 police offices currently. In 1998, the numbers were the same. In 1997, there were 157 police stations and 39 police offices.

Mr. Vaz: To ask the Secretary of State for the Home Department how many new police stations were built or are planned to be built in England in 1999. [77349]

Mr. Boateng: The information requested is not collected centrally and could only be obtained at disproportionate cost. The police estate, in England and Wales, consists of some 7,000 properties and includes around 2,000 police stations. Police authorities have local discretion to build police stations within the resources available to them.

The Audit Commission Report "Action Stations—Improving the management of the Police Estate", published on 17 March, found that better estate management will deliver more effective policing, save money and better serve the public.

Police Cameras

Mr. Beith: To ask the Secretary of State for the Home Department (1) what was the total expenditure of police cameras per force in each of the last three years; what was the average number of fines issued per camera in each police force; and if he will make a statement; [77306]

(2) how many police cameras were in use in each police force on the last date for which figures are available and in each of the previous three years; and if he will make a statement. [77290]

Mr. Boateng: The information requested is not available centrally. Road traffic law enforcement is an operational matter for individual chief officers of police and they decide whether to employ such technology in the light of their local conditions and policing priorities. The 1996 Police Research Group paper "Cost benefit analysis of traffic light and speed cameras" provides a snapshot of the numbers of sites and costs for such cameras in service with ten forces at that time. A copy is in the Library.

Police Expenditure

Mr. Beith: To ask the Secretary of State for the Home Department what was the total expenditure per police force in each of the last five years; what amount and proportion of that expenditure was spent on police pensions; what was the real terms change in total expenditure apart from police pensions per police force; what is the expected change in the proportion of total police spending which will be spent on pensions in each of the next three years; and if he will make a statement. [77288]

Mr. Boateng: The information is set out in the tables.

Table 1: Police pensions and total expenditure 1994–95 to 1998–99

	1994–95 Net total expenditure £000	*1994–95 Net pensions costs £000*	*1994–95 Net pensions as percentage of total expenditure*	*1994–95 Percentage real terms increase in total expenditure, excluding pensions, over 1993–94*
Avon and Somerset	141,283	16,969	12.0	3.67
Bedfordshire	51,514	4,252	8.3	1.57
Cambridgeshire	58,650	5,407	9.2	0.06
Cheshire	82,804	7,528	9.1	2.30
City of London	52,365	4,971	9.5	–0.05
Cleveland	69,007	7,978	11.6	4.36
Cumbria	54,281	5,702	10.5	2.99
Derbyshire	84,362	7,753	9.2	5.05
Devon and Cornwall	140,830	13,930	9.9	1.27
Dorset	66,285	5,972	9.0	9.23
Durham	59,237	6,905	11.7	2.81
Dyfed Powys	45,595	5,148	11.3	6.72
Essex	not available	not available	—	—
Gloucestershire	55,180	4,805	8.7	5.80
Greater Manchester	320,931	35,158	11.0	3.16
Gwent	44,148	4,739	10.7	1.53
Hampshire	155,257	13,610	8.8	3.40
Hertfordshire	84,435	5,850	6.9	12.31
Humberside	92,365	9,189	9.9	2.12
Kent	153,757	12,510	8.1	6.91
Lancashire	145,181	16,771	11.6	1.73
Leicestershire	81,166	10,129	12.5	0.50
Lincolnshire	not available	not available	—	—
Merseyside	215,461	26,041	12.1	1.60

Table 1: Police pensions and total expenditure 1994–95 to 1998–99

	1994–95 Net total expenditure £000	*1994–95 Net pensions costs £000*	*1994–95 Net pensions as percentage of total expenditure*	*1994–95 Percentage real terms increase in total expenditure, excluding pensions, over 1993–94*
Metropolitan Police	1,588,001	154,666	9.7	–1.31
Norfolk	68,546	6,897	10.1	3.57
North Wales	62,647	5,771	9.2	4.05
North Yorkshire	63,772	8,946	14.0	1.74
Northamptonshire	60,306	6,107	10.1	5.34
Northumbria	175,837	19,933	11.3	8.38
Nottinghamshire	106,195	11,397	10.7	5.59
South Wales	133,688	14,513	10.9	–4.76
South Yorkshire	137,623	11,121	8.1	6.00
Staffordshire	100,265	11,610	11.6	3.83
Suffolk	56,828	5,872	10.3	0.43
Surrey	84,371	7,318	8.7	9.57
Sussex	130,382	12,704	9.7	5.26
Thames Valley Police	192,080	12,687	6.6	5.27
Warwickshire	50,000	4,180	8.4	2.31
West Mercia	98,108	9,489	9.7	3.65
West Midlands	313,518	29,945	9.6	2.17
West Yorkshire	236,100	27,367	11.6	2.42
Wiltshire	59,155	4,143	7.0	6.94

	1995–96 Net total expenditure £000	*1995–96 Net pensions costs £000*	*1995–96 Net pensions as percentage of total expenditure*	*1995–96 Percentage real terms increase in total expenditure, excluding pensions, over 1994–95*
Avon and Somerset	141,091	17,780	12.6	–3.61
Bedfordshire	54,533	4,890	9.0	2.06
Cambridgeshire	61,003	5,871	9.6	0.62
Cheshire	87,315	10,074	11.5	–0.29
City of London	56,042	6,848	12.2	0.86
Cleveland	68,558	7,950	11.6	–3.50
Cumbria	53,444	6,145	11.5	–5.39
Derbyshire	86,015	10,416	12.1	–4.11
Devon and Cornwall	144,513	17,661	12.2	–2.87
Dorset	63,276	6,947	11.0	–9.25
Durham	62,432	7,218	11.6	2.52
Dyfed Powys	46,197	7,036	15.2	–5.92
Essex	146,473	14,045	9.6	—
Gloucestershire	53,977	5,635	10.4	–6.75
Greater Manchester	331,304	43,809	13.2	–2.25
Gwent	44,436	3,695	8.3	0.45
Hampshire	163,193	17,316	10.6	0.07
Hertfordshire	87,825	6,060	6.9	1.10
Humberside	96,418	11,228	11.6	–0.48
Kent	155,223	15,046	9.7	–3.57
Lancashire	152,225	19,662	12.9	0.31
Leicestershire	86,855	10,888	12.5	3.91
Lincolnshire	59,022	7,786	13.2	—
Merseyside	220,007	29,934	13.6	–2.50
Metropolitan Police	1,639,392	150,347	9.2	0.95
Norfolk	70,378	8,489	12.1	–2.45
North Wales	65,933	7,489	11.4	–0.15
North Yorkshire	63,096	8,459	13.4	–3.17
Northamptonshire	57,075	5,470	9.6	–7.48
Northumbria	178,820	26,636	14.9	–5.15
Nottinghamshire	106,334	11,732	11.0	–3.03
South Wales	144,452	18,828	13.0	2.43
South Yorkshire	144,354	12,700	8.8	1.13
Staffordshire	98,661	11,377	11.5	–4.33
Suffolk	55,814	7,137	12.8	–7.18

	1995–96 Net total expenditure £000	1995–96 Net pensions costs £000	1995–96 Net pensions as percentage of total expenditure	1995–96 Percentage real terms increase in total expenditure, excluding pensions, over 1994–95
Surrey	83,000	7,803	9.4	–5.17
Sussex	137,785	17,438	12.7	–0.63
Thames Valley Police	194,465	15,992	8.2	–3.33
Warwickshire	47,760	5,004	10.5	–9.33
West Mercia	95,886	8,875	9.3	–4.59
West Midlands	331,075	34,304	10.4	1.69
West Yorkshire	238,801	25,775	10.8	–0.83
Wiltshire	54,448	4,032	7.4	–10.95

	1996–97 Net total expenditure £000	1996–97 Net pensions costs £000	1996–97 Net pensions as percentage of total expenditure	1996–97 Percentage real terms increase in total expenditure, excluding pensions, over 1995–96
Avon and Somerset	152,087	22,122	14.5	2.25
Bedfordshire	56,627	5,422	9.6	0.06
Cambridgeshire	65,024	7,140	11.0	1.85
Cheshire	94,177	7,917	8.4	8.34
City of London	57,317	6,636	11.6	–0.06
Cleveland	73,108	8,694	11.9	3.10
Cumbria	56,856	7,307	12.9	1.63
Derbyshire	90,420	11,075	12.2	1.82
Devon and Cornwall	150,392	19,006	12.6	0.48
Dorset	67,831	7,618	11.2	3.70
Durham	68,035	8,233	12.1	5.07
Dyfed Powys	47,869	5,979	12.5	3.77
Essex	151,412	14,785	9.8	0.09
Gloucestershire	58,420	7,978	13.7	1.23
Greater Manchester	341,170	47,275	13.9	–0.83
Gwent	57,742	5,735	9.9	23.84
Hampshire	172,845	16,432	9.5	4.02
Hertfordshire	88,863	7,930	8.9	–3.98
Humberside	99,719	10,849	10.9	1.20
Kent	161,625	14,601	9.0	1.75
Lancashire	161,865	22,481	13.9	2.00
Leicestershire	92,853	10,273	11.1	5.46
Lincolnshire	61,508	7,792	12.7	1.71
Merseyside	221,172	35,211	15.9	–5.09
Metropolitan Police	1,683,181	170,677	10.1	–1.46
Norfolk	75,547	9,832	13.0	3.01
North Wales	68,266	8,829	12.9	–1.34
North Yorkshire	67,042	9,515	14.2	2.14
Northamptonshire	59,252	5,677	9.6	0.71
Northumbria	186,410	27,649	14.8	1.20
Nottinghamshire	113,591	12,912	11.4	3.24
South Wales	147,458	20,376	13.8	–1.86
South Yorkshire	150,949	13,065	8.7	1.60
Staffordshire	107,832	15,465	14.3	2.66
Suffolk	60,963	7,973	13.1	5.61
Surrey	85,345	8,478	9.9	–0.83
Sussex	150,626	19,702	13.1	5.54
Thames Valley Police	201,397	17,256	8.6	0.09
Warwickshire	47,686	4,252	8.9	–1.45
West Mercia	102,078	10,567	10.4	2.03
West Midlands	337,992	34,530	10.2	–0.80
West Yorkshire	265,233	31,132	11.7	6.61
Wiltshire	59,993	7,828	13.0	0.38

	1997–98 Net total expenditure £000	1997–98 Net pensions costs £000	1997–98 Net pensions as percentage of total expenditure	1997–98 Percentage real terms increase in total expenditure, excluding pensions, over 1996–97
Avon and Somerset	152,673	24,389	16.0	–3.70
Bedfordshire	58,570	6,764	11.5	–1.29
Cambridgeshire	68,681	8,158	11.9	2.01
Cheshire	104,005	11,778	11.3	4.31
City of London	57,893	7,361	12.7	–2.73
Cleveland	75,426	8,252	10.9	1.74
Cumbria	61,709	7,881	12.8	5.99
Derbyshire	95,641	12,430	13.0	2.31
Devon and Cornwall	155,435	21,033	13.5	–0.20
Dorset	69,727	9,087	13.0	–1.75
Durham	75,166	12,697	16.9	1.91
Dyfed Powys	50,952	6,191	12.2	4.25
Essex	157,487	17,097	10.9	0.25
Gloucestershire	58,633	7,721	13.2	–1.53
Greater Manchester	353,319	58,292	16.5	–2.06
Gwent	64,598	7,634	11.8	6.86
Hampshire	180,791	17,272	9.6	1.99
Hertfordshire	93,011	8,970	9.6	1.31
Humberside	106,220	14,006	13.2	1.23
Kent	174,211	19,914	11.4	2.39
Lancashire	169,275	23,988	14.2	1.69
Leicestershire	98,789	not available	not available	—
Lincolnshire	66,184	9,266	14.0	3.38
Merseyside	224,327	33,754	15.0	–0.02
Metropolitan Police	1,676,617	191,041	11.4	–4.18
Norfolk	80,222	10,719	13.4	3.18
North Wales	70,920	9,825	13.9	0.28
North Yorkshire	71,840	10,475	14.6	4.07
Northamptonshire	64,605	8,030	12.4	3.02
Northumbria	195,092	30,651	15.7	1.05
Nottinghamshire	120,556	17,019	14.1	0.33
South Wales	159,411	28,071	17.6	0.83
South Yorkshire	166,027	20,321	12.2	3.10
Staffordshire	110,264	19,077	17.3	–3.69
Suffolk	63,676	8,374	13.2	1.82
Surrey	90,976	12,646	13.9	–0.58
Sussex	157,631	21,485	13.6	1.45
Thames Valley Police	210,333	20,930	10.0	0.35
Warwickshire	51,003	7,099	13.9	–1.38
West Mercia	107,788	12,038	11.2	2.08
West Midlands	360,129	44,073	12.2	1.61
West Yorkshire	281,745	37,161	13.2	1.93
Wiltshire	58,535	6,149	10.5	–2.03

	1998–99 Net total expenditure £000	1998–99 Net pensions costs £000	1998–99 Net pensions as percentage of total expenditure	1998–99 Percentage real terms increase in total expenditure, excluding pensions, over 1997–98
Avon and Somerset	167,417	26,877	16.1	6.88
Bedfordshire	62,317	6,982	11.2	4.21
Cambridgeshire	71,230	8,463	11.9	1.18
Cheshire	106,523	11,580	10.9	0.43
City of London	60,862	8,291	13.6	1.50
Cleveland	82,282	11,108	13.5	3.37
Cumbria	63,000	8,715	13.8	–1.61
Derbyshire	100,894	13,788	13.7	2.13
Devon and Cornwall	167,117	23,165	13.9	4.49
Dorset	73,497	9,486	12.9	2.98
Durham	78,103	10,166	13.0	6.10
Dyfed Powys	52,609	6,926	13.2	–0.43

	1998–99 Net total expenditure £000	1998–99 Net pensions costs £000	1998–99 Net pensions as percentage of total expenditure	1998–99 Percentage real terms increase in total expenditure, excluding pensions, over 1997–98
Essex	168,889	19,361	11.5	3.91
Gloucestershire	63,780	9,138	14.3	4.71
Greater Manchester	371,497	59,380	16.0	3.21
Gwent	67,919	7,712	11.4	3.12
Hampshire	190,920	20,009	10.5	1.97
Hertfordshire	97,859	9,499	9.7	2.57
Humberside	111,587	13,584	12.2	3.69
Kent	178,916	20,867	11.7	–0.07
Lancashire	178,051	24,802	13.9	2.91
Leicestershire	102,707	12,566	12.2	—
Lincolnshire	68,322	10,057	14.7	–0.13
Merseyside	245,277	37,483	15.3	6.38
Metropolitan Police	1,778,001	210,438	11.8	2.95
Norfolk	82,339	10,148	12.3	1.33
North Wales	75,075	11,138	14.8	2.10
North Yorkshire	75,638	12,162	16.1	0.92
Northamptonshire	67,134	7,067	10.5	3.58
Northumbria	205,380	31,500	15.3	3.16
Nottinghamshire	124,828	16,355	13.1	2.21
South Wales	163,430	24,861	15.2	2.93
South Yorkshire	168,205	17,248	10.3	1.08
Staffordshire	122,540	22,383	18.3	7.16
Suffolk	65,785	8,385	12.7	1.26
Surrey	90,738	11,021	12.1	–0.71
Sussex	162,664	24,846	15.3	–1.24
Thames Valley Police	221,147	20,306	9.2	3.45
Warwickshire	53,617	6,201	11.6	5.37
West Mercia	112,879	12,458	11.0	2.32
West Midlands	372,296	42,831	11.5	1.70
West Yorkshire	280,739	37,555	13.4	–3.00
Wiltshire	66,666	7,480	11.2	10.22

Notes:
1994/95–1997/98: Total expenditure and pensions costs taken from CIPFA Actuals
1998/99: Estimated total expenditure and estimated pension costs taken from CIPFA Estimates

Table 2: Estimated police pensions costs as proportion of police funding 1999–2000 to 2001–02

£ million

	1999–2000	2000–01	2001–02
Police Funding[1]	7,142	7,341	7,631
Police Pensions Costs[2]	931	993	1,059
Proportion of funding (per cent.)	13.04	13.53	13.88

[1] Total Standard Spending
[2] Government Actuary's Department

Policing (Human Rights)

Mr. Beith: To ask the Secretary of State for the Home Department what assessment he has made of the recommendations of the Justice report "Under Surveillance: Covert Policing and Human Rights Standards". [77292]

Mr. Boateng: I have invited members of Justice to meet me so that they can put directly to me their views on the present legal structures relating to police surveillance and how they believe it is affected by the European Convention on Human Rights. Their views will form part of the consideration which is currently being given to whether further changes are needed to the existing framework of controls.

Police (Cleveland)

Dr. Kumar: To ask the Secretary of State for the Home Department if he will estimate by how much the Lancet Inquiry will increase the precept for policing payable by residents of Cleveland in the next year; on what calculation this is based; and if he will make a statement. [77270]

Mr. Boateng: I understand from the Chief Constable that the Cleveland Police Authority has set a budget for 1999–2000 of £83.3 million which is an increase of 3.6 per cent. over 1998–99. This will mean an increase in the police precept on the council tax of 29.2 per cent. or £14 per year in 1999–2000 for Band D properties.

I understand that the increase in the precept for 1999–2000 is not as a result of Operation Lancer but is required to maintain an acceptable number of police officers and to meet other unavoidable expenditure for police pay increases and pensions.

It is a matter for the Chief Constable to determine how to use the resources available. The Cleveland Constabulary achieved significant savings in 1998–99 of £2.7 million. This has made it possible for the force to absorb the costs of Operation Lancet within existing resources.

Dr. Kumar: To ask the Secretary of State for the Home Department if he will estimate the cost of the Lancet Inquiry into alleged corruption in the Cleveland police force; and if he will make a statement. [77269]

Mr. Boateng: I understand from Cleveland Constabulary that the estimated cost of Operation Lancet up to 31 March 1999 is £1.24 million.

The major part of the inquiry is being undertaken by officers from the Cleveland force, for whom provision has already been made in the budget. The costs arising from the involvement of the Northamptonshire Officers and Mr. Timpson, the Chief Constable of Warwickshire Constabulary who is in charge of the investigation, have also been found from within the Cleveland budget.

Dr. Kumar: To ask the Secretary of State for the Home Department when he expects that Inspector Ray Mallon of the Cleveland Police will cease being suspended; and if he will make a statement. [77266]

Mr. Boateng: Matters involving the suspension of police officers are governed by The Police (Discipline) Regulations 1985. An officer may be suspended from the force by his chief officer where it appears that he may have committed a disciplinary offence. Unless the chief officer decides otherwise, the suspension will continue until either it is decided not to bring disciplinary charges or the case has been resolved.

This is entirely a matter for the Chief Officer concerned—in this instance the Chief Constable of Cleveland Constabulary. It would be wrong of me to comment on this matter whilst the investigation is underway.

Dr. Kumar: To ask the Secretary of State for the Home Department if he will make a statement on progress of the Lancet Inquiry into alleged police corruption in Cleveland; when he expects completion of its work; and if he will make a statement. [77268]

Mr. Boateng: This is a wide-ranging inquiry and is one of the largest supervised by the Police Complaints Authority (PCA). There has been close consultation with the Crown Prosecution Service (CPS) throughout. A major file on drugs-related issues was delivered to the CPS on 4 December 1998 and is now with Treasury Counsel. I understand that a number of possible criminal and disciplinary matters are still being addressed and eight officers remained suspended from duty.

The length of the investigation is a matter for the investigation officer and the PCA.

Firearms (Compensation)

Mr. Robathan: To ask the Secretary of State for the Home Department how many claims for compensation are still outstanding under the Firearms (Amendment) Act 1997; what percentage of the total number of claims this represents. [77320]

Mr. Boateng: Payment offers have been made on all but around 420 claims which cannot yet be fully processed, mainly because the required evidence of value of the surrendered guns and ancillary equipment has not yet been provided. This represents less than 1 per cent. of the claims received. There are around 6,000 outstanding offers of payment awaiting a response from the claimant before a final payment can be made. The bulk of these should be cleared within the next few days.

Association of Chief Police Officers

Mr. Vaz: To ask the Secretary of State for the Home Department when he plans next to meet the officers of the Association of Chief Police Officers. [77347]

Mr. Boateng: My right hon. Friend the Home Secretary regularly meets officers of the Association of Chief Police Officers on both a formal and informal basis.

Police Recruitment (Ethnic Minorities)

Mr. Vaz: To ask the Secretary of State for the Home Department what steps he is taking to increase ethnic minority recruitment in the police service. [77348]

Mr. Boateng: Individual targets will be set for each force for the recruitment, retention and progression of ethnic minority officers. My right hon. Friend the Home Secretary is chairing a National Conference on the Recruitment, Retention and Progression of Black and Asian Officers in April for chief constables and police authority chairs. The Conference will be addressing issues such as: force recruitment; promotion schemes and personnel practice.

Diarmuid O'Neill

Mr. Coleman: To ask the Secretary of State for the Home Department if he will make a statement on the investigation of the death of Diarmuid O'Neill in Hammersmith. [77794]

Kate Hoey: The Commissioner of the Metropolitan police tells me that the report of the police investigation into the death of Diarmuid O'Neill, which was supervised by the Police Complaints Authority, was sent to the Crown Prosecution Service (CPS) on 20 November 1998. As at 17 March 1999, no decisions had been taken by the CPS about whether criminal charges should be brought.

Police Officers (Hammersmith and Fulham)

Mr. Coleman: To ask the Secretary of State for the Home Department how many police officers were stationed at *(a)* Hammersmith and *(b)* Fulham police stations (i) on 1 May 1997 and (ii) at the latest available date. [77793]

Kate Hoey: The Commissioner of the Metropolitan Police tells me that the information is not available for the first date specified, but that it is available for 1 July 1997, and as at 18 March 1999, as follows:

Number of officers as at	*Hammersmith*	*Fulham*
1 July 1997	333.52	226.13
18 March 1999	301.22	215.16

Thai House and Siam Sauna

Mr. Corbett: To ask the Secretary of State for the Home Department if he will call for a report from the Chief Constable of Northamptonshire into the release of the name

of a person who declined to assist with inquiries into suspected breaches of employment and immigration law at the Thai House and Sian Sauna in November. [77659]

Mr. Boateng: The Chief Constable of Northamptonshire Constabulary has taken steps to establish whether there is any basis for an inquiry into whether the release of the name of a person who declined to assist with inquiries. I am assured that should any member of his staff be shown to have been involved in leaking information to the media about the raid on a Northampton Thai massage parlour they will be severely dealt with.

At the moment there is no evidence to suggest that this leak did come from within his force but, should this position change, the Chief Constable will immediately instigate an inquiry and do everything possible to find out who is responsible.

Arson Prevention Bureau

Mr. Fitzpatrick: To ask the Secretary of State for the Home Department what support has been offered by his Department for the Arson Prevention Bureau for *(a)* the next financial year and *(b)* the last three financial years. [77609]

Mr. George Howarth: The Home Office has a strong working relationship with the Arson Prevention Bureau. Graham Meldrum, Her Majesty's Chief Inspector of Fire Services and I gave keynote addresses at two if its important events last year and officials are in regular contact with the Bureau to discuss its programme of activities. In addition, a Home Office official has been loaned to the Bureau since December 1996. The first year of that posting (December 1996-November 1997) was funded in full by the Home Office.

My right hon. Friend the Home Secretary announced earlier this month his intention to publish shortly the outcome of a Home Office study which has reviewed current arrangements for combating arson. We expect to continue to work closely with the Arson Prevention Bureau to take that initiative forward.

Persistent Offenders

Mr. Maclean: To ask the Secretary of State for the Home Department, pursuant to his answer of 2 March 1999, *Official Report*, column *637*, what plans he has to make available to the public the data upon which the benchmark figure of 142 days from arrest to sentence for persistent young offenders was based. [77544]

Mr. Boateng: The methodology used to calculate the benchmark figure of 142 days, set out in my answer of 2 March 1999, *Official Report*, column *637*, was set out in the Lord Chancellor's Department Information Bulletin 1/98, published by the Government Statistical Service in May 1998. At paragraph 13, the Bulletin states that:

> Persistent Young Offenders and sentence dates were identified using data from the Police National Computer. Details of arrest dates (or laying of information) for these offenders were obtained by means of a survey of Police Force records. The survey included around 1,500 occasions on which persistent young offenders were sentenced in 1996.

The Bulletin also provided a contact point for further information about the data on which the calculation was based and for requests for further analysis of the data. A copy of the Bulletin was placed in the Library at the time of publication.

The methodology was also set out in a written answer to the hon. Member for Poole (Mr. Syms) on 2 November 1998, *Official Report*, column *389*.

Criminal Offences (EU)

Mr. Maclean: To ask the Secretary of State for the Home Department, pursuant to his answer of 12 March 1999, *Official Report*, columns *379–80*, if he will make a statement on the nature of his Department's concerns about the provisions on interception of telecommunications in Council Document 13144/98. [77542]

Mr. Straw: The provisions relating to interception of communications in the draft Convention on Mutual Assistance in Criminal Matters between the member states of the European Union are currently under negotiation. The United Kingdom is negotiating on the basis that the Convention should apply to criminal investigations carried out by the Police Service and Her Majesty's Customs, and not to the operations of our security and intelligence agencies. We are also keen to ensure that the Convention does not impose unnecessary burdens on the operations of the United Kingdom's law enforcement agencies. A detailed explanation of the Government's concerns has been submitted to the European Scrutiny Committees.

Schengen Agreement

Mr. Mitchell: To ask the Secretary of State for the Home Department if he will list those Schengen provisions which will be adopted by the United Kingdom, stating for each provision the reasons why it is considered necessary. [77640]

Kate Hoey: I refer my hon. Friend to my reply of 12 March 1999, *Official Report*, columns *380–81*, to the right hon. Member for Penrith and The Border (Mr. Maclean).

EU Conventions

Mr. Mitchell: To ask the Secretary of State for the Home Department if he will list the Conventions of the European Union *(a)* agreed and *(b)* in draft relating to (i) police co-operation and (ii) judicial and court procedures together with their Treaty base, their purpose and scope. [77613]

Kate Hoey: I would refer my hon. Friend to the answer given him by the Minister of State, Foreign and Commonwealth Office, my right hon. Friend the Member for Gateshead, East and Washington, West (Ms Quin), on 1 July 1997, *Official Report*, columns *74–76*, and by me on 19 November 1998, *Official Report*, columns *729–31*. All the conventions listed were based on Article K3 of the Treaty on European Union. He may also wish to be aware that political agreement was reached on the draft Eurodac Convention at the Justice and Home Affairs Council on 3–4 December 1998.

Gypsies

Mr. Norman: To ask the Secretary of State for the Home Department how many instances have been reported to the police of gypsies trespassing on private property in the last year in England and Wales. [77828]

Mr. Boateng: This information is not held centrally and could be provided only at disproportionate cost.

Corruption Convention

Mr. Cox: To ask the Secretary of State for the Home Department for what reason Her Majesty's Government have not ratified the Council of Europe Criminal law convention on corruption; and if he will make a statement. [77989]

Mr. Boateng: The United Kingdom signed the Convention on 27 January 1999 and was one of the first States to do so. We are currently considering, in the context of a review of our legislation dealing with corruption, whether, and if so what, changes to domestic criminal law will be needed to enable us to ratify the Convention.

Metropolitan Police District

Mr. Burstow: To ask the Secretary of State for the Home Department what transitional arrangements he plans to make in respect of the costs arising from the realignment of the Metropolitan Police District boundary with the Greater London administrative boundary. [77814]

Kate Hoey *[holding answer 22 March 1999]:* The allocation of police grant for 1999/2000 includes special payments of £2 million, £3 million and £7 million to Essex Police Authority, Hertfordshire Police Authority and Surrey Police Authority respectively for transitional costs arising from the changes to the Metropolitan Police District boundary. We would consider any transitional cost bids made for 2000–01.

Women's Royal Voluntary Service

Mr. Chope: To ask the Secretary of State for the Home Department what plans he has to review funding for the WRVS in the light of Government policy not to assist charities' core activities. [77925]

Mr. Boateng *[holding answer 22 March 1999]:* There is no Government-wide policy not to fund charities' core activities. During 1999, the Home Office will lead the preparation of a code of good practice on funding, to underpin the recent Compact with the voluntary sector. The code will be a vehicle for developing a cross-departmental approach to strategic funding. In the case of the Women's Royal Voluntary Service (WRVS), funding was formally reviewed in 1997. One of the review's conclusions was that, as a national exemplar for the involvement of volunteers, WRVS supported Home Office objectives and should continue to receive strategic funding.

Freemasons

Mr. Mullin: To ask the Secretary of State for the Home Department what progress has been made in implementing the Government's proposals for registering membership of the freemasons in the police, prison and probation services in respect of (i) the establishment of the voluntary register, (ii) the introduction of compulsory registration for new appointments or appointments on promotion and (iii) the arrangements for making the information available to the public. [78052]

Mr. Boateng *[holding answer 22 March 1999]:* Home Office officials are currently working with the Association of Chief Police Officers to set up voluntary registers for existing staff in line with my commitment to the Home Affairs Committee on 20 October 1998. Arrangements for the other categories of occupation affected by the policy, including the Prison and Probation Services, will be implemented once the internal registration arrangements for the Police Service have been set up and are in operation.

Once voluntary registers are in place for existing office holders, we will move swiftly to make arrangements for new staff and existing staff transferring between posts.

The disclosure of Freemasonry membership by office holders and employees in the categories of occupation affected by the policy is entirely voluntary at present. Lawful publication of information about Freemasonry membership disclosed voluntarily will require the informed consent of those who have disclosed that information which can be given only once the precise nature of the publication arrangements has been determined.

Stephen Lawrence Inquiry Report

Mr. Efford: To ask the Secretary of State for the Home Department when he will publish the Government's response to the Stephen Lawrence Inquiry report; and if he will make a statement. [78580]

Mr. Straw: I am today publishing an Action Plan setting out how the Government propose that the Report's recommendations will be taken forward. For each of the areas covered by the recommendations of the Inquiry, the plan sets out the main programme of work, who will have the lead responsibility for taking the work forward, and how we will review and assess the outcomes of the work. This is the beginning of the process, and we will revise and develop the plan as the work proceeds. There will be a full day's debate in the House on these issues on Monday 29 March.

Serious Crime Warrants

Caroline Flint: To ask the Secretary of State for the Home Department when he expects to implement the recommendation, in the report of the Interception of Communications Commissioner for 1997, that nominated officials in the law enforcement agencies be permitted to modify serious crime warrants on behalf of the Secretary of State where the warrants are specifically endorsed to permit it. [78581]

Mr. Straw: I intend to implement the change, as recommended by the Interception Commissioner, on 1 April. Thereafter, nominated senior officials in the intercepting agencies will be empowered to modify existing interception warrants by the insertion of new addresses in urgent cases. This is in accordance with section 5(4) of the Interception of Communications Act 1985.

The change will not enable officials to issue interception warrants against new targets. Interception warrants may only lawfully be issued by (or on the express authorisation of) the Secretary of State.

WPC Fletcher

Mr. Dalyell: To ask the Secretary of State for the Home Department, pursuant to his oral statement of 16 March 1999, *Official Report*, column 1016, on the case of WPC Fletcher, for what reasons the inquiries by the Metropolitan Police have taken longer than anticipated. [78242]

Mr. Straw: The Metropolitan Police review of the evidence surrounding the murder of WPC Fletcher has involved a number of complex international lines of inquiry which have taken longer to resolve than was originally anticipated. The timetable has often been dependent on the contribution of overseas authorities. I am assured that the police have pursued their inquiries as quickly as is possible and that the final report on their review of the case will be ready in the near future.

HEALTH

Elderly People (Care)

Mr. Sanders: To ask the Secretary of State for Health (1) how many elderly people were accommodated in *(a)* private sector and *(b)* local authority care homes in each region in each of the last 30 years; [75918]

(2) how many elderly people were accommodated in *(a)* private sector care homes and *(b)* local authority care homes in (i) Devon, (ii) Torbay and (iii) Plymouth in each of the last 30 years. [75921]

Mr. Hutton: Information on the number of people accommodated in homes for the elderly in England, for the period 1983 to 1996 in Devon, for the period 1987 to 1996, is given in the table. It is not possible to provide a consistent series for earlier years or by region because of changes in regional boundaries and changes in the methods of data collection.

Elderly persons in residential care
(England 1983–96 and Devon 1987–96)

Number

Year	*LA*	*Voluntary*	*Private*
England			
1983	105,682	24,917	41,228
1984	98,752	24,274	51,810
1985	93,978	22,475	63,533
1986	93,247	21,968	75,732
1987	102,390	24,719	88,440
1988	99,680	25,108	98,640
1989	96,744	25,602	113,452
1990	90,827	26,256	122,250
1991	83,723	27,315	131,399
1992	72,635	31,043	134,712
1993	64,523	33,546	137,255
1994	59,536	32,603	131,037
1995	55,095	32,633	129,471
1996	53,025	32,770	129,452
1997	—	—	—

Elderly persons in residential care
(England 1983–96 and Devon 1987–96)

Number

Year	*LA*	*Voluntary*	*Private*
Devon			
1983	—	—	—
1984	—	—	—
1985	—	—	—
1986	—	—	—
1987	1,951	736	6,445
1988	1,943	881	7,577
1989	1,942	857	7,868
1990	1,803	888	8,193
1991	1,616	969	7,970
1992	1,374	989	8,268
1993	1,144	1,005	7,973
1994	1,089	1,004	7,862
1995	1,061	1,001	7,557
1996	777	971	7,393
1997	—	—	—

Source:
DH returns; RAC5 & RA

Mr. Sanders: To ask the Secretary of State for Health (1) how many *(a)* private sector and *(b)* local authority care homes for the elderly there were in each region for each of the last 30 years; [75916]

(2) how many *(a)* private sector care homes and *(b)* local authority care homes for the elderly there were in (i) Devon, (ii) Torbay and (iii) Plymouth in each of the last 30 years. [75923]

Mr. Hutton: Information on the number of homes for the elderly in England, for the period 1985 to 1997 and in Devon, for the period 1987 to 1997, is given in the table. It is not possible to provide a consistent series for earlier years or by region because of changes in regional boundaries and changes in the methods of data collection.

Homes for the elderly in residential care
(England 1985–97 and Devon 1987–97)

Number

	England			*Devon*		
Year	*LA*	*Voluntary*	*Private*	*LA*	*Voluntary*	*Private*
1985	2,361	829	4,840	—	—	—
1986	2,341	787	5,784	—	—	—
1987	2,588	879	6,882	54	34	577
1988	2,572	895	7,395	55	39	615
1989	2,532	897	8,247	55	34	595
1990	2,479	930	8,557	51	37	614
1991	2,330	968	8,730	50	41	599
1992	2,086	1,075	8,655	46	41	603
1993	1,875	1,156	8,582	40	42	584
1994	1,736	1,215	8,509	38	45	573
1995	1,672	1,233	8,414	38	44	544
1996	1,625	1,242	8,477	39	44	542
1997	1,498	1,320	8,988	38	45	633

Source:
DH returns; RA1, RAC5 and RA

Medical Staff (Ethnic Origin)

Mrs. Brinton: To ask the Secretary of State for Health if he will list the number of *(a)* nursing and *(b)* medical staff in (i) mental health clinics and (ii) hospitals in the United Kingdom for the last five years; and if he will give a breakdown by ethnicity. [75948]

Mr. Denham *[holding answer 11 March 1999]:* The information requested is not available in the format requested. The table shows the numbers of National Health Service Hospital and Community Health Service nursing and medical staff working in the psychiatry area of work by ethnic origin.

NHS Hospital and Community Health Service (HCHS): nursing and medical staff working in the psychiatry area of work[1] by ethnic origin—England as at 30 September of each year

Whole-time equivalents

		White	Black	Asian	Other	Unknown	Total
1997:							
Nursing staff	Community	9,200	430	190	510	390	10,720
	Other	34,800	1,980	700	1,660	2,840	41,980
Medical staff	—	3,500	290	820	560	370	5,540
1996:							
Nursing staff	Community	9,360	340	230	300	310	10,530
	Other	36,350	1,840	490	1,050	2,320	42,050
Medical staff	—	3,410	210	780	480	330	5,210
1995:							
Nursing staff	Community	8,450	310	180	280	310	9,540
	Other	36,540	1,660	750	1,150	2,020	42,120
Medical staff	—	3,360	220	780	470	270	5,090
1994[2]:							
Nursing staff	Community	4,210	150	100	260	50	4,780
	Hospital	39,740	2,030	570	2,540	1,450	46,320
Medical staff	—	3,250	220	730	500	200	4,900
1993[2]:							
Nursing staff	Community	3,820	130	120	230	50	4,340
	Hospital	38,400	2,710	1,230	3,160	1,510	47,020
Medical staff	—	3,010	200	690	480	490	4,860

[1] Figures are rounded to the nearest ten and exclude pre-registration nurse learners, agency and locum staff.
[2] Figures for Medical Staff include all HCHS doctors in the psychiatry groups specialities (psychiatry, child and adolescent psychiatry, forensic psychiatry, learning disabilities, old age psychiatry and psychotherapy).
Notes:
1. A new classification of the non-medical workforce was introduced in 1995. Therefore, information for 1993 and 1994 is not directly comparable with the later years.
2. Ethnicity figures for nursing and medical staff should be treated with caution as a small proportion of staff do not declare their ethnic origin.
Source:
Department of Health, Medical and Dental and Non-Medical Workforce Censuses.

Care Services

Mr. Simon Hughes: To ask the Secretary of State for Health (1) if he will list by region and for each of the last five years the amount spent by each health authority on home care *(a)* in total and *(b)* as a percentage of special transitional grants; [76480]

(2) if he will list by region and for each of the last five years the amounts spent by each health authority on care services bought from the independent sector *(a)* in total and *(b)* as a percentage of special transitional grants. [76481]

Mr. Hutton *[holding answer 15 March 1999]:* Total special transitional grant funding to local authorities in England for 1993–94 to 1997–98 was:

Year	*£ million*
1993–94	565
1994–95	736
1995–96	647
1996–97	418
1997–98	325

Over the same period, the reported gross local authority expenditure on (a) personal social services and (b) on home care was:

£ million

Year	*(a) Personal social services*	*(b) Home care*
1993–94	6,728	729
1994–95	7,503	923
1995–96	8,393	1,028
1996–97	9,263	1,130

Note:
These data are not yet available for 1997–98.

Figures for individual local authorities have been placed in the Library.

Data on the proportion of personal social services expenditure spent in the independent sector are not held centrally.

Smoking

Mr. Cox: To ask the Secretary of State for Health what percentage of his budget was spent on education in schools about the dangers caused by smoking in the last year for which figures are available; and if he will make a statement. [77549]

Ms Jowell: Smoking education in schools is an integral part of the National Curriculum and is, therefore, the responsibility of my right hon. Friend the Secretary of State for Education and Employment.

The Department spent £3 million over the past three years in the 'Respect' programme addressing children aged 11 to 15 years old but not in a school context.

Edgware Community Hospital

Mr. Dismore: To ask the Secretary of State for Health when he expects to be able to make an announcement in response to the Edgware Community Hospital full business case. [77861]

Mr. Denham: Barnet Healthcare National Health Service Trust is currently preparing a Full Business Case for the development of Edgware Community Hospital. This is expected to be completed shortly. It will then be submitted for assessment by the National Health Service Executive in accordance with the established business case process.

HIV-AIDS

Mr. Fearn: To ask the Secretary of State for Health what estimate he has made of the prevalence of *(a)* HIV and *(b)* AIDS in young adults in each region. [77664]

Ms Jowell: The estimates of prevalence of AIDS cases and diagnosed HIV infections in young adults (15 to 24 years) in each region at the end of 1997 are shown in the table.

Regional authority of residence	*Number of individuals diagnosed with AIDS*	*Number of individuals diagnosed with HIV infection*[1]
Northern and Yorkshire	7	35
Trent	9	38
Anglia and Oxford	4	41
North Thames	24	281
South Thames	33	145
South and West	7	57
West Midlands	2	15
North West	9	57
Total	95	669

[1] Including those with AIDS

Source:

Survey of prevalent diagnosed HIV infections (SOPHID). Numbers given have been multiplied by 1.096 to adjust for under reporting.

Healthy Workplace Initiative

Mr. Nigel Griffiths: To ask the Secretary of State for Health what action he is taking to promote the Healthy Workplace Initiative. [77772]

Ms Jowell: I announced the launch of the Healthy Workplace Initiative in England on 9 March. The Healthy Workplace Initiative is jointly sponsored by the Department and the Health and Safety Executive. It carries the message that

"Improving Health Is Everybody's Business".

As part of this Initiative, the Department has signed a statement of intent with the Health and Safety Commission/Executive. The partnership embodied in this statement lays a foundation for working across a number of areas. For example, we are currently consulting with employers, trade unions and workplace organisations about identifying good practice in tackling the impact of back pain in the workplace.

The statement of intent aims to secure and improve the health of people at work by:

identifying and promoting examples of good practice for handling key workplace health issues, such as back pain, and disseminating the results in usable forms;

making available appropriate and up to date information which reflects available evidence and uses all forms of media;

encouraging better access to services and helping to provide a bridge between prevention, treatment and rehabilitation, and

helping to promote compliance with relevant workplace legislation.

We intend to expand this partnership to include other Government Departments by asking them to become partners in the healthy workplace initiative.

We will shortly be contacting 100,000 workplace organisations of every kind, large and small, public and private, encouraging them to sign up to the initiative and share our vision of a healthier workplace.

Mental Health (Children)

Mr. Hesford: To ask the Secretary of State for Health what investment the Government plan to make over the next three years for helping children with *(a)* mental health problems, *(b)* attention deficit disorder, *(c)* phobias and *(d)* depression. [77752]

Mr. Hutton: We are making an additional £84 million available over 3 years from April 1999 to improve provision of appropriate, high quality care and treatment for children and young people by building up locally based child and adolescent mental health services. These services address a range of child and adolescent mental health problems including emotional and behavioural disorders such as attention deficit disorder, phobias and depression.

Cervical Cancer

Mr. Page: To ask the Secretary of State for Health how many repeat cervical smears were taken as a result of inadequate smears in the last year for which figures are available. [77564]

Mr. Hutton *[holding answer 22 March 1999]:* 4.4 million smear tests were taken in 1997–98. 184,111 invitations for repeat smears were issued following an inadequate smear test.

Mr. Page: To ask the Secretary of State for Health how many women died from cervical cancer in the United Kingdom, and what was the percentage of PAP tests falsely diagnosed as positive, in the last year for which figures are available. [77563]

Mr. Hutton *[holding answer 22 March 1999]:* In 1997 there were 1,612 deaths from cervical cancer in the United Kingdom.

The cervical smear test is not a diagnostic test for cancer. It looks for cervical abnormalities which if left undetected and untreated might lead to cervical cancer. Some abnormalities, particularly less serious ones, will disappear without treatment. It is not possible to say

how many women who have an abnormal result and subsequent treatment would have gone on to develop cervical cancer.

Mr. Page: To ask the Secretary of State for Health what is the estimated detection rate for cervical cancers of the human papellonavirus test used in conjunction with the PAP test; what trials are taking place within the NHS of HPV testing; and if he will make a statement. [77565]

Mr. Hutton *[holding answer 22 March 1999]:* Research undertaken by the Imperial Cancer Research Fund in 1995 suggests that the PAP test used in conjunction with the human papellonavirus (HPV) test will detect 90 per cent. of cervical abnormalities.

There are a number of trials of HPV testing for cervical abnormalities underway, including the TOMBOLA study funded by the Medical Research Council. These trials are designed to clarify the role of the HPV test within the National Health Service cervical screening programme including an assessment of its specifity (false positive rate).

Private Finance Initiative

Mr. Simon Hughes: To ask the Secretary of State for Health if he will place in the Library a copy of the model clause on penalty payments for major Private Finance Initiative hospital schemes. [78377]

Mr. Denham: The payment mechanisms, which include the substance of any withholding or deduction of payments to private sector partners for their under performance, are negotiated individually for each scheme within guidelines set out by the National Health Service Executive. The payment mechanism for each scheme is described in its Full Business Case (FBC); copies of the FBCs for the major schemes that have reached financial close have been placed in the Library.

Mr. Simon Hughes: To ask the Secretary of State for Health what steps he has taken to evaluate the efficiency and effectiveness with which the contracts for those PFI schemes that have been completed were carried out; what his conclusions were; and in what ways those conclusions contributed to the negotiations over the major acute sector hospital PFI schemes selected to continue towards financial close under the first prioritisation exercise. [78338]

Mr. Denham: All the private finance initiative schemes taken forward under this Government, including the major acute hospital scheme selected under the first prioritisation exercise, have been closely monitored by the National Health Service Executive. Any lessons to be learnt from each scheme which reaches financial close are identified and disseminated through the NHS Executive's regional offices. In addition, we will shortly be issuing guidance to the NHS on the private finance initiative process.

Mr. Simon Hughes: To ask the Secretary of State for Health, pursuant to his answer of 10 March 1999, *Official Report*, columns *298–99*, on capital projects, if he will estimate the cost of collecting information on schemes with a capital cost of less than £10 million; and if he will make it his policy to do so. [78336]

Mr. Denham: At the moment the number, type and capital value of private finance initiative projects with a capital value of between £1 million and £10 million is monitored by the National Health Service Executive for internal management purposes. The NHS Executive will introduce within the next three months a formal central data collection system for all PFI schemes with a capital value above £1 million. This will enable accurate and reliable data to be made publicly available. I will write to the hon. Member with the information as soon as it is available.

Mr. Simon Hughes: To ask the Secretary of State for Health if he will list the conditions for payment of penalties in the South Buckinghamshire (Wycombe site) Private Finance Initiative scheme. [78400]

Mr. Denham: Details of the payment mechanism for the withholding or deduction of payments to South Buckinghamshire National Health Service Trust's private sector partner under their private finance initiative contract are contained in the full business case and contract summary for the scheme. These documents were released and made publicly available in June 1997, but due to an administrative error copies were not placed in the Library, as they should have been. South Buckinghamshire NHS Trust have undertaken to send copies of these documents to the Library within the next two weeks.

Sexual and Reproductive Health

Mr. Burgon: To ask the Secretary of State for Health if he will make a statement on the Government's approach to sexual and reproductive health. [78709]

Ms Jowell: I have today announced that the Government will be developing an integrated strategy that covers the whole of sexual and reproductive health. This will tackle the continuing increase in the growth of sexually transmitted infections, particularly among teenagers and gay men, and the highest level of teenage conceptions in Western Europe. Proposals will be developed on the basis of extensive consultation with the range of professionals and organisations whose support will be vital to achieving effective action. We will publish the strategy next year.

Evesham Community Hospital

Mr. Luff: To ask the Secretary of State for Health if he will make a statement on the future role of and services provided at Evesham Community Hospital. [78112]

Mr. Denham: Worcestershire Health Authority's strategy for providing more health care in a community setting gives a significant role for all of the county's community hospitals, including Evesham. The health authority's aim is to preserve local facilities in a way that is affordable and compatible with their overall strategy for health provision in the new millennium.

The future role of Evesham Community Hospital will be as a central focus for the delivery of high quality community care services which reflect the needs of the local population and provide local access.

Diagnostic Devices

Dr. Marek: To ask the Secretary of State for Health if he will list by *(a)* manufacturer and *(b)* product name, each current application for point of care diagnostic devices for inclusion in Part IX of the Drug Tariff. [77696]

Mr. Denham: All matters concerning applications for listing Part IX of the Drug Tariff are confidential unless the applicant chooses to reveal them.

CULTURE, MEDIA AND SPORT

Exhibition Centres and Galleries

Mr. Mitchell: To ask the Secretary of State for Culture, Media and Sport if he will list the funds made available by his Department to *(a)* local, *(b)* national and *(c)* regional (i) exhibition centres and (ii) galleries in 1998–99. [74509]

Mr. Alan Howarth: My Department allocated the following grant-in-aid to the national galleries in 1998–99:

(i) National Gallery, £18.6 million, of which £0.7 million was allocated to maintain free admission;

(ii) National Portrait Gallery, £5.0 million, of which £0.3 million was allocated to maintain free admission;

(iii) Tate Gallery, £19.2 million, of which £1.0 million was allocated to maintain free admission.

The National Museums and Galleries on Merseyside, which includes the Walker Art Gallery and the Lady Lever Art Gallery, received £12.7 million grant-in-aid in 1998–99. Funds have since been allocated to allow free admission for children from April 1999 and for pensioners from April 2000. The 8-pass will also be held at its present level of £3 per year.

Funds were also provided for a number of national and non-national museums.

My Department also provided £8.9 million to the Museums and Galleries Commission in 1998–99. This organisation funds the network of Area Museum Councils in England which in turn contribute to the funding of a number of museums and galleries.

My Department allocated £186 million to the Arts Council for England in 1997–98, £12.5 million of which was spent on the Visual Arts. This money was distributed by the Arts Council's Visual Arts Department (£5.5 million) and by the 10 Regional Arts Boards (£7.0 million). An exact breakdown of spend into local, regional and national exhibition centres and galleries can be obtained only at disproportionate cost. The figures for 1998–99 are not yet available.

Exhibition centres are not directly funded by my Department at local, regional or national level.

Working Time Directive

Mr. Tyrie: To ask the Secretary of State for Culture, Media and Sport how many civil servants in his Department have been invited to waive the Working Time Directive requirement to work less than 48 hours a week on 17 consecutive weeks; how many civil servants in his Department have refused to waive the requirement; and what is the total cost of compliance with the Directive. [76812]

Mr. Chris Smith: All staff in my Department have been issued with guidance on the Working Time Directive and two staff have signed an agreement to disapply the 48 hour limit.

The standard terms and conditions of service for staff employed by my Department are well within the limits set by the Working Time Regulations. The Regulations do not require employers to keep records of the number of workers who refuse to sign an opt-out agreement and no central records are kept by my Department. Compliance costs are not kept centrally and could be provided only at disproportionate cost.

Lottery Funding

Mr. Fearn: To ask the Secretary of State for Culture, Media and Sport how much per capita has been allocated from the Millennium Fund to each region of the United Kingdom. [77663]

Mr. Chris Smith: This is a matter for the Millennium Commission. I shall write to the hon. Member in my capacity as Chairman of the Commission and place copies of my reply in the Libraries of the House.

Performing Rights Society

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport what representations he has received from composers concerning the abolition of the Performing Rights Society subsidy; and if he will make a statement. [78179]

Mr. Chris Smith *[holding answer 22 March 1999]:* I have received no representations from composers about the Performing Rights Society's decision to phase out its classical music subsidy. I have, however, received three letters from others on this issue.

TV Licence Concessions

Mr. Burstow: To ask the Secretary of State for Culture, Media and Sport if he will estimate the cost of extending the current TV licence concessions for sheltered accommodation to all people of pensionable age. [77892]

Janet Anderson *[holding answer 22 March 1999]:* The estimated cost of providing £5 television licences for all pensioner-only households would be £447 million a year. There are no plans at present for such a concession. The current review of the future of the BBC licence fee after 2002 includes a detailed consideration of the structure of the existing concessionary licence scheme and whether a suitable alternative structure could be available.

National Lottery Commission

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport (1) if meetings of the National Lottery Commission will be held in public; [78168]

(2) what plans there are to publish the minutes of meetings of the National Lottery Commission. [78180]

Mr. Chris Smith *[holding answer 22 March 1999]:* This is a matter, under statute, for the National Lottery Commission and I will ask the Chairman to write to the hon. Member once the Commission has been formally established on 1 April. Copies of his reply will be placed in the Libraries of the House.

INTERNATIONAL DEVELOPMENT

Indonesia

Mr. Chaytor: To ask the Secretary of State for International Development what steps her Department is taking to assist in *(a)* the development of sustainable forest management and *(b)* the preservation of orangutan habitats in Indonesia; and if she will make a statement. [77646]

Mr. Foulkes: The Department for International Development's (DFID) aim is to help poor people in developing countries gain long-term benefits from their trees, while also helping secure the global environmental benefits that forests offer. Our approach to the problem of deforestation is to support work to improve the sustainable management of forest resources in ways that lead to a range of benefits to poor communities. For the world's poor, trees and forests are a vital part of everyday survival: forests give 2,000 million people fuel to cook with; in the tropics, forests meet a large part of the needs of several hundred million people from wood products and food to medicine and income; trees increase poor farmers' security as they smooth out seasonal flows of produce and provide a reserve of capital for emergencies; forests help agriculture and fisheries by recycling nutrients, stabilising soil and influencing local and global climate; and in 18 African countries, forests represent over 10 per cent. of GDP.

The Department's approach towards forestry is explained in the recent publication "Forests Matter" and our activities are set out in the pamphlet "Forest Sector Projects", which is being revised and will be placed in the Library of the House in due course. DFID is currently working on over 150 projects with partners in 34 countries.

We are directly assisting the Government of Indonesia and the people living in the forests to develop better ways of managing the forest resource sustainably. We have helped pilot approaches at provincial level that give poor people more of a say in forest management. We are now exploring with international agencies and representatives of forest users possible changes to forest sector policy. Our aim is to ensure that degradation of the forests is reversed and that poor people who live in and around the forests derive more benefits from the way they are managed. This will give wildlife dependent on the forest, including orang-utans, a better chance of survival.

HIV

Mr. Vaz: To ask the Secretary of State for International Development what plans she has to offer aid to South African medical workers to combat the HIV problem. [78127]

Mr. Foulkes: DFID has helped South African efforts to combat HIV/AIDS since 1995. £10 million has been provided to support the national AIDS control programme, a condom social marketing programme and community based initiatives aimed at changing sexual behaviour, especially in high risk groups. Tackling AIDS is a key priority of DFID's new development partnership with South Africa. We plan to work with other donors to support regional action to strengthen the capacity of Southern Africa Development Community member countries to combat the epidemic.

DFID also supports South Africa's essential drugs programme which makes available short courses of antiretrovirals to medical workers (especially surgeons, midwives and dentists) affected by needlestick injuries when operating on/treating HIV positive patients as a way of reducing the risk of transmission of HIV to medical workers.

Mr. Vaz: To ask the Secretary of State for International Development how much money she has allocated in the last year for which figures are available for Third World countries to combat the HIV problem. [78126]

Mr. Foulkes: In the financial year 1997–98, £43 million of Britain's overseas development budget was spent on activities directly related to the problem of HIV/AIDS in the developing world. More recent figures are not yet available.

Biodiversity

Dr. Tonge: To ask the Secretary of State for International Development what discussions she has had with the Department of Trade and Industry, the Ministry of Agriculture, Fisheries and Food and the Department of the Environment, Transport and the Regions concerning loss of biodiversity among traditional crop varieties for Third World farmers. [78361]

Mr. Foulkes: The Department for International Development (DFID) officials have frequently discussed the loss of biodiversity among traditional crop varieties of Third World farmers with the Department of Trade and Industry, the Ministry of Agriculture, Fisheries and Food, and the Department of the Environment, Transport and the Regions. Our objective is to ensure that this important issue is taken fully into account in all relevant aspects of the UK's international policies. In particular we, along with these departments, actively contribute to the UK participation in meetings under the Convention on Biological Diversity. The Convention's multi-year work programme on agriculture biodiversity specifically recognises and seeks to support the significant contribution that traditional farming communities have made to the conservation and enhancement of biodiversity and the importance of traditional varieties.

Our officials are also actively involved in the UK participation at the FAO Commission on Genetic Resources which oversees the implementation of the Global Plan of Action on Plant Genetic Resources for Food and Agriculture. The Global Plan of Action includes measures to halt the loss of biodiversity among traditional crop varieties in developing countries.

We will be actively concerned to ensure that the conservation of agricultural biodiversity in developing countries is taken fully into account in relevant negotiations under the WTO and within the EU.

Biotechnology

Dr. Tonge: To ask the Secretary of State for International Development what representations she has made to the World Trade Organisation about the effects of biotechnology on developing countries. [78360]

Mr. Foulkes: The Department for International Development (DFID) is actively involved in discussions with Department of Trade and Industry (DTI), Ministry

of Agriculture Fisheries and Food (MAFF) and Department of the Environment, Transport and Regions (DETR) to ensure that developing country interests in the effects of biotechnology are properly accounted for in World Trade Organisation (WTO) negotiations. In addition we are working with international agencies to build the capacity of developing countries to represent their own interests in the WTO.

All WTO members have an opportunity in the preparatory process for a new round of trade negotiations to set out any concerns they may have regarding existing WTO agreements. We will be working to ensure that specific points are taken forward appropriately.

GM Crops

Dr. Tonge: To ask the Secretary of State for International Development (1) what discussions she has had with the Department of Trade and Industry, the Ministry of Agriculture, Fisheries and Food and the Department of the Environment, Transport and the Regions concerning terminator gene technology; [78375]

(2) what discussions she has had with other Government departments concerning the effect of genetically modified crops on the agriculture of developing countries. [78376]

Mr. Foulkes: The Department for International Development (DFID) officials have had a number of discussions with the Department of Trade and Industry, the Ministry of Agriculture, Fisheries and Food, and the Department of the Environment, Transport and the Regions (DETR) concerning the effect of genetically modified crops, including the so-called terminator gene technology, on the agriculture of developing countries, in particular through DFID's membership of the Interdepartmental Group on Genetic Modification Technology (IGGMOT).

Officials also actively supported the UK contribution to debate on the issue of terminator gene technology at the Fourth Conference of the Parties to the Biodiversity Convention in May 1998, which urged Parties to consider a precautionary approach and undertook, through its technical subsidiary body, to examine the consequences of this technology and to elaborate scientifically based advice.

We will shortly be publishing a statement on DFID policy towards Genetically Modified Organisms (GMOs) and developing countries, reflecting the precautionary approach and outlining the action we intend to take, in consultation with other Government Departments, on this issue in the future. DFID will also continue to work with DETR and other Government Departments successfully to conclude the negotiation of a Biosafety Protocol to the Convention on Biological Diversity, which would lay down international rules and procedures covering the transboundary movement of GMOs and help build the capacity of developing countries in related safety issues.

EDUCATION AND EMPLOYMENT

Task Forces

Dr. Tony Wright: To ask the Secretary of State for Education and Employment if he will publish a list of (1) task forces and (2) policy reviews established by his Department since May 1997 which *(a)* had external members recruited by way of public advertisement, and details of any person so appointed and *(b)* engaged in public consultation exercises, and the form that these took. [74466]

Mr. Mudie: The information requested is available only at disproportionate cost.

Reading Age (Children)

Mr. Maclean: To ask the Secretary of State for Education and Employment (1) what was the average reading age of children leaving primary school in each of the last 10 years; [74766]

(2) in each of the last 10 years, what proportion of children leaving primary school had a reading age of 11 or above. [74769]

Ms Estelle Morris: The reading age of pupils is not collected centrally. The typical eleven year old is expected to achieve level four in the Key Stage 2 National Curriculum assessment tests. In the 1998 Reading test, 71 per cent. of pupils achieved level four, or above. This compares with 68 per cent. of pupils in 1997, the earliest year in which the reading test results were available.

Class Sizes

Mr. Syms: To ask the Secretary of State for Education and Employment (1) if he will list by *(a)* region and *(b)* local authority the (i) percentage and (ii) number of (1) Key Stage 1, (2) Key Stage 2 and (3) all pupils in maintained primary schools, who were in classes of more than 30 pupils in (i) January 1996, (ii) January 1997, (iii) January 1998, (iv) September 1998 and (v) January 1999; [74743]

(2) if he will list by (i) region and (ii) local education authority the average class size for *(a)* all pupils, *(b)* Key Stage 1 and *(c)* Key Stage 2 pupils in maintained primary schools in (i) January 1996, (ii) January 1997, (iii) January 1998, (iv) September 1998 and (v) January 1999. [74744]

Ms Estelle Morris: The available information on classes taught by one teacher in maintained primary schools is shown in the tables, copies of which have been placed in the Library.

Mr. Willis: To ask the Secretary of State for Education and Employment what is the total value nationwide of *(a)* bids made by and *(b)* grants made to local education authorities in (i) 1998–99 and (ii) 1999–2000, for the revenue cost of meeting the class size pledge. [77570]

Ms Estelle Morris: For 1998–99, local education authorities submitted bids totalling £65.135 million and received £21.32 million in grants. For 1999–2000, there was no bidding process and authorities' revenue needs were established in the context of discussions of their implementation plans. We have recently announced grants to local education authorities of £71.882 million in total for 1999–2000.

Mr. Willis: To ask the Secretary of State for Education and Employment if he will list the values of the *(a)* bids made by and *(b)* grants made to each local education authority in (i) 1998–99 and (ii) 1999–2000, for the revenue cost of meeting the class size pledge. [77569]

Ms Estelle Morris: The information requested is set out in the following table. For 1999–2000, no bids are listed as there was no bidding process and authorities' revenue needs were established in the context of discussions of their implementation plans.

Revenue funding to reduce infant class sizes 1998–99 and 1999–2000

£000

Local education authority	Bids 1998–99	Grants 1998–99	Grants 1999–2000
Barking and Dagenham	—	—	46
Barnet	250	146	273
Barnsley	1,000	—	379
Bath and North East Somerset	150	—	161
Bedfordshire	250	—	650
Bexley	250	225	360
Birmingham	—	—	72
Blackburn	107	107	263
Blackpool	124	73	285
Bolton	500	—	779
Bournemouth	350	—	77
Bracknell	—	—	110
Bradford	500	625	1,351
Brent	500	—	—
Brighton and Hove	150	88	268
Bristol	250	—	192
Bromley	200	200	571
Buckinghamshire	1,000	146	1,313
Bury	1,000	584	1,082
Calderdale	162	162	308
Cambridgeshire	1,000	—	946
Camden	—	—	15
Cheshire	1,000	—	1,370
City of London	—	—	—
Cornwall	1,000	—	760
Coventry	1,000	452	604
Croydon	100	100	298
Cumbria	250	146	834
Darlington	250	—	186
Derby, City of	1,000	1,000	1,402
Derbyshire	1,160	1,160	2,294
Devon	1,000	1,000	1,505
Doncaster	1,126	—	507
Dorset	1,000	324	1,067
Dudley	250	—	233
Durham	500	250	810
Ealing	1,000	291	442
East Riding of Yorkshire	250	250	720
East Sussex	250	116	878
Enfield	300	—	393
Essex	1,000	—	1,183
Gateshead	100	100	181
Gloucestershire	250	—	804
Greenwich	50	—	—
Hackney	—	—	91
Halton	—	—	317
Hammersmith and Fulham	250	—	—
Hampshire	100	—	1,490
Haringey	250	146	148
Harrow	1,000	—	69
Hartlepool	100	100	194
Havering	53	—	—
Herefordshire	500	146	323
Hertfordshire	805	510	1,369
Hillingdon	500	291	427
Hounslow	100	—	100
Isle of Wight	135	135	308
Isles of Scilly	—	—	—
Islington	—	—	—
Kensington and Chelsea	—	—	—
Kent	1,000	—	1,126
Kingston upon Hull	250	—	315
Kingston upon Thames	28	—	131

Revenue funding to reduce infant class sizes 1998–99 and 1999–2000

£000

Local education authority	Bids 1998–99	Grants 1998–99	Grants 1999–2000
Kirklees	1,000	500	1,138
Knowsley	150	—	164
Lambeth	250	—	69
Lancashire	1,000	1,000	2,390
Leeds	1,020	500	1,313
Leicester City	1,000	584	650
Leicestershire	500	291	943
Lewisham	100	—	—
Lincolnshire	250	102	503
Liverpool	500	—	124
Luton	500	—	110
Manchester	1,000	—	41
Medway	—	—	384
Merton	60	—	131
Middlesbrough	250	146	244
Milton Keynes	500	—	195
Newcastle upon Tyne	1,000	500	759
Newham	250	257	329
Norfolk	502	291	1,217
North East Lincolnshire	120	—	253
North Lincolnshire	675	675	889
North Somerset	—	—	260
North Tyneside	775	—	192
North Yorkshire	1,000	—	1,018
Northamptonshire	1,020	—	349
Northumberland	500	324	738
Nottingham, City of	1,000	146	412
Nottinghamshire	—	—	1,100
Oldham	—	—	589
Oxfordshire	1,000	584	1,011
Peterborough	150	150	368
Plymouth	500	500	870
Poole	250	—	164
Portsmouth	250	—	91
Reading	—	—	144
Redbridge	1,000	—	131
Redcar and Cleveland	1,000	—	69
Richmond upon Thames	585	—	117
Rochdale	—	—	471
Rotherham	375	219	471
Rutland	—	—	50
Salford	1,000	146	416
Sandwell	1,000	1,000	1,212
Sefton	100	59	357
Sheffield	900	525	1,005
Shropshire	250	—	540
Slough	250	88	275
Solihull	1,000	584	848
Somerset	1,000	—	795
South Gloucestershire	500	500	1,008
South Tyneside	100	100	160
Southampton	—	—	123
Southend on Sea	100	—	123
Southwark	150	—	—
St. Helens	—	—	110
Staffordshire	1,000	—	1,201
Stockport	350	204	749
Stockton on Tees	250	—	137
Stoke on Trent	500	—	278
Suffolk	1,000	—	234
Sunderland	500	—	82
Surrey	250	—	990
Sutton	168	168	295
Swindon	1,000	—	343
Tameside	500	291	590
Telford and Wrekin	500	291	468
Thurrock	—	—	82
Torbay	—	—	167
Tower Hamlets	—	—	—

Revenue funding to reduce infant class sizes 1998–99 and 1999–2000

£000

Local education authority	Bids 1998–99	Grants 1998–99	Grants 1999–2000
Trafford	339	—	288
Wakefield	100	60	427
Walsall	300	146	360
Waltham Forest	100	—	—
Wandsworth	250	146	150
Warrington	250	59	151
Warwickshire	1,000	584	1,139
West Berkshire	—	—	94
West Sussex	—	—	521
Westminster	—	—	—
Wigan	496	290	659
Wiltshire	500	291	935
Windsor and Maidenhead	—	—	128
Wirral	1,000	—	273
Wokingham	1,000	—	82
Wolverhampton	500	—	288
Worcestershire	1,000	—	548
York, City of	250	146	350
Total	65,135	21,320	71,882

Millennium Compliance

Ms Moran: To ask the Secretary of State for Education and Employment (1) how much money has been allocated to provide free Bug-buster courses for small and medium-sized enterprises; [75255]

(2) how many small and medium-sized enterprises have completed Bug-buster training courses; [75256]

(3) how many accredited training providers are offering Bug-buster courses funded by his Department to small and medium-sized enterprises; [75257]

(4) what plans he has for the future funding of the free delivery of Bug-buster courses for small and medium-sized enterprises. [75258]

Mr. Mudie: £26 million was allocated to provide Bug-buster training courses. As at 5 March, 24,774 people had started training, 22,376 of these had completed, and a further 9,474 had booked places. There are 180 accredited providers offering training under the scheme.

When the free programme ends, training will continue to be available at commercial prices. The average cost per business of a two day Bug-buster course will come to about £750 per trainee, which is a sound investment compared to the potential financial damage posed by the Millennium Bug.

The Government have made a significant investment in developing the courses, establishing the accreditation process and quality assuring the training, and this will continue. Small and medium-sized enterprises can also get help and advice on Year 2000 issues from their local Business Link.

Individual Learning Accounts

Mr. Maclean: To ask the Secretary of State for Education and Employment how many individual learning accounts have been created to date; and at what cost. [76436]

Mr. Mudie: To date, around 3,000 individual learning accounts have been opened, through 15 development projects led by TECs. The DfEE contributed £816,000 to these projects; this funding was used to test out a range of processes, systems and marketing approaches to help inform the final framework. The National Framework will be launched in 2000, from which time Individual Learning Accounts will be widely available.

Mr. Willis: To ask the Secretary of State for Education and Employment what plans he has to limit the amounts *(a)* individuals and their families and *(b)* employers can invest in individual learning accounts free of tax; and if he will make a statement. [77884]

Mr. Mudie: There are no plans to limit the amount an individual and/or their family can contribute to the individual's individual learning account (ILA), although the incentives will be available only on the first £500 spent on eligible courses in any one year.

There are no plans to limit the tax-free contributions that employers can invest in their employees' ILAs provided that the employers contribute to the ILAs of their lowest paid employees on similar terms and the contribution can only be used to pay for eligible learning.

Mr. Willis: To ask the Secretary of State for Education and Employment which financial institution will handle individual learning accounts; and what will be the administration fee for each separate account. [77883]

Mr. Mudie: The national framework for individual learning accounts is still under development. It will be ready for launch in April 2000. We hope that a range of financial institutions will be involved in the provision of accounts. At this stage it is too early to say which financial institutions will be involved or how administration arrangements will work—currently our discussions are commercial in confidence. We plan to publish detailed arrangements for the national framework later this year.

Ministerial Meetings (US)

Mr. Matthew Taylor: To ask the Secretary of State for Education and Employment how many times Ministers in his Department have met their counterparts in the US Government since 1 June 1998; and if he will list the dates and locations of each meeting, the Ministers involved on each occasion, and the name of the US counterpart at each meeting. [77122]

Mr. Mudie: My right hon. Friend the Minister for Employment, Welfare to Work and Equal Opportunities met his US counterpart, Alexis Herman, at the G8 conference in Washington in February this year. No other such meetings have taken place since 1 June 1998.

Operational Licences

Mr. Maclean: To ask the Secretary of State for Education and Employment if he will list for *(a)* small and medium-sized enterprises and *(b)* larger companies (i) all licences and permits issued by his Department and its agencies to companies permitting them to carry out their business, (ii) the cost of each such licence or permit in (A) 1997–98 and (B) 1999–2000 and (iii) the current number of companies which are in receipt of each such licence or permit. [76847]

Mr. Mudie *[holding answer 16 March 1999]:* (i) The Department grants Training and Enterprise Councils (TECs) and Chambers of Commerce, Training and Enterprise (CCTEs) licences to operate as TEC/CCTEs in their agreed operational area. These organisations are small or medium sized enterprises.

(ii) The TECs/CCTE licence is free of charge.

(iii) There are 72 licensed TEC/CCTEs in England.

Employment Service

Mr. Healey: To ask the Secretary of State for Education and Employment if he will publish Employment Service performance data in relation to the annual performance agreement targets on a quarterly basis. [77352]

Mr. Andrew Smith: A summary of Employment Service performance against its Annual Performance Agreement targets will be published on a quarterly basis in future, starting with the first quarter of the 1999–2000 operational year. Performance for the 1998–99 operational year as a whole will be published in the Employment Service Annual Report and Accounts before the summer recess.

Employment Service Direct

Mr. Healey: To ask the Secretary of State for Education and Employment how many people called Employment Service Direct in the latest period for which figures are available; what proportion of callers were (i) unemployed and (ii) employed; and what were the placings rates into jobs. [77351]

Mr. Andrew Smith: Responsibility for the subject of these questions has been delegated to the Employment Service agency under its Chief Executive. I have asked him to arrange for a reply to be given.

Letter from Richard Foster to Mr. John Healey, dated 18 March 1999.

As the Employment Service is an Executive Agency the Secretary of State for Education and Employment has asked Leigh Lewis to reply to your question about how many people have called Employment Service Direct in the latest period for which figures are available, the proportion of callers who were unemployed and employed and the placings rate into jobs. This is something which falls within the responsibilities delegated to Mr. Lewis as Chief Executive of the Employment Service. I am replying in his absence.

The most recent figures show that almost 53,000 calls were made to Employment Service Direct during the week ending Saturday 13 March. Some 95 per cent. of these calls were from unemployed people. During the same week the Service placed over 1,300 people into work. Since its introduction on 4 January Employment Service Direct has received more than 480,000 calls resulting, so far, in over 9,000 job placings. Some 98 per cent. of these were of unemployed people. Further placings are likely to occur as a result of calls already made as the results of job interviews and submissions become available.

I hope this is helpful.

Public Bodies

Dr. Julian Lewis: To ask the Secretary of State for Education and Employment, pursuant to his answer to the hon. Member for Cannock Chase (Dr. Wright), of 8 March 1999, *Official Report*, column *71*, about non-departmental public bodies, for what reasons the Qualifications and Curriculum Authority declined to make its minutes available to a member of the public on 9 March. [77296]

Mr. Mudie: My answer did not differentiate between bodies which publish or make available to the public minutes of meetings and those that publish or make available summary reports of meetings. The Qualifications and Curriculum Authority declined to make available the minutes of its meetings when asked, as it does not publish these. The Authority does, however, publish summary reports of its meetings, as outlined in my pursuant reply to my hon. Friend the Member for Cannock Chase (Dr. Wright), 17 March 1999, *Official Report*, column *691*.

School Books

Mr. Fallon: To ask the Secretary of State for Education and Employment if he will set out the process by which each category of school will receive the £2,000 for books announced in the Budget. [77434]

Ms Estelle Morris: Each local education authority will pay £20 per pupil to schools with 100 pupils or fewer, and at least £2,000 to schools with more than 100 pupils.

Smoking

Mr. Cox: To ask the Secretary of State for Education and Employment what percentage of his Department's budget is spent on education in schools about the dangers caused by smoking; and if he will make a statement. [77588]

Mr. Charles Clarke: The dangers of smoking form a vital part of education about drugs. We are supporting £7 million of expenditure this year through the Standards Fund programme, to assist primary and secondary schools and the youth service to deliver effective education about drugs, including alcohol and tobacco. This is 1.1 per cent. of the £627 million of expenditure being supported in total through the Standards Fund programme this year, which includes a range of grants that reflect the Government's central priority of raising standards in our schools, as set out in the "Excellence in Schools" White Paper. We will also be providing increased support of £7.5 million for drug education through the Standards Fund programme in each of the next three years.

History Teaching (Ethnic Minority Backgrounds)

Mr. Dismore: To ask the Secretary of State for Education and Employment if he will make a statement about the teaching in schools of the history of the backgrounds of ethnic minorities in the United Kingdom. [77644]

Mr. Charles Clarke: The National Curriculum sets the framework for teaching in schools, within which individual schools and teachers determine detailed delivery. National Curriculum history includes a number of study units covering British, European and world history. This presents a good deal of scope for schools to teach aspects of history relevant to the backgrounds of ethnic minority communities in the UK.

Free School Meals

Mr. Fearn: To ask the Secretary of State for Education and Employment what estimate his Department has made

of the number of schoolchildren who would be eligible for free school meals, but whose parents provide packed lunches instead. [77665]

Mr. Charles Clarke: These figures are not collected centrally.

Lone Parents (Hammersmith and Fulham)

Mr. Coleman: To ask the Secretary of State for Education and Employment how many lone parents in the unit of delivery covering Hammersmith and Fulham *(a)* are currently in receipt of benefit, *(b)* have been requested to attend interviews with respect to the New Deal, *(c)* have undergone such interviews and *(d)* have secured employment as a consequence. [77840]

Mr. Andrew Smith: Responsibility for the subject of this question has been delegated to the Employment Service Agency under its Chief Executive. I have asked him to arrange for a reply to be given.

Letter from Richard Foster to Mr. Iain Coleman, dated 23 March 1999:

As the Employment Service is an Executive Agency, the Secretary of State for Education and Employment has asked Leigh Lewis to reply to your question on lone parents in the unit of delivery covering Hammersmith and Fulham. This is something which falls within the responsibilities delegated to Mr. Lewis as Chief Executive of the Agency. I am replying in his absence.

The New Deal for Lone Parents is targeted at those parents on Income Support whose children are of school age. It is open also to those with younger children who put themselves forward. The number of lone parents in receipt of Income Support for Hammersmith and Fulham stood at 4,000 in August 1998. This information is based on the Local Authority boundaries.

I am unable to provide the information you sought on the number of lone parents requested to attend interviews for the New Deal. This is because information on the volume of letters issued is currently only available nationally. I should point out that the contact letter sent to lone parents under the New Deal for Lone Parents is not a request for them to attend an interview. Participation is voluntary and lone parents may choose to get in touch with a New Deal Personal Adviser when it suits their circumstances. The letter aims to make lone parents aware of the New Deal and to encourage them to contact an adviser if they want support in returning to work.

Unfortunately, New Deal for Lone Parents figures are not formally available at this stage from Employment Service Districts. I, therefore, asked for a special exercise to be carried out to produce these figures. In February the number of lone parents that had initial interviews in Hammersmith and Fulham Jobcentres was 177. The number of lone parents who have secured employment in that period as a result of New Deal for Lone Parents was 46.

I hope this is helpful.

EU Fraud

Mr. Grieve: To ask the Secretary of State for Education and Employment what *(a)* discussions he has had and *(b)* proposals his Department has put forward at Council of Ministers' meetings in respect of EU fraud; and if he will make a statement. [77776]

Mr. Andrew Smith *[holding answer 19 March 1999]:* I refer the hon. Member to the reply given to him by my hon. Friend the Economic Secretary, 19 March 1999, *Official Report*, columns *858–59*.

Chelmsford Jobcentre

Mr. Burns: To ask the Secretary of State for Education and Employment if he will list the number of vacancies notified to the Chelmsford Jobcentre in each of the last six months for which figures are available. [77813]

Mr. Andrew Smith *[holding answer 22 March 1999]:* Responsibility for the subject of this question has been delegated to the Employment Service Agency under its Chief Executive. I have asked him to arrange for a reply to be given.

Letter from Richard Foster to Mr. Simon Burns, dated 19 March 1999:

As the Employment Service is an Executive Agency, the Secretary of State for Education and Employment has asked Leigh Lewis to reply direct to your question about the number of job vacancies notified to Chelmsford Jobcentre in each of the last six months. This is something which falls within the responsibilities delegated to Mr. Lewis as Chief Executive of the Agency. I am replying in his absence.

Vacancies notified to Chelmsford Jobcentre were:

	Vacancies
September 1998	791
October 1998	1,120
November 1998	1,005
December 1998	531
January 1999	338
February 1999	581

I hope this is helpful.

New Deal

Mr. Jim Cunningham: To ask the Secretary of State for Education and Employment what plans the Government have to extend the New Deal for the long-term unemployed to those unemployed for less than two years. [77632]

Mr. Andrew Smith *[holding answer 22 March 1999]:* Unemployed people aged 25 or more who face particular disadvantages in the labour market can already gain early access to the New Deal, after 12 months of unemployment. We are also running 28 New Deal pilot schemes for this age group, including one in Coventry, which will test the effectiveness of intervening more generally after 12 and 18 months of unemployment. These will be very carefully evaluated and we will be looking closely at what lessons can be drawn for the future.

A number of measures available under the New Deal, such as work based learning for adults, are also available to people unemployed for less than two years.

Early-years Education

Mrs. May: To ask the Secretary of State for Education and Employment, pursuant to the oral answer to the hon. Member for Buckingham (Mr. Bercow) of 18 March 1999, *Official Report*, column *1257*, if he will publish a breakdown of the £8 billion of expenditure on pre-schools and early years education. [78248]

Ms Hodge: The estimate of some £8 billion invested in early education and childcare in England in 1998–99 and over the next three years takes into account Sure Start; local education authority expenditure on provision for under 5s; DfEE grant for nursery education provision;

DfEE childcare programmes; the childcare tax credit; local authority expenditure on the regulation and inspection of day care facilities; New Opportunities Fund expenditure on out of school childcare and expenditure by FE colleges on childcare training. Because of the different funding streams involved and the number of detailed decisions still to be taken by a variety of different agencies, it is not possible to give detailed figures at this stage.

TREASURY

Married Couples Allowance

Mr. Maclean: To ask the Chancellor of the Exchequer how many taxpayers were affected by the restriction of the married couples allowance to 10 per cent. announced in the 1998 Budget; and what is the average cost per taxpayer. [70655]

Dawn Primarolo *[holding answer 15 February 1999]:* In his Budget on 9 March 1999, *Official Report*, columns 173–90, the Chancellor announced the continuing phasing out of the married couples allowance and its replacement by the new Children's Tax Credit to support families when they need it most, when they are bringing up their children. This will make 4½ million families better off.

Social Fund

Mr. Webb: To ask the Chancellor of the Exchequer what will be the relationship between the access to Social Fund grants and loans made available to recipients of family credit and that available to recipients of the working families tax credit. [71505]

Dawn Primarolo *[holding answer 16 February 1999]:* Recipients of Family Credit have access to Social Fund Maternity and Funeral Payments. However, the increased generosity of the Working Families Tax Credit will mean that support provided through the tax credit could go considerably further up the income distribution than with Family Credit. The Government are therefore considering whether, in the future, it will still be appropriate to passport all WFTC claimants onto these additional benefits.

Housing Benefit

Ms Kelly: To ask the Chancellor of the Exchequer what estimate he has made of the number of people in receipt of housing benefit who will become eligible for the working families tax credit after 1 April in (i) Bolton, (ii) the North West and (iii) England. [75633]

Dawn Primarolo: The estimated number of families in England in receipt of both Housing Benefit and Working Families Tax Credit is 190,000 in 1999–2000. No reliable estimates are available for numbers in either Bolton or the North-West.

Mortgage Interest Relief

Mr. Gibb: To ask the Chancellor of the Exchequer if he will estimate on the basis of the forecast interest rates used in the Inland Revenue Press Release IR2, the average income tax relief cost per borrower as a result of his proposal to abolish mortgage interest relief in 2000–01. [77129]

Dawn Primarolo: As the Chancellor noted in his Budget statement, mortgage interest relief is worth an average of £2.50 a week.

Taxpayers

Mr. Gibb: To ask the Chancellor of the Exchequer if he will estimate the number of taxpayers in 1998–99 whose taxable income is between £1,500 and £4,300. [76944]

Dawn Primarolo *[holding answer 16 March 1999]:* There are around 4.4 million income taxpayers in 1998–99 with taxable income between £1,500 and £4,300.

Budget Implications

Mr. Maclean: To ask the Chancellor of the Exchequer (1) if he will list for each parliamentary constituency in the United Kingdom the number of families who will be *(a)* better off and *(b)* worse off as a result of each individual Budget measure announced by the Chancellor in his 1999 Budget statement; [76786]

(2) if he will list for each parliamentary constituency in the United Kingdom the effect for each financial year from 1999–2000 to 2001–02 on *(a)* an average family, *(b)* an average pensioner, *(c)* an average married couple with no dependent children, and *(d)* a single income taxpayer on average earnings of each Budget measure introduced by the Chancellor in his (i) 1999, (ii) 1998 and (iii) 1997 Budget Statements. [76787]

Dawn Primarolo *[holding answers 16 March 1999]:* Information is not available on the effect of individual Budget measures by constituency.

Childrens Tax Credit

Mr. Webb: To ask the Chancellor of the Exchequer if the childrens tax credit will be paid by means of the PAYE code. [77220]

Dawn Primarolo *[holding answer 17 March 1999]:* As for other income tax reliefs and allowances, relief for the childrens tax credit would generally be given to people in employment by means of their Pay As You Earn code.

Mr. Webb: To ask the Chancellor of the Exchequer if persons entitled to the childrens tax credit will be required to claim the credit. [77221]

Dawn Primarolo *[holding answer 17 March 1999]:* As for other income tax reliefs and allowances, people with an entitlement to the childrens tax credit will be able to make a claim for relief.

Population (Local Authority Areas)

Mr. Martyn Jones: To ask the Chancellor of the Exchequer if he will list the estimated population of each local authority area for each of the years since 1989. [77525]

Ms Hewitt: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from Tim Holt to Mr. Martyn Jones, dated 23 March 1999:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your recent parliamentary question on the estimated population of each local authority area.

ONS produce mid-year population estimates for local authority areas in England and Wales. Total population figures for each local authority area are published and the most recent publication relates to mid-1997. The attached list gives details of where those population estimates have been published.

ONS have also published estimates at the local authority level for the United Kingdom for years from 1990 to 1996 in *Regional Trends* (numbers 27 to 33). For Northern Ireland and Scotland the mid-year population estimates for 1989 and 1997 are given in the tables.

Northern Ireland District Council mid-year estimates
Usually resident home population

Persons

	1989	*1997*
Northern Ireland		
Ards	64,200	67,800
Belfast	296,200	298,200
Castlereagh	61,000	64,500
Down	57,400	62,100
Lisburn	97,700	109,800
North Down	71,800	74,100
Eastern Health Board	648,300	676,500
Antrim	45,300	50,800
Ballymena	56,000	58,500
Ballymoney	23,900	24,900
Carrickfergus	31,700	35,700
Coleraine	51,400	54,700
Cookstown	29,800	31,800
Larne	29,100	30,300
Magherafelt	34,300	37,900
Moyle	15,000	15,000
Newtonabbey	75,000	79,600
Northern Health Board	391,500	419,200
Armagh	50,400	53,400
Banbridge	32,500	37,700
Craigavon	74,500	79,300
Dungannon	44,300	47,200
Newry and Mourne	81,800	84,900
Southern Health Board	283,500	302,600
Fermanagh	52,800	55,500
Limavady	29,700	31,000
Derry	96,700	105,200
Omagh	44,900	48,100
Strabene	35,600	36,800
Western Health Board	259,700	276,700
Total	1,583,000	1,675,000

Source:
Northern Ireland Statistics and Research Agency

Mid-year population estimates; Scotland and its council areas

Persons

	1989	*1997*
Scotland	5,096.6	5,122.5
Aberdeen City	213.2	215.9
Aberdeenshire	210.3	226.4
Angus	107.0	110.2
Argyll and Bute	94.1	90.6
Clackmannanshire	47.8	48.8
Dumfries and Galloway	147.1	147.3
Dundee City	156.4	148.9
East Ayrshire	124.4	121.9
East Dunbartonshire	110.9	110.9
East Lothian	83.9	89.0
East Renfrewshire	85.0	88.6
Edinburgh, City of	439.4	450.0
Eilean Siar	30.0	28.2
Falkirk	143.0	143.2
Fife	347.6	348.4
Glasgow City	641.7	611.7
Highland	200.6	208.6
Inverclyde	93.2	86.5
Midlothian	79.8	80.7
Moray	84.1	86.0
North Ayrshire	138.7	139.8
North Lanarkshire	330.5	326.5
Orkney Islands	19.3	19.8
Perth and Kinross	125.6	133.3
Renfrewshire	177.5	178.3
Scottish Borders	102.8	106.2
Shetland Islands	22.2	23.0
South Ayrshire	113.3	114.9
South Lanarkshire	304.1	307.4
Stirling	81.4	83.6
West Dunbartonshire	98.0	95.7
West Lothian	143.9	152.3
Western Isles	30.0	28.2

Source:
General Register Office for Scotland

Mid-year population estimates for local authorities in England and Wales

Year	*Publication*	*Table*
Mid-1997	PP1 98/1 ONS Population and Health Monitor	6
Mid-1996	PP1 97/1 ONS Population and Health Monitor	4
Mid-1995	PP1 96/2 ONS Population and Health Monitor	4
Mid-1994	PP1 95/1 OPCS Monitor	4
Mid-1993	PP1 94/2 OPCS Monitor	4
Mid-1992	PP1 93/3 OPCS Monitor	4
Mid-1991	PP1 93/2 OPCS Monitor	4
Mid-1981 to mid-1991	PP1 94/1 OPCS Monitor	4

Mid-year population estimates for local authorities in the United Kingdom

Year	*Publication*	*Table*
Mid-1996	Regional Trends 33 1998 Edition	14.1, 15.1, 16.1, 17.1
Mid-1995	Regional Trends 32 1997 Edition	14.1, 15.1, 16.1, 17.1
Mid-1994	Regional Trends 31 1996 Edition	15.1
Mid-1993	Regional Trends 30 1995 Edition	15.1
Mid-1992	Regional Trends 29 1994 Edition	15.1
Mid-1991	Regional Trends 28 1993 Edition	15.1
Mid-1990	Regional Trends 27 1992 Edition	15.1

Euro

Mr. Mitchell: To ask the Chancellor of the Exchequer if he will list the measures, and their objectives, which require, under article 109(5) of the Treaty of Union, the unanimous agreement of the United Kingdom and those states already participating in the euro area. [77661]

Ms Hewitt: In accordance with Article 109L(5) of the EC Treaty the Council would adopt the rate at which Sterling would be fixed irrevocably against the euro. The rate would require the unanimous agreement of the participating Member States and the UK. The Council,

acting under the same procedure would also take the other measures necessary for the introduction of the euro in the UK, including the detailed transitional arrangements.

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer what steps are being taken to ensure that euro coins minted throughout the EU can be used in vending machines. [77647]

Ms Hewitt: EU Mint Directors, in association with member states, are developing a quality management system for euro coins. This will include procedures for regular consultation with the vending machine industry for testing vending mechanisms.

VAT (Care for the Elderly)

Sir Michael Spicer: To ask the Chancellor of the Exchequer what plans he has to remove VAT on care for the elderly in cases where social services sub-contract the service and instruct the sub-contractor to recover the cost directly from the elderly. [77934]

Dawn Primarolo: Services performed or supervised by qualified nurses are exempt from VAT where those services are predominantly for the medical needs of the patient.

Economic and Monetary Union

Mr. Tyrie: To ask the Chancellor of the Exchequer if he will list those measures in the Budget which will assist the United Kingdom in conforming to his five economic tests for joining EMU. [77895]

Ms Hewitt: The Government have said that the UK economy needs a period of economic stability in order to demonstrate settled and sustainable convergence. The Budget reinforces economic stability by keeping the public finances under control, while allowing fiscal policy to support the economy in the next phase of the cycle. The measures contained in the Budget to raise productivity and increase employment opportunities for all will also improve the flexibility of the UK economy to adapt to economic change. These measures are in the national economic interest. Preparations should be made in this Parliament so that, should the economic tests be met, a decision to join a successful single currency can be made early in the next Parliament.

Employment

Mr. Redwood: To ask the Chancellor of the Exchequer if he will estimate the impact of a 1 per cent. increase in wages on employment levels. [77888]

Ms Hewitt *[holding answer 19 March 1999]:* The impact on employment would depend on why wages increased, and how employers, employees and others in the labour force responded to the increase in wages. For example, an increase in wages reflecting higher productivity need not have any effect on employment.

Community Projects

Mr. Whittingdale: To ask the Chancellor of the Exchequer if it is his policy to apply the guidance in VAT Information Sheet 4/98-Local Authorities, Community Projects and VAT Recovery, to contracts entered into after 31 March 1999. [78287]

Dawn Primarolo: Yes. Expanded guidance is given in VAT Information Sheet 1/99.

Revenue Statistics

Sir Teddy Taylor: To ask the Chancellor of the Exchequer if he will publish a table showing *(a)* actual tax revenue and *(b)* national insurance revenue in each of the past three years, adjusted for inflation; and what estimates he has made for such revenues in the forthcoming year. [77626]

Dawn Primarolo *[holding answer 22 March 1999]:* Figures for tax revenues are published in table S24 of Financial Statistics. Figures for the GDP deflator are published in table 2.1 of Economic Trends. Forecasts of tax revenues were published in table B10 of the March 1999 Financial Statement and Budget Report.

Departmental Reports

Ms Lawrence: To ask the Chancellor of the Exchequer when he expects the 1999 departmental reports to be published. [78425]

Mr. Milburn: Publication dates for the 1999 departmental reports will be as follows:

	Departments
Tuesday 23 March	Department of Health Law Officers' departments
Wednesday 24 March	Department for Education and Employment
Thursday 25 March	Department of the Environment, Transport and the Regions Cabinet Office
Friday 26 March	Home Office Ministry of Defence Ministry of Agriculture, Fisheries and Food
Monday 29 March	HM Treasury and Chancellor's departments Department for Culture, Media and Sport
Tuesday 30 March	Inland Revenue HM Customs & Excise Department of Social Security Scottish Office Welsh Office Northern Ireland Office Department for International Development Department of Trade and Industry Lord Chancellor's Department
Wednesday 31 March	Main Estimates (for each department) Public Expenditure Statistical Analyses Foreign and Commonwealth Office

Tax Law Rewrite Project

Ms Lawrence: To ask the Chancellor of the Exchequer if he will make a statement on the Tax Law Rewrite project. [78572]

Dawn Primarolo: I am pleased to announce that the Tax Law Rewrite project continues to make very good progress. The Inland Revenue will be publishing on 30 March the project's fourth Exposure Draft, which contains draft clauses on the trading income of individuals. Copies will be placed in the Libraries of the House on that day.

This latest publication includes rewritten legislation covering the rules for calculating the profits of a trade, the basis period rules and the rules on farming. I would strongly encourage anyone with an interest in these areas to participate fully in the consultation process, which is key to the success of the project.

Fuel Oil Duty

Mr. Heathcoat-Amory: To ask the Chancellor of the Exchequer what is the estimated additional yield from the increase in fuel oil duty in the Budget for *(a)* 1999–2000 and *(b)* 2000–01. [77457]

Ms Hewitt: HM Customs and Excise estimate the additional yield, compared to an indexed base, from the increase in fuel oil duty to be £15 million in 1999–2000 and £25 million in 2000–01.

Shipping (Taxation)

Mr. Jenkin: To ask the Chancellor of the Exchequer (1) by what date he has asked Lord Alexander to produce his report on the taxation of shipping; and if that report will be published; [76845]

(2) what terms of reference he has set for Lord Alexander's review of shipping taxation; [76844]

(3) when Lord Alexander has been asked to complete his review of shipping taxation; [76912]

(4) if the review of shipping taxation by Lord Alexander will consider matters relating to *(a)* social security contributions, *(b)* income tax contributions and *(c)* linkages to training; [76913]

(5) what assistance will be provided to Lord Alexander by the Government during his review of shipping taxation; and if officials from the Inland Revenue will assist Lord Alexander during the review; [76846]

(6) if the review of shipping taxation by Lord Alexander has considered taxation regimes other than the proposed tonnage tax; [77087]

(7) what plans he has to introduce the changes in shipping taxation recommended by Lord Alexander in this session's Finance Bill. [77086]

Dawn Primarolo *[holding answers 15 and 16 March 1999]:* The scope of the inquiry is set out in the terms of reference, which are:

"To conduct an independent study of the case for, and the design of, a lower rate ring-fenced tonnage-based tax and additional enhanced training incentives, for the shipping industry, taking account of the Government's objectives for UK shipping, and the national and international tax and competitiveness issues involved, concluding as soon as is practical."

Lord Alexander will have access to officials from all relevant departments. It would of course be premature to consider any changes to the taxation of shipping in advance of Lord Alexander's report.

Budget Publications

Mr. Malcolm Bruce: To ask the Chancellor of the Exchequer how many copies of Her Majesty's Treasury Budget Summary, "Budget 99, Building a Stronger Economic Future for Britain", have been *(a)* printed and *(b)* sent out by his Department; what was the cost of (i) printing and (ii) postage to where they have been sent; and if he will make a statement. [77299]

Dawn Primarolo *[holding answer 18 March 1999]:* 1.5 million Budget summary leaflets have been printed and distributed at a cost of £100,000 for printing and postage.

Mr. Gibb: To ask the Chancellor of the Exchequer if he will list the titles of the documents which his Department has issued to Ministers to explain the Budget to the press and general public. [77323]

Dawn Primarolo *[holding answer 18 March 1999]:* The documents include the Budget 99 Report, the Budget 99 leaflet, a consultation document on the Climate Change Levy and the following Press Notices:

Code	*Document*
HMT 1	Budget 1999: A better deal for the people of Britain
HMT 2	A better deal for enterprise and business
HMT 3	A better deal for work
HMT 4	Building a fairer society
HMT 5	Biggest ever package of environmental tax reforms
HMT 6	Climate change levy to encourage energy efficiency
HMT 7	Reform of vehicle excise duty to protect the environment
HMT 8	Reducing the environmental impact of quarrying
HMT 9	Chancellor announces further reform of national insurance
HMT 10	Review of charity taxation—consultation document published
HMT 11	Promoting enterprise for all: a new employee share scheme
HMT 12	£1.1 billion investment in key public services
Inland Revenue	
IR 1	Reform of income tax rates and allowances
IR 2	Withdrawal of mortgage interest relief
IR 3	Better targeted support for vocational training
IR 4	Improving the environment: major changes to the taxation of company cars
IR 5	Help for Green transport
IR 6	Tax boost to widen computer use
IR 7	Burdensome tax charge on mobile telephones lifted
IR 8	Pension schemes earnings cap
IR 9	Fairer treatment for court common investment funds
IR 10	Capital gains tax: rates and annual exempt amount
IR 11	Capital gains of companies
IR 12	Capital gains tax simplification: Lloyd's syndicate capacity
IR 13	Inheritance tax: increase in threshold
IR 14	Inheritance tax: better administration and collection
IR 15	Stamp duty rates
IR 16	Stamp duty: compliance and administration
IR 17	Stamp duty: unit trusts and open-ended investment companies
IR 18	A new all-employee share scheme
IR 19	Help for small companies: new 10 per cent. starting rate of corporation tax
IR 20	Encouragement for serial entrepreneurs and other investors in enterprise investment scheme (EIS) companies
IR 21	Encouraging investment: first year allowances continue for small and medium-sized businesses
IR 22	Cash flow savings for small employers increase in quarterly payments limit
IR 23	North Sea fiscal regime technical measures
IR 24	Tax relief for mobile phone licences

Code	Document
IR 25	Football clubs to get help with new accounting standard
IR 26	Self assessment for companies: minor changes
IR 27	Settlements and trusts for children
IR 28	Inheritance tax: blocking tax avoidance
IR 29	Capital gains of companies: sales of subsidiaries
IR 30	Capital gains: abuse of concessions
IR 31	Taxation of free standing AVC annuity payments
IR 32	Taxation of reverse premiums
IR 33	Petroleum revenue tax and North Sea corporation tax: anti-avoidance measures
IR 34	Loophole closed in controlled foreign company rules
IR 35	Countering avoidance in the provision of personal services
Inland Revenue and Customs and Excise	
CW 1	New choice for taxpayers—returns via the Internet
CW 3	Securing the tax base
CW 2	Increased support for small businesses
Customs and Excise	
C&E 1	Fairness for business on VAT groups
C&E 2	New pace-setting moves to update and modernise tax systems
C&E 3	A fairer share of VAT for business
C&E 5	Government support for sustainable waste management
C&E 7	VAT: Securing the tax base
C&E 8	A fairer deal for small businesses on VAT thresholds
C&E 9	Help for pools companies and fairness for casinos
C&E 10	Insurance premium tax
C&E 4	Alcohol duties
C&E 6	Tobacco and Health
C&E 11	Chancellor honours commitment on fuel duties to protect the environment
Other Government Departments	
DETR 1	Budget placing environment at the heart of the Government
DETR 2	Minister welcomes housing policy green paper

Exchange Rates (Employment)

Mr. Redwood: To ask the Chancellor of the Exchequer what is his assessment of the effects on United Kingdom employment of the change in the value of the *(a)* Deutschmark and *(b)* euro relative to the pound sterling since 1 May 1997. [77590]

Ms Hewitt: The effects of exchange rate changes cannot be reliably isolated from the other influences on UK employment. Since the second quarter of 1997 total employment is estimated to have increased by 503,000 to stand at its highest ever recorded level.

AGRICULTURE, FISHERIES AND FOOD

Abattoirs (Inspection Charges)

Mr. Wigley: To ask the Minister of Agriculture, Fisheries and Food if he will change inspection charges for abattoirs from hourly rates to charges based on throughput-headage payments. [66159]

Mr. Rooker: Although harmonised EU rules lay down standard charges for hygiene inspections in slaughterhouses and cutting plants, the Meat Hygiene Service (MHS) is required under Treasury rules to recover the full costs of the services it provides to its customers, be they fresh meat premises or the Government. As the major part of the MHS costs are the time costs arising from the deployment of MHS inspection staff in fresh meat premises, MHS charges are set on a 'per hour' basis since this basis accurately reflects the real costs of providing the inspection service in individual abattoirs and cutting plants. It also encourages operators of such businesses to plan and execute their operations efficiently. In those small premises with only low throughputs of animals or meat, the average inspection charge per animal or tonne of meat will inevitably be higher than in those high throughput premises which are operated efficiently since the latter will inevitably benefit from economies of scale. Any alternative charging system, based solely on throughput of animals or meat, would simply result in large abattoirs or cutting plants having to subsidise the small businesses. The EU Charges Directive precludes Member State Governments from subsidising hygiene inspection costs.

In relation to charges for the enforcement of specified risk material controls, we have already acknowledged that charges based on throughput rather than an hourly rate could bring benefits to small low-throughput abattoirs and announced that officials have been asked to consider the feasibility of altering the basis of these charges. However any such change would require amendments to the legislation recently laid before Parliament to enable these charges to be levied.

Genetically Modified Food

Mr. Mitchell: To ask the Minister of Agriculture, Fisheries and Food if he will list consents he has given, specifying under what legal authority, for cultivation of genetically modified crops for *(a)* research and *(b)* sale; and for each consent the name of (i) applicant, (ii) company and (iii) owner, if different, (1) the area of (A) enclosed and (B) open tillage of the crop, and (2) its location; the purpose of (x) research and (y) sale, together with any purchaser if known, and the period of permission. [72563]

Mr. Rooker: I refer my hon. Friend to the reply given by my right hon. Friend the Minister for the Environment on 19 March 1999, *Official Report*, column *879*.

Mr. Redwood: To ask the Minister of Agriculture, Fisheries and Food if he will list the genetically modified foods, crops or seeds, for which licence applications are pending which contain a translator enhancer. [73019]

Mr. Rooker *[holding answer 25 February 1999]:* Although translator enhancers are found widely in nature, they have not been added as part of the modification for the only GM food under consideration in the EU which has been recommended for approval by the Advisory Committee on Novel Foods and Processes (genetically modified (GM) tomato products). In the case of GM green-hearted and radicchio rosso chicory, the only other pending applications which have been considered by the ACNFP, the committee did not recommend approval because, among other reasons, the molecular data were incomplete. Copies of the ACNFP's advice on both products is available in the Library of the House.

The Department of the Environment, Transport and the Regions hold details of applications pending under EC Regulation 90/220 for GM crops and seeds. I have asked the Ministry of the Environment to provide details of any applications which contain translator enhancers.

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food if he will make it his policy to require those responsible for the production of genetically modified foods to take out adequate insurance to cover compensation claims for any resulting damage to human health. [75108]

Mr. Rooker *[holding answer 8 March 1999]:* All genetically modified (GM) foods are subject to a full and rigorous safety assessment to ensure that they are as safe as their non-GM counterpart before approval. Whilst it is a criminal offence under the Food Safety Act 1990 to sell any food which is injurious to health or unfit for human consumption, insurance arrangements are a matter for individual companies.

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food what plans he has to require genetically-modified food manufacturers to demonstrate clinical efficacy through clinical trials before being permitted to make claims regarding the alleged health advantages of such foods; and if he will make a statement. [76510]

Mr. Rooker *[holding answer 16 March 1999]:* Clinical efficacy forms part of the assessment procedure for all new drugs and therefore applies to any substances, including those which have the appearance of foods, where medicinal claims are made, that is that they will prevent, treat or cure a human disease. Any GM foods, where such claims are not being made (which includes all those currently on the market), are subject to different, but equally strict, safety assessment criteria based on establishing that they do not present a danger to the public; as well as the requirements that the public are not misled in any way about them; and that they do not disadvantage the public in terms of their nutritional content.

Claims that foods may have beneficial health (but not medicinal) effects may be made so long as they are accurate and do not mislead consumers. A voluntary Code of Practice for validation of all health claims relating to food is being developed by a joint body comprising representatives from consumer groups, food law enforcement authorities and industry.

Joan Ruddock: To ask the Minister of Agriculture, Fisheries and Food when he will announce a new labelling regime for genetically modified foods; and if he will make a statement. [77537]

Mr. Rooker: I refer my hon. Friend to the reply given to my hon. Friend the Member for East Lothian (Mr. Home Robertson) on 18 March 1999, *Official Report*, column *814*.

Joan Ruddock: To ask the Minister of Agriculture, Fisheries and Food what unlicensed genetically modified soya has formed part of the ingredients of products on sale in the United Kingdom; and if he will make a statement. [77261]

Mr. Rooker *[holding answer 18 March 1999]:* None. Recent press reports that the Worcester Trading Standards Department had detected a non-approved genetically (GM) soya ingredient related to a sample of material that entered the country before May 1997, the composition of which could not be verified analytically. There is therefore no evidence that non-approved GM material is entering the food supply. In 1997, the only GM soya grown commercially in the USA was Monsanto's Round-up Ready soya. This is the approved soya currently being used in food in the UK.

European Scrutiny Committee

Mr. Trend: To ask the Minister of Agriculture, Fisheries and Food if the Parliamentary Secretary, Lord Donoughue, had in his possession the questions which he was going to be asked by the European Scrutiny Committee on Wednesday 10 February before the meeting took place. [75718]

Mr. Rooker: The House of Commons European Scrutiny Committee sitting held on 10 February posed a wide range of questions. The Parliamentary Secretary was aware at a briefing session two days before the meeting what were the main policy areas which would attract questions from the Committee. However, he did not know many of the questions that were to be raised.

Having some knowledge in advance of the Committee's main questions helped the Parliamentary Secretary to reply promptly and in as informative a way as possible, for the benefit of the Committee. It is helpful to the Committee. It can avoid the need for copious follow up correspondence. It is not expected by, nor necessary to, Ministers.

My noble Friend the Parliamentary Secretary informs me he did not know at the time of the particular contacts between officials of the Scrutiny Committee and of MAFF: he did not ask for nor initiate them and played no part in the preparation of his brief. This contact was initiated by officials of the Scrutiny Committee. It is a common, though not universal, practice which also obtained under previous Administrations.

Imported Foods

Mr. Gray: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement about powers to ban importation of foods whose production standards are illegal in this country. [74696]

Mr. Rooker: All imported foods are subject to general and specific regulations covering food safety and quality. Responsibility for enforcing these regulations lies with port health and local authorities. Ministers have special powers if, under exceptional circumstances, it is necessary to enforce these regulations.

Cattle Bones

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the organs, tissues and fluids to which the cells produced in cattle bones may migrate. [76224]

Mr. Nick Brown *[holding answer 12 March 1999]:* The hon. Member may be aware that the cells produced in bone marrow contribute to the cell composition of

blood and lymph tissues. They may thus be widely distributed through the body. In the context of BSE, a large number of fluids and tissues from cattle, particularly those which enter the human food chain, have been tested for infectivity. Those which may be potentially infected are statutorily required to be removed from the food chain.

Communications (Farmers)

Mr. Todd: To ask the Minister of Agriculture, Fisheries and Food what steps he has taken to allow farmers *(a)* to communicate with his Department and *(b)* to provide details for the various forms required via e-mail. [76218]

Mr. Morley: We have in place a number of measures designed to help farmers communicate with my Department and its IT systems more easily.

Under the Cattle Tracing System, movements of cattle can be communicated electronically to MAFF, particularly via markets and abattoirs.

On CAP Schemes, we are trialling the electronic submission of application forms. This will be available following on from the introduction next year of a new IT system for IACS. More immediately, we are about to introduce a facility for farmers to receive payments under these schemes via BACS.

We are also working on a number of other areas to consider electronic communications with the farmer—cattle passport application forms; health certification of animals for export purposes; and electronic submission of agricultural census and survey forms. As a precursor to this we are asking farmers via the 1999 June Census to provide an e-mail address if applicable.

My hon. Friend will also be interested to note that over 200 of my Department's forms are available on the MAFF Website, some as specimens and others to be printed off for completion. Generally, however, electronic submission of completed forms awaits further development, to safeguard matters such as physical and financial security.

Biotechnical Industry

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food how many unminuted pre-arranged meetings occurred between *(a)* himself, *(b)* Ministers in his Department and *(c)* his officials and representatives of the biotechnical industry sector since 1 May 1998. [74837]

Mr. Rooker *[holding answer 5 March 1999]:* I and my officials are in regular contact with representatives of all those with an interest in biotechnology—including environmental groups, consumer groups and biotechnology companies.

Genetically Modified Organisms

Mr. Matthew Taylor: To ask the Minister of Agriculture, Fisheries and Food how many representations his Department has received from the United States Government on genetically modified organisms since 1 May 1997; on what dates each representation was received; in what form each representation was made; and from which United States department each originated. [77121]

Mr. Rooker: Details of ministerial meetings with the US government and this Department are provided in my answer of 18 March 1999, *Official Report,* column *819.*

Officials maintain bilateral relations with their opposite numbers in a number of other Governments, including that of the US, and also with officials in their Embassies in the UK. The UK's commitment to a science based approach to biotechnology which protects public health and the environment is made clear in all discussions about this technology.

Food Safety

Mr. Maclean: To ask the Minister of Agriculture, Fisheries and Food if he will list all those *(a)* food and *(b)* health food products on which he has received advice from his civil servants since 1 May 1997 as being a cause for concern. [76651]

Mr. Rooker *[holding answer 15 March 1999]:* Ministers receive advice on a wide range of issues relating to the composition and labelling of food and health food products. Details of each occasion on which this happened could be provided only at disproportionate cost.

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food if he will list for each year since 1990 the statutory codes of practice that have been issued, pursuant to section 40 of the Food Safety Act 1990. [77502]

Mr. Rooker: There are currently 20 Codes of Practice, a full list and copies of these are available from the Library of the House.

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food (1) what procedure he has in place to ensure that his Department knows when the rates of *(a)* food sampling and *(b)* food analysis by local authorities, in relation to their statutory duties on food law, fall during the course of any given year; [77513]

(2) if he will list the categories of information that have been supplied by local authorities in response to requests under section 41 of the Food Safety Act 1990; [77506]

(3) what information he collects from local authorities, in relation to their statutory duties to enforce food law, about their levels of *(a)* food sampling and *(b)* food analysis; [77514]

(4) what use he has made of the powers provided by section 41 of the Food Safety Act 1990; [77508]

(5) what information he collects from local authorities, in relation to their statutory duties to enforce food law, about the scopes of analysis and examination undertaken by public analysts. [77507]

Mr. Rooker: Statistics covering many areas of food control, including sampling, are compiled by the Ministry from returns required to be submitted by local authorities in the United Kingdom under section 41 of the Food Safety Act 1990 as part of the information for the annual return we are required to make to the Commission under article 14 of the Council Directive on the Official Control of Foodstuffs. A copy of the latest return was recently placed in the Library of the House.

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food (1) what guidance has been issued by the Joint Food Safety and Standards Group of his

Department and the Department of Health to local authorities with respect to their statutory obligations to sample foods; [77505]

(2) if he will list for each year since 1989 all the occasions on which his Department and the Department of Health issued guidance to local authorities on the numbers of samples to be taken with respect to their statutory obligations to sample foods; [77504]

(3) what steps he has taken to ensure that local authorities have *(a)* constructed and *(b)* implemented proper sampling programmes in relation to food law; [77517]

(4) what powers he has to prevent the rates of *(a)* food sampling and *(b)* food analysis by local authorities, in relation to their statutory duties on food law, falling (i) during any given year and (ii) in successive years; [77510]

(5) if he will publish for each year since 1989 what his Department's and the Department of Health's guidance was to local authorities with respect to their statutory obligations to ensure that samples of foods were properly analysed by public analysts; [77519]

(6) if he will publish for each year since 1989 what his Department's and the Department of Health's guidance was to local authorities on the numbers of samples to be taken with respect to their statutory obligations to sample food; [77503]

(7) what powers he has to direct local authorities, in relation to their statutory duties on food law, to maintain a minimum level of *(a)* food sampling and *(b)* food analysis; [77511]

(8) if he will list each occasion on which he has exercised the powers, under section 42 of the Food Safety Act 1990, to direct local authorities to undertake adequate and satisfactory sampling of food; [77518]

Mr. Rooker: Responsibility for enforcement of food law rests with the relevant food authorities throughout the UK. All local authorities determine their sampling and inspection programmes in the light of local circumstances and guidance provided in the Codes of Practice issued by the Ministry and the Department of Health under section 40 of the Food Safety Act 1990. While section 40 (2)(a) of the Act imposes a legal obligation on food authorities to have regard to the Codes, it does not impose an obligation to comply with them.

Farm Produce (Charter Mark)

Mr. Hoyle: To ask the Minister of Agriculture, Fisheries and Food if he will introduce a quality charter mark for farm produce from the North West Region. [77527]

Mr. Rooker *[holding answer 18 March 1999]:* Quality Assurance Schemes for farm produce which go beyond statutory requirements are for the industry to take forward in light of their assessment of market conditions.

Dairy Products

Mrs. Browning: To ask the Minister of Agriculture, Fisheries and Food what impact he expects the agreed Agenda 2000 package to have on *(a)* consumer prices for milk and *(b)* other dairy products in the United Kingdom. [77453]

Mr. Rooker *[holding answer 18 March 1999]:* The provisional agreement by the EU Agriculture Council on 11 March to the Agenda 2000 CAP reform package will result in a 15% reduction in support prices for butter and skimmed milk powder, over a period of three years beginning in 2003. As a consequence, the aggregate value of UK milk consumption, measured at farmgate prices, is estimated to fall by some £400 million a year by the end of the period. This will mean that consumers will benefit from lower retail prices for milk and dairy products than would otherwise obtain. If all the savings are passed to consumers, the effect will be approximately equivalent to 4% of the retail price of a pint of liquid milk, and 8% of the retail price of butter.

Mrs. Browning: To ask the Minister of Agriculture, Fisheries and Food what proportion of the retail price for milk in the United Kingdom was accounted for by the raw milk price in January *(a)* 1997, *(b)* 1998, and *(c)* 1999. [77451]

Mr. Rooker *[holding answer 18 March 1999]:* The farmgate price of milk accounted for 38.1 per cent. of the retail price in January 1997, 32.7 per cent. in January 1998 and 32.1 per cent. in January 1999. The percentages in January 1998 and 1999 are much the same as in the early 1990s. The real price spread—the difference between the retail price and the farmgate price adjusted for inflation—fell by 2 per cent. between January 1997 and January 1999.

Animal Feeding Stuffs

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food (1) how much money was *(a)* spent in 1989–90 to 1997–98 and *(b)* allocated in 1998–99 by each individual local authority on the sampling and analysis of animal feeding stuffs in relation to statutory duties to enforce the provisions of the law controlling animal feeding stuffs; [77500]

(2) how much money was *(a)* spent between 1989–90 and 1997–98 and *(b)* allocated in 1998–99 by each local authority on the sampling and analysis of animal feeding stuffs for veterinary medicaments in relation to statutory duties to enforce the provisions of the law controlling animal feeding stuffs. [77501]

Mr. Rooker: The information requested is not available.

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food what powers he has to direct local authorities properly to discharge their duties under the Agriculture Act 1970 in relation to the taking and submitting for analysis of samples of animal feeding stuffs. [77515]

Mr. Rooker: The powers to direct local authorities to discharge properly their duties in respect of sampling and analysis of animal feeding stuffs can be found at section 67, of Part IV of the Agriculture Act 1970.

Under section 67 of Part IV of the Agriculture Act 1970, the Minister can obtain a report from each enforcement authority on the way the legislation is being enforced in its area. This report can include information supplied by the agricultural analyst to the authority. If this Part of the Act is not enforced sufficiently, by an enforcement authority, the Minister can appoint one or

more inspectors to undertake the enforcement duties of that authority. Such costs shall be repaid by the enforcement authority.

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food if the Government consulted the Association of Public Analysts about the proposed transfer of the duty to sample animal feeding stuffs for analysis for veterinary medicines from local authorities to the Royal Pharmaceutical Society of Great Britain. [77521]

Mr. Rooker: Yes. A wide range of interests, including the Association of Public Analysts, was consulted by the Veterinary Medicines Directorate on 10 October 1997 about proposals for the Medicated Feedingstuffs Regulations 1998.

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food when the duty to sample animal feedingstuffs for analysis for veterinary medicines was transferred from local authorities to the Royal Pharmaceutical Society of Great Britain. [77520]

Mr. Rooker: Responsibility transferred to the Royal Pharmaceutical Society of Great Britain on 6 May 1998, when the Medicated Feedingstuffs Regulations 1998 came into force.

Monsanto New Leaf Potatoes

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food what is his policy in respect of the importation from the United States of Monsanto's New Leaf potatoes. [77307]

Mr. Rooker: As Monsanto's New Leaf potatoes are genetically modified and have not been approved under the EC Novel Foods Regulation (258/97) and EC Regulation 90/220, their importation into the European Union would be illegal. MAFF has drawn this to the attention of processed potato importers.

Animals for Slaughter

Mr. Cox: To ask the Minister of Agriculture, Fisheries and Food for what reasons Her Majesty's Government have not ratified the Convention of the Council of Europe for the protection of animals for slaughter; and if he will make a statement. [77606]

Mr. Morley: The Government fully intend to ratify the Convention and I am pleased to confirm that arrangements to do so are now nearly complete. Legislation implementing the Convention's provisions (and EU Directive 93/119) has been in place throughout the UK since 1996, but it has also been necessary to obtain the views of the authorities of the Channel Islands and the Isle of Man in order that ratification can take place.

Meadowlands

Mr. Vaz: To ask the Minister of Agriculture, Fisheries and Food what plans he has to assess the report of the Council for the Protection of Rural England concerning the disappearance of meadow and grasslands. [77667]

Mr. Morley: As a recent CPRE publication explains, meadow and grasslands may be lost for a number of reasons. MAFF officials are working closely with the statutory environmental agencies to develop workable proposals for the implementation of particular provisions of the EU Directive on environmental impact assessment (EIA). Those provisions apply to all types of uncultivated land or semi-natural areas, but only where projects to bring such land into intensive agricultural use give rise to significant environmental effects.

Mr. Hoyle: To ask the Minister of Agriculture, Fisheries and Food what plans he has to introduce protection for meadowland. [77529]

Mr. Morley *[holding answer 18 March 1999]:* The Ministry of Agriculture, Fisheries and Food is working closely with the statutory environmental agencies to develop workable proposals. The objective is to improve protection of the environment without imposing over-bureaucratic controls on farmers.

Food Standards Agency

Mr. Hoyle: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the impact of the proposed Food Standards Agency levy on farm shops. [77530]

Mr. Rooker *[holding answer 18 March 1999]:* The purpose of the current consultation exercise is to elicit views on the impact of the proposed levy on all types of food premises that would fall within its scope. We will consider carefully the implications for farm shops in the light of the responses we receive.

Mr. Hoyle: To ask the Minister of Agriculture, Fisheries and Food if he will replace the proposed flat rate for the proposed Food Standards Agency levy with a sliding scale based on size of operation. [77532]

Mr. Rooker *[holding answer 18 March 1999]:* Public consultation on the proposed levy ends on 24 March. We will not reach final decisions on the proposed flat rate or any other aspects of the proposals until we have considered carefully all the responses we receive.

Mr. Hoyle: To ask the Minister of Agriculture, Fisheries and Food if he will introduce a minimum size below which shops will be exempt from paying the proposed Food Standards Agency levy. [77531]

Mr. Rooker *[holding answer 18 March 1999]:* The proposals, on which we are currently consulting, envisage exemptions for premises on which the only food sales are wrapped confectionery, soft drinks, crisps and similar wrapped products. Premises not required to register with the local authority under the Food Premises (Registration) Regulations 1991 would also be exempt. The public consultation period ends on 24 March, and we will not reach any final decisions on exemptions or any other aspects of the proposals until we have considered all the responses carefully.

Mr. Hoyle: To ask the Minister of Agriculture, Fisheries and Food if he will apply the proposed Food Standards Agency levy to food producers. [77533]

Mr. Rooker *[holding answer 18 March 1999]:* The proposals on which we are currently consulting are for the proposed levy to apply to food retail and retail catering premises required to register with the local authority under the Food Premises (Registration) Regulations 1991. We will not reach final decisions until we have considered carefully all the responses we receive.

Mrs. May: To ask the Minister of Agriculture, Fisheries and Food if he will estimate how many people will be employed at the Food Standards Agency; and what the consequential changes will be to staff numbers in terms of *(a)* actual numbers and *(b)* establishment in his Department. [77557]

Mr. Rooker *[holding answer 19 March 1999]:* The Food Standards Agency is expected to employ around 500 HQ staff, plus some 1,500 staff in the Meat Hygiene Service, and also have small numbers of staff based in executive branches in Scotland, Wales and Northern Ireland.

Some 315 core MAFF posts and 1,500 from the Meat Hygiene Service are expected to transfer to the Agency, together with other posts currently in the Department of Health, the Scottish, Welsh and Northern Ireland Departments.

Pig Farmers

Mr. Laurence Robertson: To ask the Minister of Agriculture, Fisheries and Food what help he is giving to pig farmers in the United Kingdom; what assessment he has made of the impact the recent proposals to reform the Common Agricultural Policy will have on pig farmers; what plans he has to implement the recommendations contained in the Agriculture Committee's report, the UK Pig Industry (HC 87) Session 1998–99; and if he will make a statement. [77454]

Mr. Rooker *[holding answer 19 March 1999]:* At EU level, I supported improvements in export refunds and the introduction of a private storage aid scheme. Within the UK, I miss no opportunity to make it known that the British pig industry produces a quality product to high welfare and other standards. Although pig farmers are not directly affected by the CAP reform exercise, they will benefit from the substantial reduction in cereal prices, as feed is their main costs. I welcome the Agriculture Select Committee's report on the UK Pig Industry to which the Government will shortly submit their response.

Sheep Exports

Mr. Prosser: To ask the Minister of Agriculture, Fisheries and Food what was the monetary value in (i) 1997 and (ii) 1998 of live lambs and sheep exported from the UK for *(a)* slaughter and *(b)* further fattening; and if he will make a statement. [77949]

Mr. Morley: The split for the value of UK exports of live lambs and sheep between those going for slaughter and further fattening is not readily available. However it is estimated that the total value of UK exports of live lambs and sheep was £84m in 1997 and £71m in 1998. these figures include exports from Northern Ireland to the Irish Republic. The value of exports from Great Britain to all other destinations is estimated to have been £23m in 1997 and £26m in 1998, of which approximately 90% went for further fattening and the remainder for slaughter.

Abattoirs

Mr. Letwin: To ask the Minister of Agriculture, Fisheries and Food if he will allow abattoirs to operate under the rules of the Date Based Export Scheme for part of each week whilst operating normally on other days. [78022]

Mr. Rooker *[holding answer 22 March 1999]:* European Commission Decision 98/692/EC, which governs the Data-based Export Scheme (DBES), requires that the only cattle DBES abattoirs may slaughter are those that are eligible for the scheme. However, DBES abattoirs may slaughter sheep and pigs, to which the DBES controls would not apply.

Cattle Passports

Mr. Letwin: To ask the Minister of Agriculture, Fisheries and Food what percentage of cattle passports have been incorrectly issued in the past six months. [78019]

Mr. Rooker *[holding answer 22 March 1999]:* The percentage of cattle passports incorrectly issued in the last six months is not available. However, I refer the hon. Member to the reply given to my hon. Friend for South Derbyshire (Mr. Todd) on 18 March 1999, *Official Report*, column *816*.

Beef Ban

Mr. Hoyle: To ask the Minister of Agriculture, Fisheries and Food when he expects to be able to lift the ban on the sale of beef on the bone. [78117]

Mr. Rooker *[holding answer 22 March 1999]:* I refer my hon. Friend to the reply given to my hon. Friend the Member for Wirral, South (Mr. Chapman) by my right hon. Friend the Minister of Agriculture, Fisheries and Food on 4 February 1999, *Official Report*, columns *1077–78*.

Milk Marketing Council

Mr. Letwin: To ask the Minister of Agriculture, Fisheries and Food if he will permit expenditure by the Milk Marketing Council on generic advertising. [78025]

Mr. Rooker *[holding answer 22 March 1999]:* The functions of the Milk Development Council are set out in the Milk Development Council Order 1995. These functions do not permit expenditure by the Council on generic advertising. My right hon. Friend is, however, open to representations by the dairy farming industry on changing the functions of the Milk Development Council.

Sea Anglers

Mr. Steen: To ask the Minister of Agriculture, Fisheries and Food (1) what estimate he has made of the numbers of anglers who fish from charter boats off the south Devon coast; how many fish they catch; and how their catches affect fish stocks in the area; [77566]

(2) if he will list each EU country which applies quotas and species bans to its recreational fishermen; and if he will make a statement. [77567]

Mr. Morley *[holding answer 22 March 1999]:* I refer the hon. Member to the reply given to him on 15 December 1998, *Official Report*, column *500*.

Grants (Diversification)

Mr. Hoyle: To ask the Minister of Agriculture, Fisheries and Food what grants are available from *(a)* Her Majesty's Government and *(b)* the European Union to farmers in (i) Lancashire and (ii) Chorley to help them to diversify. [78118]

Mr. Morley *[holding answer 22 March 1999]:* Funding to encourage a wide range of agricultural activities, including farm diversification, is available in the six areas designated to receive assistance under the English Objective 5B Structural Fund Programmes. The Northern Uplands Objective 5b area includes parts of Lancashire but does not include Chorley. No grant aid for farm diversification is available outside the designated areas.

The Rural Development Commission (RDC), which is the Government Agency responsible for promoting economic and social development in rural England, can provide redundant building grants in priority Rural Development Areas, including parts of Lancashire. These grants can help owners to renovate and bring back into productive use, buildings which are lying idle and semi-derelict, or which are becoming redundant for their current use. The buildings must be used for business purposes once renovation works are complete, with the aim of providing new job opportunities, or protecting existing jobs. As from 1 April these grants will be available from the new Regional Development Agencies.

Milk Quotas

Mr. Letwin: To ask the Minister of Agriculture, Fisheries and Food for what reason the EU decided not to enlarge United Kingdom milk quotas until 2003. [78020]

Mr. Rooker *[holding answer 22 March 1999]:* The agreement reached by EU Agriculture Ministers on 11 March delayed cutting milk support prices until 2003 as a means of reducing the overall costs of the Agenda 2000 reform package. Consequently, the introduction of direct payments and general increases in milk quota will also be delayed until 2003. However, some specific increases in milk quota, including an increase for Northern Ireland, will be introduced in 2000–01 and 2001–02.

Milk

Mr. Chidgey: To ask the Minister of Agriculture, Fisheries and Food (1) what comparative assessment he has made of investment in modernisation of the milk processing industry in the United Kingdom and *(a)* other EU Member States and *(b)* other countries which export milk products to the United Kingdom; [78194]

(2) what analysis he has made of the effect of vertical integration on the competitiveness of milk production and milk processing in the United Kingdom milk and milk products industry in relation to *(a)* other EU Member States and *(b)* other nations which export milk products to the United Kingdom; [78196]

(3) what analysis he has made of the competitiveness of the United Kingdom milk and milk products industry in relation to *(a)* national industries in each of the EU Member States and *(b)* other nationally-structured milk and milk product industries. [78199]

Mr. Rooker: The Department has not undertaken any such detailed comparative analysis.

Mr. Chidgey: To ask the Minister of Agriculture, Fisheries and Food what projections he has made of the growth or decline of the United Kingdom milk and milk products industry over the next *(a)* five, *(b)* 10 and *(c)* 15 years. [78198]

Mr. Rooker: The size of the United Kingdom milk and milk products industry is constrained by milk quotas. In the period up to 2006 the output of the UK milk and milk products industry can be expected to increase in line with the increases in the UK milk quota agreed as part of the Agenda 2000 reforms of the Common Agricultural Policy. In the longer term, the size of the UK milk and milk products industry will depend on the decisions of the EU Council of Agriculture Ministers as to the shape of the EU dairy regime beyond 2006.

Mr. Chidgey: To ask the Minister of Agriculture, Fisheries and Food which countries exported *(a)* milk and *(b)* processed milk products to the United Kingdom in each year from 1995 to date; and what was the value of the imports from each country in each year. [78201]

Mr. Rooker: The available information is shown in the following table.

UK imports of (a) milk and (b) processed milk products 1995–98

£ million

	1995	*1996*	*1997*	*1998*
Milk and cream				
Irish Republic	35.0	26.6	27.2	21.2
France	11.6	12.1	12.3	11.8
Denmark	0.5	0.8	11.5	18.0
Germany	7.6	7.3	4.7	4.8
Belgium-Luxembourg	10.6	4.5	4.3	3.6
Italy	1.4	0.7	0.9	0.7
Netherlands	0.1	0.4	1.0	1.2
Others	-0.1	0.1	0.2	0.0
Imports of milk and cream	66.8	52.5	62.0	61.3
Processed milk products				
Irish Republic	277.3	338.8	279.5	297.7
France	169.8	196.7	217.2	204.3
New Zealand	139.4	125.7	93.9	104.4
Germany	103.3	111.0	110.7	91.0
Denmark	77.2	81.1	84.5	83.3
Belgium-Luxembourg	67.0	80.1	76.8	63.2
Netherlands	63.7	63.7	54.2	57.3
Italy	45.1	47.7	51.0	53.4
Canada	15.3	20.3	20.0	19.4
Australia	8.2	12.2	12.1	11.8
Spain	7.3	6.8	6.7	16.1
Switzerland	8.0	8.1	7.6	9.0
Greece	7.3	6.0	5.4	6.8
Austria	6.7	3.5	2.8	1.7
U.S.A.	3.2	3.2	3.0	3.4
Sweden	1.2	3.3	3.6	3.0
Others	7.0	8.2	7.3	7.2
Imports of processed milk products	1,006.9	1,116.4	1,036.2	1,033.0
Total imports of milk and processed milk products	1,073.7	1,168.9	1,098.3	1,094.3

Source:

HM Customs & Excise

Mr. Chidgey: To ask the Minister of Agriculture, Fisheries and Food to which countries the United Kingdom has exported *(a)* milk and *(b)* processed milk

products in each year from 1995 to date; and what was the value of exports to each country in each year. [78200]

Mr. Rooker: The available information is shown in the following table:

UK exports of (a) milk and (b) processed milk products 1995–98

£ million

	1995	1996	1997	1998
Milk and cream				
Belgium-Luxembourg	43.5	62.5	55.2	56.3
France	41.7	40.0	24.9	23.7
Irish Republic	30.9	11.9	15.2	34.7
Germany	21.8	10.5	13.1	19.8
Netherlands	14.0	12.0	13.1	3.9
Others	3.9	3.8	3.8	3.5
Exports of milk and cream	155.9	140.8	125.3	141.9
Processed milk products				
Netherlands	170.9	97.3	67.7	74.7
France	93.1	89.5	82.4	81.2
Irish Republic	52.0	54.0	62.2	69.1
Belgium-Luxembourg	41.8	41.0	34.4	39.6
Germany	44.9	41.1	28.7	34.2
Spain	15.6	19.1	18.5	18.6
USA	11.6	20.9	10.5	13.3
Mexico	3.4	5.1	31.4	12.6
Denmark	10.5	10.4	16.0	9.4
Russia	1.4	1.7	27.6	8.8
Saudi Arabia	21.6	15.1	0.8	0.9
Brazil	7.4	4.8	11.4	14.8
Venezuela	3.7	8.0	8.4	12.0
Japan	17.4	8.3	3.1	2.4
Kuwait	9.3	7.7	6.8	6.4
Hong Kong	12.0	7.4	4.9	5.2
Italy	10.6	6.8	5.5	6.3
Others	112.8	133.4	181.3	150.9
Exports of processed milk products	640.1	571.7	601.6	560.5
Total exports of milk and processed milk products	795.9	712.5	726.9	702.4

Source:
HM Customs & Excise

Mr. Chidgey: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the likely impact on the United Kingdom milk and milk products industry of the proposed enlargement of the European Union. [78197]

Mr. Rooker: Enlargement would afford the United Kingdom milk and milk products industry unrestricted access to the markets of those countries which accede to the European Union. Equally, as part of the single market, the milk processing industries of the acceding countries would have access to the markets of the existing EU member states.

Badgers

Charlotte Atkins: To ask the Minister of Agriculture, Fisheries and Food if he will announce the next areas to be brought into the randomised badger culling trial. [78578]

Mr. Rooker: Using the criteria set out in their report of last July, the Independent Scientific Group on Cattle TB has now identified the third triplet of trial areas. It is located in east Cornwall, and work will begin there shortly.

Intervention Board

Mr. Drew: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement about the Next Steps Review of the Intervention Board. [78579]

Mr. Nick Brown: In accordance with the Government's policy on periodic reviews of executive agencies, Agricultural Ministers have agreed that the Intervention Board should commence a thorough evaluation of Agency status in March and produce a report in July 1999. In the light of ongoing issues such as devolution and the reform of the Common Agricultural Policy, the reconsideration of the prior options element of the review has been deferred until March 2001.

In order to ensure that all matters are considered fully, comments regarding the performance of the Intervention Board since April 1993, which should be provided by 30 April 1999, would be welcomed from interested parties. The contact point at the Intervention Board for inquiries and correspondence is:

Mrs. A. K. Parker
Intervention Board
Kings House
Kings Road
Reading RG1 3BU.

Farmers (North-West)

Mr. Hoyle: To ask the Minister of Agriculture, Fisheries and Food if he will provide further support to farmers in the North West. [77528]

Mr. Rooker *[holding answer 18 March 1999]:* The package of measures provisionally agreed in Brussels recently represented a good deal for UK farmers, especially those from the hills.

In addition, beef and sheep farmers are likely to benefit from compulsory compensation as a result of the effects of the introduction of the euro on direct payments. We hope to announce details of this shortly.

Food Sampling

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food what access the Review of the Public Analyst Arrangements in England and Wales had to information about the sampling and analysis of food samples held by local authorities; and what restrictions were placed on the publication of that information. [77951]

Mr. Rooker: The Public Analyst Review Team sought information through submissions from interested parties, including local authorities and public analysts, and the Review Team visited a number of authorities and sought information from them directly during those visits. Some of the information relating to their enforcement activities was given in confidence. The Review Report and any non-confidential information gathered has been placed in the Library of the House.

Written Answers to Questions

Wednesday 24 March 1999

HOUSE OF COMMONS

Palace Lifts

Mr. Baker: To ask the Chairman of the Accommodation and Works Committee if the Committee will investigate the possibility of increasing the speed of lifts within the Palace. [78254]

Sir Sydney Chapman: The Parliamentary Works Directorate has a rolling programme of lift machinery modernisation. Five lifts in the Palace are to be refurbished in 1999. When new machinery is installed the lift winding speed can be adjusted and I have asked the Director of Parliamentary Works to ensure that speeds are carefully set with regard to both the convenience and the comfort of users. Door speeds are generally set so as not to inconvenience any users with disabilities.

WALES

Crickhowell House

Mr. Swayne: To ask the Secretary of State for Wales if he will estimate the cost of furnishing Crickhowell House for the Welsh Assembly; and if he will make a statement. [77462]

Mr. Hain: The current estimated cost of furnishing Crickhowell House for the Assembly is £2 million. This is included in the estimate for establishing the Assembly stated in the Explanatory and Financial Memorandum to the Government of Wales Bill.

Millennium Compliance

Mr. Chope: To ask the Secretary of State for Wales for what reason no external assessment has been made of the plans of his Department for millennium compliance. [78461]

Mr. Hain: Independent assessment of the Welsh Office's Year 2000 programme is being undertaken by the Department's Internal Audit Service, who report separately to the Permanent Secretary from the staff responsible for implementing the compliance programme.

The content of the programme was audited at inception and progress against established activities is reviewed on a regular basis. Internal Audit are free to recommend changes to the programme as they see fit.

Duplicating this effort by employing external assessors is unnecessary and would add additional costs to the compliance programme.

INTERNATIONAL DEVELOPMENT

EU Project Appraisal

Mr. Matthew Taylor: To ask the Secretary of State for International Development when was the last time that *(a)* the ALA and *(b)* the EDF Committee of the European Commission completely rejected a proposed project (i) on any subject and (ii) on environmental and social grounds; what was the title of the project; and what were the grounds for the objections. [77930]

Mr. Foulkes: The Asia and Latin America (ALA) and European Development Fund (EDF) committees have not completely rejected any proposal within the last 12 months. Such rejection is rare for three reasons. A proposal cannot be blocked by a single member state acting alone. Secondly, if the commission senses that there is wide opposition to a project, it may choose to voluntarily withdraw the proposal from the agenda. Finally, in order to secure sufficient support from member states to proceed, the Commission may undertake to revise aspects of its proposals to take account of the views expressed by member states. In the last 12 months, the following projects have either been withdrawn or blocked as a result of pressure applied by the member states.

Date/Project	*Action taken*	*Reason*
July 1998		
IGAD—fisheries	Withdrawn	Regional instability
Guinea Bissau—(3 projects)	Withdrawn	Insecurity
September 1998		
Ivory Coast—Decentralisation Programme (1st presentation)	Blocked	Insufficient poverty focus/lack of specific outputs
December 1998		
Kenya—northern corridor	Blocked	Maintenance concerns
Ivory Coast—Decentralisation Programme (2nd presentation)	Blocked	Insufficient poverty focus
March 1999		
Haiti—Direct Budged Aid	Withdrawn	Political circumstances in Haiti
Haiti—Rural development	Withdrawn	Political circumstances in Haiti

Mr. Matthew Taylor: To ask the Secretary of State for International Development when was the last time that *(a)* the ALA and *(b)* the EDF Committee of the European Commission demanded that an independent (i) environmental impact assessment should be conducted before a project was given approval and (ii) evaluation be conducted on a Commission (1) project and (2) programme that was currently under implementation or had recently been completed. [77931]

Mr. Foulkes: During the last 12 months neither committee has demanded an independent Environmental Impact Appraisal as a pre-condition to approval. The Commission is required to undertake Environment Impact Appraisal screening as part of its project appraisal process and environmental issues are often raised at Committee meetings. For example, at the last European Development Fund (EDF) Committee on 17–18 March 1999, the UK raised environmental issues on 4 out of the 9 projects under consideration. Monitoring and evaluation arrangements are normally agreed when project proposals are submitted to the Committees for consideration. At the last EDF Committee, the UK raised the question of evaluation with regard to 3 projects.

HOME DEPARTMENT

Police Vehicles (Accidents)

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department, pursuant to his answer of 15 March 1999, *Official Report*, column *495*, if he will rank police forces according to the number of accidents in 1997–98 involving police vehicles which resulted in injury and death. [78203]

Mr. Boateng: Ranking of police forces by number of accidents involving police vehicles would be misleading, as many different factors can affect the figures, such as force size and local road conditions. For accidents during pursuits and emergency responses broken down by force, I refer my hon. Friend to the reply I gave to my hon. Friend the Member for Eltham (Mr. Efford) on 18 January 1999, *Official Report*, column *334*.

Immigration and Nationality Directorate

Mr. Clappison: To ask the Secretary of State for the Home Department what meetings he has had regarding the reorganisation of Lunar House and the introduction of a new computer system to deal with immigration and asylum applications; what representations he has received about delays in the provision of immigration services; and if he will make a statement. [78245]

Mr. Mike O'Brien *[holding answer 23 March 1999]:* I have had a number of meetings regarding the reorganisation of the Immigration and Nationality Directorate and will continue to do so. I have received representations about the current delays there from hon. Members, from interest groups and from the business community. I am, therefore, taking a close personal interest in improving the level of service.

The Home Secretary and I recently met with officials from the Immigration and Nationality Directorate and Siemens Business Services to discuss the casework programme. Siemens Business Services have reiterated their commitment to working in partnership to deliver the major modernisation programme as a whole.

Mr. Vaz: To ask the Secretary of State for the Home Department what steps he has taken to improve the situation for clients at the Immigration and Nationality Directorate in Croydon. [77346]

Mr. Mike O'Brien: The reorganisation in the Immigration and Nationality Directorate in Croydon has caused significant disruption and delays in the throughput of cases. A number of steps have been taken to improve matters. These include taking on additional staff, running special exercises to target priority cases and providing additional temporary accommodation to the Public Caller Unit to ensure that all callers are seen on the day by a member of staff. In addition, there have been changes in procedure which have resulted in increasing productivity particularly relating to straightforward cases. Extra training has also been provided in certain key areas to ensure maximum flexibility of staff resources and a steady throughput of work.

Police and Immigration Officers

Mr. Beith: To ask the Secretary of State for the Home Department how many (i) police officers and (ii) immigration officers were based at each port in England and Wales in each of the last three years; and if he will make a statement. [77280]

Mr. Mike O'Brien: Operational deployment of police officers is a matter for the Chief Constable. Details of the number of police based at ports in England and Wales is not collated centrally.

The number of immigration officers, including assistant immigration officers, based at ports in England and Wales as at 1 January 1997, 1998 and 1999 is set out in the table. Immigration officers at some of these locations attend both airports and seaports. Other ports in England and Wales which do not have permanently based staff are covered as required.

We are in the process of appointing over 200 additional immigration officers and assistant immigration officers as part of the package of measures designed to deliver the objectives set out in the Government's White Paper.

	1 January 1997	*1 January 1998*	*1 January 1999*
Heathrow	775.5	759.0	694.9
Dover ports	295.4	274.0	265.9
Gatwick	290.5	294.3	282.4
Waterloo	115.0	110.0	102.8
Manchester airport	60.6	63.7	66.3
Stansted airport	46.6	47.8	47.8
Birmingham airport	37.8	35.5	32.1
Harwich	34.0	34.0	33.1
Portsmouth	28.0	29.0	29.0
Luton	19.1	18.1	17.3
Tyne ports	17.1	16.0	16.0
Newhaven	16.7	15.7	16.0
East Midlands airport	14.0	13.0	13.0
London City airport	13.5	13.1	13.3
Leeds Bradford	11.6	12.6	12.6
Southampton	10.8	9.0	9.0
Bristol	10.0	10.0	9.8
Cardiff	9.0	9.0	9.0
Hull	9.0	9.0	9.0
Liverpool	8.0	8.0	8.0
Plymouth	7.5	8.6	8.6
Stockton	7.0	6.6	6.4
Norwich	5.0	5.0	5.0
Felixstowe	5.0	3.0	3.0
Poole	4.0	4.0	4.0
Bournemouth	4.0	4.0	3.0
South Humberside	3.6	3.6	3.6
Brize Norton	3.0	3.0	3.0
Mildenhall	3.0	3.0	3.0
Swansea	2.0	2.0	2.0
Southend	1.0	1.0	1.0
Cambridge	1.0	1.0	1.0
Total	1,868.3	1,825.6	1,730.8

Freedom of Information

Mr. Baker: To ask the Secretary of State for the Home Department if it is the Government's policy to apply the test of substantial harm set out in the White Paper on freedom of information in its forthcoming Bill on freedom of information. [78258]

Mr. Straw: The Government hope to publish a draft Bill on freedom of information in May. It is our intention to make sure the legislation is clear and easy to use. We are still considering the precise drafting of the Bill to ensure that the principles set out in the White Paper "Your Right to Know" form the basis of the legislation.

Mr. Baker: To ask the Secretary of State for the Home Department if the Advisory Group on openness in the public sector will be able to consider the progress since 1 May 1997 of proposals for freedom of information legislation. [78343]

Mr. Straw: The purpose of the Group is to advise me on the steps needed to be taken ahead of freedom of information legislation to increase openness in the public sector. I expect the group to submit a report to me before the end of the year making recommendations on how I might facilitate an increase in openness in the public sector as a whole.

The Home Office took over responsibility for freedom of information legislation from the Cabinet Office in the summer of 1998, to enable the policy to be developed alongside other constitutional measures, such as human rights and data protection. Since then, we have devoted a great deal of effort towards translating the White Paper's proposals into a draft Bill. I now hope to publish the draft in May.

Prostitutes (Calling Cards)

Mr. Caplin: To ask the Secretary of State for the Home Department how many *(a)* civil and *(b)* criminal prosecutions were made in relation to prostitutes calling cards in telephone boxes in 1997 and 1998. [78047]

Mr. Boateng: This information is not readily available. There are several pieces of legislation under which a person may be charged for offences relating to placing prostitutes cards in telephone boxes. Home Office statistics do not indicate which prosecutions relate to prostitutes cards. Civil injunctions are not recorded centrally.

Mr. Caplin: To ask the Secretary of State for the Home Department if he will consult on the possibility of making the placing of prostitutes calling cards in telephone boxes a specific criminal offence. [78046]

Mr. Boateng: Yes. My reply to the right hon. Member for Penrith and The Border (Mr. Maclean) on 2 March 1999, *Official Report*, col. 531, said that the Home Office will shortly be issuing a consultation paper on new measures to tackle the problem of prostitutes cards in telephone boxes which will look at options for changing the law to enable those who put cards in telephone boxes to be dealt with more effectively.

Millennium Compliance

Mr. Chope: To ask the Secretary of State for the Home Department for what reason no external assessment has been made of the plans of his Department for millennium compliance. [78462]

Mr. Straw: An external assessment of my Department's Year 2000 programme began earlier this month, to complement an internal assessment recently completed. DBI Associates were awarded a contract to carry out this independent assessment, following a competitive tender exercise. This comprehensive assessment will examine the Year 2000 work carried out within the main Home Office, its executive agencies and the Police Information Technology Organisation, concentrating on business critical processes and business continuity planning. A final report is expected in June.

Mr. Chope: To ask the Secretary of State for the Home Department for what reason no *(a)* internal and *(b)* external assessment has been made of the United Kingdom Passport Agency's plans for millennium compliance; and if he will make a statement. [78468]

Mr. Mike O'Brien: The Passport Agency's plans for millennium compliance are being assessed by independent technical consultants appointed by the Home Office.

The agency's audit needs are assessed every three years and are currently under review. Audit plans will include millennium compliance but will take into account the work of the independent consultants (DBI Associates Ltd.).

Macpherson Report

Sir Norman Fowler: To ask the Secretary of State for the Home Department how many people had access to the Macpherson report prior to some of its contents appearing in *The Sunday Telegraph*; and if he will make a statement. [78480]

Mr. Straw: I refer the right hon. Member to the reply I gave to the hon. Member for South Cambridgeshire (Mr. Lansley) on 15 March 1999, *Official Report*, column *492*.

Sir Norman Fowler: To ask the Secretary of State for the Home Department what standard of proof will be required in the leak inquiry into the provision of unauthorised information concerning the Macpherson report to *The Sunday Telegraph*; and if he will make a statement. [78419]

Mr. Straw: No proof test has been set. My permanent secretary will advise on what course of action might be appropriate, taking account of any weight attached to particular findings by the independent investigator.

Sir Norman Fowler: To ask the Secretary of State for the Home Department what progress has been made on the leak inquiry into the provision of unauthorised information concerning the Macpherson report to *The Sunday Telegraph*; and if he will make a statement. [78418]

Mr. Straw: My permanent secretary expects to receive the independent investigator's conclusions shortly.

EU Fraud

Mr. Grieve: To ask the Secretary of State for the Home Department what *(a)* discussions he has had and *(b)* proposals his Department has put forward at Council of Ministers' meetings in respect of EU fraud; and if he will make a statement. [77783]

Kate Hoey *[holding answer 19 March 1999]:* I refer the hon. Member to the reply that my right hon. Friend the Economic Secretary to the Treasury gave on 19 March 1999, *Official Report,* columns *858–59.*

Civil Servants (Appraisal)

Mr. McDonnell: To ask the Secretary of State for the Home Department what were the appraisal performance markings awarded to civil servants in 1998 for *(a)* each agency in his Department and *(b)* the Department broken down by (i) grade, (ii) gender, (iii) ethnicity, (iv) part-time/full-time working and (v) disability; and for (1) each agency and (2) the Department whether the Cabinet Office's four fifths rule for detecting potential adverse impact was applied to the appraisal markings of civil servants in the 1998 report round. [78149]

Mr. Straw: The available information has been placed in the Library and is set out as follows:

Table 1: performance appraisal markings for the Home Office including the United Kingdom Passport Agency and the Forensic Science Service (but excluding the Prison Service and the Fire Service College which have different appraisal systems) for the reporting year 1996–97 broken down by grade, ethnicity and gender. Information on part-time/full-time working could be provided only at disproportionate cost.

Table 2: performance appraisal markings for the Fire Service College in 1998 broken down by gender and part-time/full-time working. There were no ethnic minority or disabled staff working at the College in this period. The total number of staff working at the College is small and to provide figures broken down by grade would risk identifying individuals.

Table 3: performance appraisal markings for the Prison Service in 1998 broken down by gender and ethnicity. Information on part-time/full-time working is not held centrally in the Prison Service and could be provided only at disproportionate cost.

Table 4: performance appraisal markings for the Prison Service in 1998 broken down by the core grades. (There are many non-standard specialist grades with small numbers of staff in the Prison Service and to provide information broken down by these grades would risk identifying individuals).

Table 5: performance appraisal markings for the Home Office including the United Kingdom Passport Agency and the Forensic Science Service (but excluding the Prison Service and the Fire Service College) for the reporting year 1996–97 showing the spread of box markings among disabled and non-disabled staff.

The four-fifths rule—which is only a guideline, not a statistical test—was not applied to these appraisal markings.

General Pinochet

Sir Norman Fowler: To ask the Secretary of State for the Home Department what public statements he made in his official capacity prior to 17 October 1998 on the former Government of General Pinochet in Chile; and if he will make a statement. [78420]

Mr. Straw: I have made no such public statements.

Police Research Paper

Mr. Lidington: To ask the Secretary of State for the Home Department what was the cost of researching, publishing and distributing the Police Research Series paper, "Face Value? Evaluating the Accuracy of Eyewitness Information". [78478]

Mr. Boateng: The cost of producing the Police Research Series paper "Face Value? Evaluating the Accuracy of Eyewitness Information" was £12,040. This was broken down as follows:

The University of Liverpool was paid £6,916 over a three month period to conduct the work on which the report is based and to produce a draft report; and

3,500 copies of the report were produced along with 2,600 copies of an associated briefing note. Printing costs were £5,124.

3,700 reports or briefing notes were distributed at the time of publication using existing administrative support staff at marginal cost. Postal costs are not calculated for individual reports.

Firearms

Mr. William Ross: To ask the Secretary of State for the Home Department (1) how many *(a)* handguns and *(b)* accessories, broken down by (i) type and (ii) calibre, have been surrendered to each police force in Great Britain by (A) private citizens, (B) shooting clubs and (C) firearms dealers under the Firearms (Amendment) Act 1997; [78153]

(2) how much compensation *(a)* has been paid and *(b)* is outstanding in respect of firearms surrendered under the terms of the Firearms (Amendment) Act 1997; and when he expects the process to be completed. [78154]

Mr. Boateng: Over 162,000 large and small-calibre handguns were surrendered to the police following the Firearms (Amendment) Act 1997. I regret that the more detailed information requested is not at present available. A total of £80.3 million has so far been paid in compensation. The total of compensation paid is expected to be in the region of £87 million.

Yemen

Mr. Vaz: To ask the Secretary of State for the Home Department if he will make a statement on the recent arrest of Abu Hamza al-Masri; and what his policy is in respect of Yemen's request for his deportation. [78131]

Mr. Straw: Abu Hamza al-Masri and two other men were arrested under the Prevention of Terrorism (Temporary Provisions) Act 1989 (PTA) on 15 March. I subsequently authorised extensions of detention beyond the initial 48 hours allowed by the Act. On 18 March, all three detainees were released from detention under the PTA, re-arrested under the Police and Criminal Evidence Act 1984 and given police bail to return for further questioning in mid-May after further inquiries have been made.

The United Kingdom has no extradition treaty with Yemen. The law contains provision in these circumstances for a special arrangement to be considered. I cannot say what would be the outcome were such an approach to be made by the Yemen, but it would be open to their authorities, if they so wished, to pursue the possibility.

Venezuelan Nationals

Mr. Vaz: To ask the Secretary of State for the Home Department how many Venezuelan nationals there are in British prisons. [78125]

Mr. George Howarth: The latest available provisional information is for 31 December 1998. On that date, there were 16 Venezuelan nationals (15 males and 1 female) in prisons in England and Wales. Information on the numbers of Venezuelan nationals held in prisons in Scotland and Northern Ireland are available from the Secretary of State for Scotland and Secretary of State for Northern Ireland respectively.

Death Penalty

Mr. Cox: To ask the Secretary of State for the Home Department for what reasons Her Majesty's Government have not ratified the Council of Europe Protocol Number 6 to the convention for the protection of human rights and fundamental freedoms concerning the abolition of the death penalty; and if he will make a statement. [77284]

Mr. Mike O'Brien: The Home Secretary signed Protocol 6 in Strasbourg on 27 January 1999. An Explanatory Memorandum and a Command Paper relating to the ratification process will be laid before the House shortly.

Prison Governors

Mr. Cox: To ask the Secretary of State for the Home Department how many prisons in England and Wales have had more than three principal governors within the last three years; and if he will make a statement. [77587]

Mr. George Howarth: Bullwood Hall and Maidstone prisons are the only establishments to have had more than three governing governors, including those temporarily in charge, in the last three years.

Asylum Seekers

Ms Oona King: To ask the Secretary of State for the Home Department if he will introduce a concession to the Immigration Rules granting asylum seekers from Sierra Leone immediate exceptional leave to remain in the United Kingdom. [77548]

Mr. Mike O'Brien: I do not consider that such a policy would be justified at present, but we are keeping the situation in Sierra Leone under continuous close review.

Following a decline in the country situation in December 1998, enforced removals to Sierra Leone were suspended on practical and precautionary grounds. In view of the continued fighting and the rebel invasion into parts of Freetown, consideration of asylum applications was suspended in January 1999.

Appalling human rights violations and destruction have been perpetrated by the rebel forces in Sierra Leone. However, President Kabbah has remained in power and Freetown has recently been secured following action by ECOMOG troops. There are large numbers of internally displaced people in the city. In all the circumstances, it would not be appropriate to resume widescale enforced returns of rejected asylum seekers at this stage. We will consider the viability of making limited returns to Freetown now that the city is secure, but no one will be returned to Sierra Leone unless it is considered safe to do so.

As and when consideration of applications by asylum seekers from Sierra Leone is resumed, they will be considered in accordance with the standing instructions to caseworkers which point, among other things, to the grant of exceptional leave to remain in cases where there are compassionate or humanitarian reasons which merit not requiring the person to return to their country of origin or habitual residence.

Police (Sick Leave)

Mr. Ben Chapman: To ask the Secretary of State for the Home Department if he will list the rates of sick leave reported in each police force in each of the last three years. [78391]

Mr. Boateng: The information requested is shown in the tables.

Police days lost through sickness

	1995–96	1996–97	1997–98
Avon and Somerset	32,498	35,051	30,326
Bedfordshire	11,209	12,205	15,539
Cambridgeshire	15,730	14,115	14,018
Cheshire	28,867	25,787	28,416
City of London	10,446	10,753	10,326
Cleveland	18,488	18,761	17,709
Cumbria	10,138	10,519	11,870
Derbyshire	21,939	25,271	24,953
Devon and Cornwall	28,722	30,527	30,259
Dorset	14,058	13,219	14,403
Durham	18,154	18,830	17,104
Dyfed-Powys	11,110	11,777	10,585
Essex	25,533	28,399	34,066
Gloucestershire	11,412	12,725	11,934
Greater Manchester	103,602	107,360	106,894
Gwent	10,273	12,804	12,576
Hampshire	27,784	32,241	36,665
Hertfordshire	20,162	23,914	20,462
Humberside	27,267	24,798	24,212
Kent	39,368	36,335	36,564
Lancashire	47,205	37,766	37,419
Leicestershire	26,632	27,389	23,840
Lincolnshire	14,255	16,910	14,465
Merseyside	78,554	80,165	54,011
Metropolitan Police	272,131	396,768	394,568
Norfolk	15,115	13,253	15,053
Northamptonshire	13,953	12,382	14,744
Northumbria	48,771	39,935	43,329
North Wales	16,624	12,075	13,882
North Yorkshire	16,058	14,524	14,925
Nottinghamshire	33,172	29,951	29,529
South Wales	43,932	*	50,147
South Yorkshire	37,862	36,422	38,827
Staffordshire	28,767	32,397	28,868
Suffolk	9,817	10,059	10,581
Surrey	16,994	18,967	21,998
Sussex	40,811	39,302	36,835
Thames Valley	45,425	43,685	45,027

Police days lost through sickness

	1995-96	1996-97	1997-98
Warwickshire	13,179	12,284	13,476
West Mercia	24,883	25,055	23,584
West Midlands	68,861	96,992	89,881
West Yorkshire	54,102	56,388	60,536
Wiltshire	10,468	11,289	10,219
Provincial total	1,187,200	1,172,581	1,200,057
England and Wales total	1,459,331	1,569,349	1,594,625

Notes:

* Figures not available due to changes in data collection methods

Average days lost through sickness per police officer

	1995-96	1996-97	1997-98
Avon and Somerset	11	12	10
Bedfordshire	10	11	14
Cambridgeshire	13	11	11
Cheshire	15	13	14
City of London	12	12	12
Cleveland	13	13	12
Cumbria	9	9	10
Derbyshire	12	14	14
Devon and Cornwall	10	11	10
Dorset	11	10	11
Durham	13	13	12
Dyfed-Powys	11	12	11
Essex	9	10	12
Gloucestershire	10	11	11
Greater Manchester	15	15	15
Gwent	10	10	10
Hampshire	8	9	11
Hertfordshire	12	14	12
Humberside	13	12	12
Kent	13	11	11
Lancashire	15	12	11
Leicestershire	14	14	12
Lincolnshire	12	14	12
Merseyside	17	19	12
Metropolitan Police	10	14	15
Norfolk	11	9	10
Northamptonshire	12	10	12
Northumbria	12	11	13
North Wales	12	9	10
North Yorkshire	12	11	11
Nottinghamshire	14	13	13
South Wales	15	*	17
South Yorkshire	12	12	12
Staffordshire	13	14	13
Suffolk	8	9	9
Surrey	10	11	13
Sussex	13	13	12
Thames Valley	12	12	12
Warwickshire	13	13	14
West Mercia	12	12	12
West Midlands	10	13	12
West Yorkshire	10	11	12
Wiltshire	8	10	9
Provincial total	12	12	12
England and Wales total	12	12	13

Notes:

* Figures not available due to changes in data collection methods

Police (Early Retirement)

Mr. Ben Chapman: To ask the Secretary of State for the Home Department how many police officers took early retirement on health grounds in each police force in each of the last three years. [78387]

Mr. Boateng: The information is set out in the table.

Number of police officers retiring on ill-health grounds, England and Wales

	1995-96	1996-97	1997-98
Avon and Somerset	29	66	66
Bedfordshire	14	15	23
Cambridgeshire	26	20	12
Cheshire	16	19	21
City of London	14	7	6
Cleveland	25	22	8
Cumbria	9	18	20
Derbyshire	49	39	51
Devon & Cornwall	27	21	22
Dorset	9	11	10
Durham	23	23	17
Dyfed-Powys	22	12	11
Essex	31	29	29
Gloucestershire	7	11	9
Greater Manchester	168	207	199
Gwent	19	28	15
Hampshire	31	21	30
Hertfordshire	22	10	17
Humberside	26	19	27
Kent	46	15	18
Lancashire	66	36	27
Leicestershire	45	29	25
Lincolnshire	31	11	28
Merseyside	195	167	80
Metropolitan	430	457	406
Norfolk	15	15	15
North Wales	36	33	11
North Yorkshire	29	39	22
Northamptonshire	10	14	18
Northumbria	123	85	95
Nottinghamshire	41	34	40
South Wales	74	43	69
South Yorkshire	46	33	29
Staffordshire	30	47	66
Suffolk	25	22	20
Surrey	24	24	10
Sussex	61	42	23
Thames Valley	58	55	40
Warwickshire	14	10	18
West Mercia	27	39	27
West Midlands	105	93	97
West Yorkshire	48	57	41
Wiltshire	4	11	9
Provincial Total	1,720	1,552	1,421
England and Wales Total	2,150	2,009	1,827

Mr. Tangney

Mr. Gibb: To ask the Secretary of State for the Home Department, pursuant to his answers of 18 March 1999, *Official Report*, column *721*, and 11 March 1999, *Official Report*, column *332*, on life prisoners, on the basis of what evidence the Parole Board decided that Mr. Tangney fulfilled the conditions that the life sentence prisoner is trustworthy enough not to abscond. [78270]

Mr. George Howarth: The Parole Board recommended that Mr. Tangney be transferred to open conditions on the basis of reports and recommendations from prison and probation staff that Mr. Tangney's attitudes and behaviour had improved to the point where he could be trusted in open conditions. Ministers accepted the Board's recommendation taking account of those reports and recommendations and Mr. Tangney's overall progression in prison, and reduction in risk, since the offence for which his mandatory life sentence was imposed.

Life Prisoners (Transfer)

Mr. Gibb: To ask the Secretary of State for the Home Department what is the minimum period a life sentence prisoner must serve before being considered for transfer to an open prison. [78269]

Mr. George Howarth: The general position is set out in my right hon. Friend's reply to my hon. Friend the Member for Wellingborough (Mr. Stinchcombe) on 9 July 1998, *Official Report*, columns *587–88*. The first Parole Board review of a life sentence prisoner's case occurs 3 years, or in the case of a prisoner who has made good progress through his sentence 3½ years, before expiry of the minimum period required for retribution and deterrence, commonly known as the tariff. The tariff varies considerably from case to case.

Prisoner Correspondence

Mr. Soley: To ask the Secretary of State for the Home Department what regulations govern prisoners writing to addresses registered as Post Office box numbers; and what security considerations apply. [78358]

Mr. George Howarth: Prisoners' correspondence is governed by the Prison Rules, and policy is set out in Prison Standing Order 5 (copies of which are in the Library). Under paragraph 29 of Standing Order 5B, governors have the authority to stop prisoners writing to a Post Office Box. Prisons must be able to identify and check the recipients of prisoners' correspondence, particularly in the case of high risk prisoners and sex offenders.

While this provision will more often apply to individuals using PO Box numbers, it may also be applied to organisations where the governor considers there to be a risk. Some organisations, for example, operate pen-pal schemes for prisoners to make contact with people on the outside. Such schemes may be susceptible to infiltration by sex offenders and paedophiles seeking to network and make contact with vulnerable people. These schemes, therefore, need to be thoroughly vetted. Where the organisations concerned are not able to do this, and the use of a box number precludes prisons from making appropriate checks on the recipients, a governor is within his or her rights to stop prisoners from writing to the organisation.

Detective Superintendent McElroy

Mr. Alan Simpson: To ask the Secretary of State for the Home Department (1) when the Chief Constable of Nottinghamshire expects to make a decision relating to the suspension and investigation of DS McElroy; [78208]

(2) what explanation he has been given for the continued suspension of DS McElroy following the Crown Prosecution Service's decision not to pursue charges; [78212]

(3) what have been the costs of the suspension and investigation of DS McElroy from the Nottinghamshire Constabulary since 10 April 1997; [78206]

(4) if he will refer the case of DS McElroy to the Chief Inspector of Constabulary for a report on *(a)* the cost and conduct of the investigation, *(b)* compliance with regulations, *(c)* the status of the participating witness in the investigation and *(d)* the impact of the investigation on the explosives case which DS McElroy had been working on; [78209]

(5) what reasons the case of DS McElroy was not referred to the Police Complaints Authority under the Police (Complaints) (Mandatory Referrals etc.) Regulations 1985. [78207]

Mr. Boateng: Disciplinary matters relating to individual officers are the responsibility of chief officers of police. I am told that DS McElroy remains suspended while consideration is given to possible disciplinary proceedings, and that following a complaint by a member of the public, Nottinghamshire Constabulary has referred its handling of the case to the Police Complaints Authority for independent investigation.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Biotechnical Industry

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the biotechnical companies which have placed staff *(a)* on secondment and *(b)* on placement within his Department since 1 May 1997. [74840]

Mr. Meacher *[holding answer 5 March 1999]:* Secondments and attachments are part of the Interchange Initiative, which promotes the exchange of people and good practice between the Civil Service and other organisations. All sectors of the economy are involved: Voluntary, Education, Health, Public and Private.

No staff from biotechnical companies have been on either secondment or placement with this Department.

Genetically Modified Crops

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the studies commissioned by his Department into the potential indirect effect on the environment from the growing of genetically modified crops. [74865]

Mr. Meacher *[holding answer 5 March 1999]:* My Department is in the process of commissioning ecological studies of the diversity and abundance of plants and invertebrates associated with the management of certain genetically modified herbicide tolerant crops compared with equivalent non genetically modified crops to test whether there are any significant differences over a four year period.

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions how many release consents for genetically modified crops trials there have been in each year since 1990. [75110]

Mr. Meacher *[holding answer 8 March 1999]:* Since the current Regulations came into force in February 1993, 154 consents have been issued. The break down per year is as follows:

Year	*Applications approved*
1993	15
1994	24
1995	40
1996	28
1997	25
1998	22

India (Ministerial Visit)

Mr. Hawkins: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to report his assessment of the environmental damage to coral reefs following his recent visit to India and the Maldives. [75543]

Mr. Prescott *[holding answer 9 March 1999]:* During my visit to the Maldives, I was able to see for myself some of the damage to the coral reefs there, particularly the evidence of the coral bleaching event recorded during April to June last year. This was the worst ever recorded in the Maldives and affected some 95 per cent. of the reefs. On one of the sites that I was shown, over 35 per cent. of the corals were bleached and approximately 40 per cent. were dead.

I was also shown a reef that had been mined for use in the construction of the airport 30 years ago (traditionally in the Maldives, coral has been used as a building material). The extraction of coral had removed the upper 0.5m of reef framework, leaving a bare, flat surface of broken rubble and unconsolidated sediment and had resulted in a loss of live coral cover and associated reef fish. The area covered by live corals was less than 3 per cent. compared with 35 per cent. on nearby unmined reefs.

A BBC crew joined me on these dives and recorded much of what I was shown. The resulting film report was transmitted on BBC News programmes around the world, confirming the point that I had set out to make; that there are clear links between climate change, oceans and land-based sources of pollution.

I intend to continue to highlight this issue and to press for improvement in international co-ordination on oceans matters when I attend the Commission on Sustainable Development in New York next month.

While I was in the Maldives, I was also able to announce continuing UK support for the South Asia region of the Global Coral Reef Monitoring Network. This will evaluate the sustainability of coral reefs; raise community level awareness of coral reef status and resource management issues; and establish regional capability to collect critical monitoring data on coral reefs, coral reefs resource-use and related livelihoods. Coral reef monitoring programmes at key sites will develop a national coral reef database in each country. The programme will provide a foundation for maximising sustainable benefits from coral reef resources for coastal communities, thereby improving livelihoods in coral reef areas in South Asia.

Packaging Waste

Mr. Bill O'Brien: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of whether the UK will achieve the targets set under the EU Directive on Packaging Waste; and if he will make a statement. [76983]

Mr. Meacher: As I said in my answer to my hon. Friend on 15 March 1999, *Official Report,* columns *466–67*, the recovery rate for packaging waste is expected to have reached approximately 32 per cent. in 1998 and the interim business targets are designed to enable the UK to achieve the mandatory EC Directive recovery and recycling targets in 2001. Industry itself has reported that there was an oversupply of reprocessing capacity in 1998 compared with the targets that had to be met and this was damaging the market. The increase in the interim business recovery and recycling targets should therefore generate the necessary momentum to enable sufficient activity to be carried out to achieve the 2001 targets. A further consideration was the need for sufficient resources to be directed at generating the necessary collection and reprocessing capacity that will be needed to meet the targets in 2001. With this additional infrastructure in place the UK should be able to meet the mandatory Directive targets.

Mr. Bill O'Brien: To ask the Secretary of State for the Environment, Transport and the Regions if he will take steps to provide clarification of the definition of imported materials under the packaging waste regulations. [76984]

Mr. Meacher: Guidance on the definition of imported packaging and packaging materials was provided in chapter five of the "Users Guide", issued by my Department in March 1997, a copy of which is in the Library. This continues to reflect the Department's opinion.

Genetically Modified Organisms

Mr. Matthew Taylor: To ask the Secretary of State for the Environment, Transport and the Regions on what dates his Department has received representations from the United States Government on genetically modified organisms since 1 May 1997; in what form each representation was made; and from which United States department each originated. [77116]

Mr. Meacher: I would refer the hon. Member to the answer I gave to my hon. Friend the Member for Wellingborough (Mr. Stinchcombe) on 1 March 1999, *Official Report*, column *509*. The visit was from a representative of the State Department and took place 25 January 1999.

Global Warming

Mr. Dalyell: To ask the Secretary of State for the Environment, Transport and the Regions what evidence he obtained about global warming during his visit to the Maldives; and what conclusions he has drawn from it. [75691]

Mr. Prescott *[holding answer 18 March 1999]:* Small island states are especially vulnerable to global warming and its associated effects. During my visit to the Maldives, I heard from the Government and local marine scientists about the effects of global warming, rising sea

temperatures and pollution on some of the coral reefs there, and the particular threat that is posed by these phenomena to island states like the Maldives.

I was also able to see some of the damage to the reefs for myself, particularly the evidence of coral bleaching event recorded during April to June last year, the result of high sea-surface temperature caused by El Niño. This was the worst ever recorded in the Maldives and affected some 95 per cent. of the reefs. On one of the sites that I was shown, over 35 per cent. of the corals were bleached and approximately 40 per cent. were dead.

There are clear links between climate change, oceans and land-based sources of pollution—everyone has a part to play in helping to solve the problem. In addition to the ongoing efforts to tackle climate change, I intend to continue to highlight this issue and to press for improved international co-ordination on oceans matters when I attend the Commission on Sustainable Development meeting in New York next month.

Asbestos

Mr. Pike: To ask the Secretary of State for the Environment, Transport and the Regions what is the purpose of the medical examination required by Regulation 16(2) of the Control of Asbestos at Work Regulations 1987 as amended by the Control of Asbestos at Work (Amendment) Regulations 1998. [77876]

Mr. Meale: Doctors carry out medical examinations under Regulation 16(2) to advise workers on their general fitness for work with asbestos (including their fitness to work wearing respiratory protective equipment), to provide them with information about their current state of respiratory health, to alert workers to early signs of disease, and to warn them about the increased risk of lung cancer for those who smoke and work with asbestos.

Mr. Pike: To ask the Secretary of State for the Environment, Transport and the Regions what controls will be applied to contractors licensed only to remove asbestos insulation board to prevent them from undertaking any other type of asbestos stripping work. [77877]

Mr. Meale: Contractors are required to give 14 days advance notice of work with asbestos as a condition of their licence. In 1999–2000, the Health and Safety Executive's Field Operations Directorate plan to visit at least 800 notified jobs and also to visit 40 local authorities to deal with risks from asbestos to building and maintenance workers in their properties.

In addition, in 1999–2000 the Directorate has planned for 80,000 preventive inspections in addition to complaint and accident investigations. Inspectors are aware of the importance of asbestos and will be alert to illegal work during such visits.

Mr. Pike: To ask the Secretary of State for the Environment, Transport and the Regions if the Health and Safety Executive plans to license contractors who remove only asbestos insulation board under the Asbestos (Licensing) Regulations 1993, as amended by the Asbestos (Licensing) (Amendment) Regulations 1998. [77874]

Mr. Meale: Yes. From 1 August 1999, the regulations will apply to licensed contractors who only work with asbestos insulation board in the same way as they do to those working with asbestos coating and insulation.

Mr. Pike: To ask the Secretary of State for the Environment, Transport and the Regions if the medical examination certificates issued to workers exposed to asbestos under the amended Control of Asbestos at Work Regulations 1987 are intended to fulfil the requirements of asbestos laws in all European Union member states. [77875]

Mr. Meale: No. The intention behind the amendment to the Control of Asbestos at Work Regulations to issue a medical certificate to both the employer and employee is to prevent the forgery of medical certificates. The UK's requirements for medical surveillance are stricter than the minimum standards laid down by the EU Directive on the protection of workers from the risks related to asbestos at work.

Mr. Pike: To ask the Secretary of State for the Environment, Transport and the Regions when he plans to ban the import, marketing and use of Chrysotile asbestos. [77878]

Mr. Meale: The Government are firmly committed to further restrictions on the importation, supply and use of white asbestos. The Health and Safety Commission has already consulted on proposals to amend the (Asbestos Prohibitions) Regulations and I look forward to receiving its recommendations, taking account of European Developments, in June.

ENTRUST

Mr. Matthew Taylor: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 2 December 1998, *Official Report*, columns *180–81*, on ENTRUST, if he will list the 33 projects for the remediation of contaminated land and the sort of remediation undertaken. [77645]

Mr. Meale: According to ENTRUST, the 33 projects are listed in the table.

Organisation	*Remediation type*	*Brief description*
1 Action Environment	Decontamination	Reclamation of contaminated land at Plean Country Park (public amenity)
2 Action for Chitterne's Environment	Rubbish removal	Clearing roadside banks (in cutting) of fly-tipped litter and debris at Winterbourne (public amenity)
3 Argyll and Bute Trust	Rubbish removal	Beach cleaning by volunteer bodies, including general flotsam and tanker crude oil residues (public amenity)
4 Beach Watch Bute	Rubbish removal	Beach cleaning, including removal of crude oil residues (public amenity)

Organisation	Remediation type	Brief description
5 Bluebell Railway Trust	Rubbish removal	Reclamation of fly-tipped domestic refuse-filled railway cutting for preserved steam railway (public amenity)
6 Cheshire Environmental Services	Dereliction removal	Reclamation of derelict and contaminated land, formerly a paint works, in Chester (residential)
7 Cheshire Environmental Services	Decontamination	Reclamation of former gasworks site at Bollington, Cheshire (commercial)
8 Cheshire Environmental Services	Decontamination	Removal of heavy-metal contaminated soil at Northwich Victoria football ground (public amenity)
9 Cheshire Environmental Services	Decontamination	Reclamation of contaminated land at former gasworks, Bollington, Cheshire
10 Earth Centre	Decontamination	Removal of heavy metal contamination/dereliction of former collieries (public amenity)
11 Enventure	Dereliction removal	Regeneration of derelict land for Greatwood and Horseclose Millennium Green (public amenity)
12 Greenbank Trust	Restoration	Reclamation of disused quarry for public amenity use (public amenity)
13 Groundwork Blackburn	Dereliction removal	E. Darwen landscape renewal project: reclamation and enhancement of derelict area (public amenity)
14 Groundwork Dearne Valley	Dereliction removal	Site investigation for reclamation of derelict former steel mill (public amenity)
15 Groundwork Erewash Valley	Decontamination	Removal and storage of contaminated waste at former steelworks (public amenity)
16 Groundwork Medway Swale	Decontamination	Remediation of contamination and dereliction at abandoned wharf (public amenity)
17 Levenseat Trust	Dereliction removal	Removal of dereliction at Furth Wanderers football ground and improve landscape (public amenity)
18 Loch Awe Improvement Association	Rubbish removal	'Clean Sweep': removal of litter, shore improvement and provision of litter bins (public amenity)
19 Marybank Partnership (Comharradh Criche)	Dereliction removal	Removal of contamination and dereliction for Western Isles business park (commercial/public amenity)
20 Northern Environmental Projects	Decontamination	Decontamination of land at Ellesmere Old Forge (public amenity)
21 Northern Environmental Projects	Decontamination	Reclamation and decontamination of former colliery at Gresford, near Wrexham (public amenity)
22 Public Arts	Dereliction removal	Derelict land reclamation and construction of amenity featuring sculpture (public amenity)
23 Score Environment	Dereliction removal	Reclamation of derelict quarry for agricultural use
24 Scottish Conservation Projects Trust	Decontamination	Irvine Beach park: management plan to reduce/remove pollutants (public amenity)
25 S. W. England Environment Trust	Decontamination	Remediation of contaminated land at Isle of Wight Housing Association site (residential)
26 S. Yorkshire Forest Environment Trust	Decontamination	Lower Don and South Sheffield Valleys: creation of woodland on contaminated former steel industry site (public amenity)
27 Todmorden Moor Restoration Trust	Dereliction removal	Sharneyford Top: derelict land reclamation, rubbish removal to renew landscape (public amenity)
28 Urban Mines	Survey	National Brownfield sites Development Unit: surveying derelict/contaminated sites
29 Webfell Environmental Body	Decontamination	Reclamation and decontamination of former landfill site (public amenity)
30 Wildlife Trust (Cheshire)	Decontamination	Owley Community Woods reedbed extension: water cleaning to preserve habitat (public amenity)
31 Wildlife Trust (Notts)	Dereliction removal	Reclamation of dereliction and other improvements at Daneshil NR (public amenity)
32 Groundwork Wigan and Chorley	Dereliction removal	Chanters Valley, Atherton: reclamation of 1.4 ha derelict land (public amenity)
33 Wildlife Trust (Yorkshire)	Decontamination	Potteric Carr reedbed: improvement of bio-filtration/water quality to reduce pollution (public amenity)

Landfill Levy

Dr. Whitehead: To ask the Secretary of State for the Environment, Transport and the Regions what proportion of the net yield of the landfill levy was from local authority payments in each year since it was introduced. [77675]

Mr. Meale: The net yield of the landfill tax was £360 million in 1997–98, the first full year following the introduction of the tax in October 1996. Initial data on waste arisings from the Municipal Waste Survey for England and Wales for 1997–98 will not be available until later this year. In addition, the landfill tax is payable to Customs and Excise by landfill operators on a registered person basis rather than a site specific basis. This makes it difficult to accurately calculate the proportion of landfill tax revenues effectively paid by local authorities.

Dr. Whitehead: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the additional financial contribution which will be made by local authorities for each of the years to which the Government have committed itself to escalate the landfill levy by £1 per annum. [77676]

Mr. Meale: The Municipal Waste Survey for England and Wales for 1995–96 and 1996–97 shows that municipal waste arisings were approximately 26 million tonnes per year, of which approximately 22 million tonnes was disposed of to landfill. Until sufficiently reliable data are available for several years, it is not possible to be confident about the trend. This makes it difficult accurately to predict the future cost to local authorities of the announced increases in the landfill tax.

If one assumes that: the majority of the waste will be active, and so taxed at the standard rate of £7 per tonne; and that site operators will pass the tax on in full to their customers; and that the level of waste being disposed of to landfill is broadly in line with figures for 1996–97, the additional financial contribution from local authorities in England and Wales for each incremental increase of £1 would be approximately £22 million. We would, however, expect the tax increases to start to have an effect on the amount of municipal waste sent to landfill, even though there is little evidence so far that the tax has led to a significant change in behaviour. A delayed impact in this area is in line with our expectations.

Fly-tipping

Dr. Whitehead: To ask the Secretary of State for the Environment, Transport and the Regions what statistics his Department collates of the level of *(a)* commercial fly-tipping and *(b)* domestic fly-tipping. [77672]

Mr. Meale: My Department does not collate statistics on the fly-tipping of either commercial or domestic waste. However, the Tidy Britain Group has carried out a study into fly-tipping. The study comprised three surveys and one of its main aims was to establish the types, quantities and locations of fly-tipped waste. The third survey was carried out in partnership with the Environment Agency and was published last month. It suggests a modest increase in fly-tipping over the period from 1994–95, but less than was originally feared following the introduction of the landfill tax.

Offshore Industry (Safety)

Mr. Hepburn: To ask the Secretary of State for the Environment, Transport and the Regions what steps he is taking to encourage the offshore industry work force to become involved in safety matters. [77940]

Mr. Meale: The promotion of work force involvement is one of the Health and Safety Commission's/Executive's key priorities. As elsewhere, the involvement of the workforce offshore is critical in maintaining and improving safety standards.

The Offshore Installations (Safety Representatives and Safety Committees) Regulations 1989 specify the powers and functions of work force safety representatives, and set out requirements for their election. Installation managers are required to consult safety representatives, to provide them with information and to ensure that they receive adequate training.

HSE's offshore inspectors routinely meet safety representatives when they visit installations and encourage their involvement in safety matters.

Employers and employees are represented on the Health and Safety Commission Oil Industry Advisory Committee. The Committee has produced an award-winning booklet on work force involvement in health and safety, entitled "Play Your Part". This draws on examples of good practice from across the offshore industry. The Committee has also set up a working group to consider the offshore health and safety agenda for the next ten years. One of the issues which it will discuss is the promotion of greater work force involvement.

Mr. Hepburn: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the implementation by offshore operators of the recommendations of the Cullen Inquiry into the Piper Alpha disaster. [77941]

Mr. Meale: On the recommendation of Lord Cullen, responsibility for offshore health, safety and welfare regulation was transferred in 1991 from the former Department of Energy to the Health and Safety Commission (HSC) and the Health and Safety Executive (HSE). The HSC carried out a fundamental review of arrangements in the light of the 106 recommendations made by Lord Cullen. Action on most of these fell to the regulator and all were implemented in full.

Mr. Hepburn: To ask the Secretary of State for the Environment, Transport and the Regions how many *(a)* deaths at work and *(b)* serious injuries were recorded for the United Kingdom oil and gas extraction industry in each of the years 1978 to date, excluding the deaths as a result of the Piper Alpha disaster. [77978]

Mr. Meale: Figures for the United Kingdom are not readily available. Figures for the oil and gas extraction industry before 1986–87 are not available. The figures for the industry in Great Britain from 1986–87 are shown in the table.

Fatal and major/serious injuries in the oil and gas extraction industry in Great Britain—as reported to all enforcing authorities

Year	*Fatal*	*Major*	*Total*
1986–87[1]	4	92	96
1987–88	9	75	84
1988–89[2]	5	64	69
1989–90	2	75	77
1990–91	12	95	107
1991–92[3]	13	88	101
1992–93	5	82	87
1993–94	1	58	59
1994–95	1	42	43
1995–96	5	45	50
1996–97[4]	2	29	31
1997–98[6]	3	41	44

[1] Injuries reported between 1986–87 and 1995–96 were reported under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 1985 (for onshore injuries) and separate legislation for offshore injuries.

[2] Excludes 167 Piper Alpha fatalities.

[3] Includes Cormorant Alpha helicopter accident.

[4] Injuries reported from 1996–97 were reported under RIDDOR 1995. Data for 1996–97 are not comparable with previous years due to the introduction of RIDDOR 1995.

[5] Based on information collated in 1998 and published in the Health and Safety Commission's Annual Report for 1997–98, and its 'Health and Safety Statistics 1997–98'. Subsequent information indicates that the reported figure may be 49 and the total 51.

[6] Provisional.

Fuel Duty Increases

Mr. Loughton: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the additional cost to public transport providers in the United Kingdom from the increases in fuel duty in the Budget. [77909]

Ms Glenda Jackson *[holding answer 22 March 1999]:* Public transport provision in the United Kingdom should not be significantly affected as my Department announced following the Budget that the level of fuel duty rebate payable to operators of local bus services would be immediately raised in line with the increase in fuel duty. This equates to a value of around £50 million per annum. The small increase in gas oil duty should only have minimal impact on train operating costs.

Worthing Bypass

Mr. Loughton: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement regarding the prospects for a Worthing bypass; and what new studies have been carried out by his Department on the A27 between Worthing and Lancing. [77911]

Ms Glenda Jackson *[holding answer 22 March 1999]:* Following the Roads Review we announced our proposal, subject to consultation with the regional planning conference, to carry out a study to consider the problems of congestion on the A27 between Worthing and Lancing.

The South East Regional Planning Conference (SERPLAN) has agreed with the Government Office for the South East (GO-SE) proposal that the A27 Worthing to Lancing study should build on existing work to produce recommendations in advance of the completion of the Southampton to Folkestone study. GO-SE will now be undertaking further discussions with SERPLAN and with the most directly affected local authorities, with a view to drawing up terms of reference and a plan for further work. The study will adopt a multi-modal approach and will consider all options for addressing the identified transport problems in the context of the whole corridor.

The Highways Agency has already undertaken a study into options for improving pedestrian facilities on the A27 through Worthing and Lancing. The study identified eight locations where work on refuges could be carried out to benefit pedestrians, and this work has already started.

In addition, the Highways Agency intends to install at least one signal-controlled crossing at one of these locations, following Worthing Borough Council's investigations into possible cycle routes in the area; and in early April work will take place to upgrade the existing crossing at Boundstone College in Lancing, where new guard rails will be provided to give improved visibility for drivers.

Building Act 1984

Mr. Spring: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to amend section 113 of the Building Act 1984. [78307]

Mr. Raynsford: I have no plans to amend section 113 of the Building Act 1984.

Mr. Spring: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received regarding section 113 of the Building Act 1984 in the last two years. [78308]

Mr. Raynsford: There has been correspondence with one of the hon. Member's constituents about the procedures for prosecutions under section 57 of the Building Act, which are subject to section 113 of that Act.

Green Ministers

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what matters were discussed, what conclusions were reached and which Departments were represented by officials at the meeting of Green Ministers on 22 March; and if he will make a statement. [76519]

Mr. Meacher *[holding answer 23 March 1999]:* The Green Ministers Committee met on 22 March. This is the first of three meetings planned for 1999.

The Chancellor of the Exchequer and the Deputy Prime Minister attended the Committee's meeting and we were able to have a very positive discussion of environmental tax reforms in the light of the measures announced in the Budget on 9 March 1999, *Official Report*, columns 173–90. The meeting also heard that the Government would shortly be able to take another important step forward on sustainable development when the sustainable development strategy for the UK is published shortly.

The Green Ministers Committee also considered and agreed next steps on a number of other important issues. In particular, it agreed:

on the format and outline for its first published report due to be issued in the summer. The report will cover progress in promoting sustainable development across Government; developments in the use of environmental appraisals as part of the policy making process; and, the further progress made across departments to green their operations.

to report to the Cabinet Committee on the Environment on how sustainable development is being reflected in the aims and objectives of departments and their associate bodies. This will also be covered in the published report in the summer.

that an early dialogue should be initiated with the new devolved administrations when they are all up and running to agree on the most effective and appropriate mechanisms for links between the Committee and those administrations.

that departments should take forward work on developing new energy efficiency targets for the public sector to replace the one set for March 2000. The Committee will consider this further later in the year.

15 of the 18 departments were represented by Ministers. The Department of Social Security and the Home Office were represented by officials and the Scottish Office was not represented.

The next meeting of Green Ministers will be held on Tuesday 6 July 1999.

British Railways Board

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions if he will place in the Library a copy of *(a)* the job description, *(b)* the contract, *(c)* the terms of reference and *(d)* the letter of appointment of the new Chairman of the British Railways Board. [78344]

Dr. Reid: My right hon. Friend the Secretary of State is already required by statute to lay before each House a statement of the salary, any allowances, and any pension arrangements of British Railways Board Members, as soon as possible after they are first appointed. In the case of the new Chairman, he will at the same time place copies of the job description, contract and letter of appointment in the Library of each House. The Chairman's terms of reference will be reflected in new formal objectives for the British Railways Board, to be published in due course.

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what functions the Chairman of the British Railways Board will have between 1 April and the establishment through legislation of a Strategic Rail Authority other than those functions which presently are performed by the Chairman of the British Railways Board; what budget will be available to him; and if he will make a statement. [78261]

Dr. Reid: The Chairman will lead the shadow Strategic Rail Authority (SRA), working with the new Franchising Director to develop a shadow SRA capability. He will advise Ministers on the strategic development of the railway network within our integrated transport policy, including advice on galvanising investment and on franchising issues. The Government have set a budget of £93 million for the British Railways Board in 1999–2000.

Rail Services

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the financial *(a)* incentives and *(b)* disincentives to (i) local authorities and (ii) Railtrack in respect of (1) the reopening of disused lines and stations and (2) the creation of new lines and stations. [78265]

Dr. Reid: None. The Rail Regulator has started a comprehensive reappraisal of the level and structure of access charges. He has made it clear that he wants to use his review to promote investment and growth in rail services, and to improve the performance of the railway network. We have endorsed those objectives. We expect the Rail Regulator to put in place a charging structure which imposes incentives on those in the industry to invest properly in the network.

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what was the average cost charged by *(a)* British Rail and *(b)* Railtrack for (i) station reopenings and (ii) reopening track for passenger use expressed on a cost, per mile, for each year from 1980 to date. [78264]

Dr. Reid: This information is not readily available in the form requested.

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what is his policy on the substitution of rail services by bus services; and if he will make a statement. [78260]

Dr. Reid: The Objectives, Instructions and Guidance which we issued to the Franchising Director in November 1997 require him to secure that minimum service levels remain at least broadly comparable to those specified in the current Passenger Service Requirements. Discontinuation of rail services could occur only after comprehensive closure procedures have been exhausted. These powers have been used very rarely and we do not expect that to change.

Rail Passengers

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what recent research he has *(a)* commissioned and *(b)* evaluated into the relationship between the level of rail fares and passenger numbers. [78267]

Ms Glenda Jackson: No research has been either commissioned or evaluated in this area.

A63

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what is his policy in respect of the implementation of the Highways Agency scheme for the A63 Melton junction improvement. [78256]

Ms Glenda Jackson: I have asked the Chief Executive of the Highways Agency, Mr. Lawrie Haynes, to write to the hon. Member.

Letter from Lawrie Haynes to Mr. Norman Baker, dated 24 March 1999:

I have been asked by the Transport Minister, Glenda Jackson, to answer your recent Parliamentary Question about the A63 Melton junction improvement.

The Report which Ministers published in July following the Roads Review, "A New Deal for Trunk Roads in England", said that preparation work would continue on the scheme so that if, after full appraisal and statutory procedures, it were eventually endorsed, it could be taken forward without delay. Ministers announced last December that the next step would be to publish the draft Orders for the scheme in the financial year 2000/01.

Passenger Service Requirement Franchises

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the implications for service levels in excess of PSR franchise requirements of the annual decline in subsidy levels contained in those franchise agreements. [78259]

Dr. Reid: The Secretary of State has made no such assessment.

Rail Franchises

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the generic quality improvements he plans to require to be introduced to existing rail franchises when the opportunity for renegotiation of franchises occurs. [78262]

Dr. Reid: At the National Rail Summit last month, we announced that all requests for franchise renegotiations will be judged against the following six criteria: the train operator's current performance; proposed accelerated or new investment; a willingness to commit to a more demanding enforcement regime and higher quality standards; a willingness to give passengers a greater say in the level and standard of services; and value for the taxpayer.

Squire Regime

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to extend the Squire regime to franchises outside PTA areas; and if he will make a statement. [78263]

Ms Glenda Jackson: There are currently no plans to extend the Squire regime to franchises outside PTA areas.

Strategic Rail Authority

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what *(a)* powers and *(b)* responsibilities he plans to give to the Strategic Rail Authority in respect of the creation of new rail links and stations. [78266]

Dr. Reid: Subject to Parliamentary approval of the necessary legislation, the Strategic Rail Authority (SRA) will have broad powers to make payments, through grants or by contractual agreements, to achieve its objectives, including the creation of new rail links and stations. It will be able to support or oppose planning applications and orders.

The duties of the SRA will include the preparation of a strategic plan for the development of the railway, including improvements to the network. The SRA will work with other national, regional, and local organisations to promote rail within our integrated transport policy.

Greater London Authority

Mr. Burstow: To ask the Secretary of State for the Environment, Transport and the Regions if he will list those organisations referred to in the White Paper, "A Mayor and Assembly for London" (Cm 3897), for which it was planned to transfer responsibility to the Greater London Authority but for which provision has not been made in the Greater London Authority Bill; and if he will make a statement. [78479]

Mr. Raynsford: The organisations referred to in the White Paper for which it was planned to transfer responsibility to the Greater London Authority but for which provision has not been made in the Greater London Authority Bill are listed as follows:

Centre for Young Musicians

Croydon Tramlink

Docklands Light Railway

London Heritage Forum

London Pension Fund Authority

Woolwich Ferry.

I last week tabled amendments to Part X of the Bill, providing for the establishment of a Cultural Strategy Group for London to replace the London Heritage Forum. We intend to bring forward amendments at a later stage to provide for the GLA taking on responsibility for the LPFA. It is our intention that responsibility for the Docklands Light Railway, Croydon Tramlink and the Woolwich Ferry should transfer to Transport for London, and are considering whether specific provisions are needed in the Bill to provide for this.

In addition, the White Paper raised the question of future responsibility for some London museums currently directly funded by the Department for Culture, Media and Sport and some of the historic properties now managed by English Heritage that were previously the responsibility of the GLC. The White Paper also considered future arrangements for the Theatre Museum and the Museum of Childhood. Following the conclusion of his departmental CSR, the Secretary of State for Culture, Media and Sport has concluded that there should be no change at the present time to the funding arrangements for these bodies, but that the GLA's role in funding the museums should be reviewed in due course. I last week tabled amendments to enable the GLA to provide funding to cultural institutions, including museums, galleries and libraries.

I am discussing the future funding of the CYM—and possible arrangements for the transfer of that funding to the GLA—with my colleagues at the Department for Education and Employment and we will make an announcement as soon as possible. Specific provision is not required in the GLA Bill to achieve any transfer.

Millennium Compliance

Mr. Chope: To ask the Secretary of State for the Environment, Transport and the Regions for what reason no external assessment has been made of the plans of *(a)* his Department, *(b)* the DVLA and *(c)* the Highways Agency for millennium compliance; and if he will make a statement. [78463]

Mr. Meale: External consultants are employed by the Department of the Environment, Transport and the Regions to assist in assessing its overall programme for millennium compliance, and by the Highways Agency to assist in assessing its millennium plans. The plans of the Driver and Vehicle Licencing Agency for millennium compliance are being assessed by a team of experienced computer Internal Auditors who are independent of the Agency's millennium projects.

RJB Mining

Mr. Dalyell: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his letter to the hon. Member for Linlithgow of 1 March, ME/PSO/2030/99, if he will make a statement on his discussion with RJB Mining on methane emissions from coal mines. [76678]

Mr. Meale: RJB Mining are continuing to investigate the proposed Canadian methodology for reducing methane emissions from coal mining and they are in contact with the relevant research bodies in Canada. The Government will continue to monitor progress with these discussions.

Channel Tunnel Shuttle Service

Mr. Jenkins: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received on the restriction applied to gas-powered motor vehicles being transported on the Channel Tunnel Shuttle Service; and if he will make a statement. [78342]

Dr. Reid: There have been two recent questions on this subject from the hon. Member for Daventry (Mr. Boswell) on 16 November 1998, *Official Report*, column *341*, and the hon. Member for Christchurch (Mr. Chope) on 26 January 1999, *Official Report*, columns *154–55*. There has also been one recent letter to my Department from a member of the public. In addition, the Channel Tunnel Safety Authority has dealt with one recent inquiry.

Eurotunnel will need to obtain safety approval from the bi-national Intergovernmental Commission (acting on the advice of the Channel Tunnel Safety Authority) before they can convey gas—and dual-fuelled vehicles. Subject to this safety approval being granted, the Government would welcome the opening of Shuttle services to these vehicles.

Houses (Multiple Occupation)

Ms Blears: To ask the Secretary of State for the Environment, Transport and the Regions when the Government will publish its proposals for licensing of houses in multiple occupation for England and Wales. [78857]

Ms Armstrong: I will publish tomorrow, on 25 March, a consultation paper setting out the Government's proposals for licensing Houses in Multiple Occupation (HMOs) in England. The Under-Secretary of State for Wales, my hon. Friend the Member for Cardiff, Central (Mr. Jones), will be publishing a similar paper for Wales.

HMOs can be home to some of the most vulnerable in our society, but are often squalid, poorly maintained and potential deathtraps. Our licensing proposals will raise standards and improve safety in HMOs, but without reducing the supply of rented accommodation.

Copies of the consultation papers will be placed in the Library of the House and will be available from the Vote Office.

TREASURY

Vehicle Excise Duty

Dr. Marek: To ask the Chancellor of the Exchequer what environmental factors he considered in determining the capacity of engines of cars below which a reduced rate of vehicle excise duty is to be charged. [78370]

Ms Hewitt *[holding answer 23 March 1999]:* A consultation paper setting out the options for reforming vehicle excise duty (VED), including a reduction in VED for the smallest, cleanest cars, was published on 3 November. The formal consultation period ended on 31 January. The Government considered carefully all representations received in determining the conditions for eligibility to the reduced rate of vehicle excise duty.

Mr. Whittingdale: To ask the Chancellor of the Exchequer how many cars will attract the reduced rate of vehicle excise duty for cars with engines up to 1100 cc. [78010]

Ms Hewitt: As of September 1998, it is estimated that over 1.8 million cars will be eligible for the reduced rate of vehicle excise duty for cars of 1100cc or less.

Stamp Duty

Mr. Gibb: To ask the Chancellor of the Exchequer if he will estimate the revenue arising from stamp duty, broken down by each rate, and the proportions raised from *(a)* transactions in residential property and *(b)* commercial transactions for (i) 1996–97, (ii) 1997–98, (iii) 1998–99 and (iv) 1999–2000. [77189]

Ms Hewitt *[holding answer 17 March 1999]:* The estimates are as follows.

	Net receipts [1] (£ million)	
	£60,000	*Proportion of total (%) [2]*
1996–97		
Rate of stamp duty	1%	—
Residential transactions	675	65
Commercial property and land transactions	385	35
Total	1,060	100

	Net receipts [1] (£ million)				
	Price band (£000) 60–250 [3]	*Price band (£000) 250–500*	*Price band (£000) over 500*	*Price band (£000) Total*	*Proportion of total (%) [2]*
1997–98					
Rate of stamp duty	1%	1.5%	2.0%	—	—
Residential transactions	695	100	80	875	60
Commercial property and land transactions	125	40	455	620	40
Total	820	140	535	1,495	100
1998–99 (provisional)					
Rate of stamp duty [4]	1%	2.0%	3.0%	—	—
Residential transactions	700	245	215	1,160	55
Commercial property and land transactions	40	65	825	930	45
Total	740	310	1,040	2,090	100

	Net receipts [1] (£ million)				
	Price band (£000) 60–250 [1]	*Price band (£000) 250–500*	*Price band (£000) over 500*	*Price band (£000) Total*	*Proportion of total (%)* [2]
1999–200 (projected)					
Rate of stamp duty[4]	1%	2.5%	3.5%	—	—
Residential transactions	720	310	270	1,300	50
Commercial property and land transactions	40	90	1,170	1,300	50
Total	760	400	1,440	2,600	100

[1] Net receipts rounded to nearest £5 million
[2] Proportions rounded to nearest 5 per cent.
[3] In 1997–98 the 1 per cent. rate applied to transfers of all properties over £60,000 before 8 July
[4] Because of time lags, receipts in the first few weeks of the year would relate to transfers charged at the rates which applied in the previous year

Married Couple's Allowance

Mr. Maclean: To ask the Chancellor of the Exchequer how many couples currently in receipt of the married couple's allowance *(a)* have no children, *(b)* have children all over the age of 16 and *(c)* have children all over the age of 18 years. [76452]

Dawn Primarolo *[holding answer 15 March 1999]:* About 6.4 million married couples who benefit from the married couple's allowance have no children eligible for child benefit. Another 0.3 million married couples have children eligible for child benefit but who are all over 16. These estimates are based on the Family Expenditure Survey.

Income Tax (Pensioners)

Mr. Webb: To ask the Chancellor of the Exchequer if he will estimate *(a)* the number of pensioners who, as a result of the 1999 Budget, will pay income tax at a marginal rate of 10 per cent. and *(b)* how many of these pensioners have savings income taxable at the 20 per cent. rate; and if he will make a statement on the arrangements for reclaiming overpaid tax in such circumstances. [77003]

Dawn Primarolo *[holding answer 16 March 1999]:* It is estimated that some 450,000 women aged 60 and over and men aged 65 and over will have a marginal rate of 10 per cent., and of these around 380,000 have savings taxable at 20 per cent.

Mr. Gibb: To ask the Chancellor of the Exchequer if he will estimate how many pensioners with a marginal rate of income tax of 10 per cent. after 5 April 1999 will have income from savings. [77162]

Dawn Primarolo: It is estimated that some 450,000 men aged 65 or over and women aged 60 or over will have a marginal rate of 10 per cent. Most of these taxpayers are likely to have some savings income, although by no means all of it may be taxable.

Mr. Gibb: To ask the Chancellor of the Exchequer if he will estimate how many pensioners have a marginal rate of income tax of *(a)* nil, *(b)* 20 per cent., *(c)* 23 per cent. and *(d)* 40 per cent. in 1998–99. [77163]

Dawn Primarolo: The numbers of women aged 60 or over and men aged 65 or over in 1998–99 with different marginal rates of income tax are shown in the table.

Marginal rate (percentage)	*Number (Thousand)*
0	6,800
20	2,350
23	1,400
40	150

Mr. Gibb: To ask the Chancellor of the Exchequer if he will estimate how many pensioners will have a marginal rate of income tax of *(a)* nil, *(b)* 10 per cent., *(c)* 23 per cent. and *(d)* 40 per cent. in 1999–2000. [77164]

Dawn Primarolo: The estimated number of women aged 60 or over and men aged 65 or over in 1999–2000 with different marginal rates of income tax are shown in the table.

Marginal rate percentage	*Number (Thousand)*
0	7,000
10	450
23	2,350
40	150

Mr. Burstow: To ask the Chancellor of the Exchequer if he will make it his policy to make the savings income of people of pensionable age subject to the 10p tax rate announced in the Budget. [77893]

Dawn Primarolo *[holding answer 22 March 1999]:* The Chancellor announced that the 10p starting rate of income tax is being introduced to improve work incentives and to help make work pay. The 10p rate will be available to pensioners who pay tax on their earnings or pensions. The Budget has taken 200,000 pensioners out of tax. As a result, around two-thirds of pensioners will not pay tax.

Savings income is already taxed favourably. Most savers will continue to enjoy the benefit of the lower rate at 20p on their savings rather than the basic rate at 23p (22p from April 2000). And our introduction of Individual Savings Accounts in April this year means all savers—including pensioners—can invest substantial amounts tax-free each year.

Tourism Industry

Mr. Hoyle: To ask the Chancellor of the Exchequer (1) what assessment he has made of the advantages and disadvantages of reducing VAT on hotel room charges; [77479]

(2) what plans he has to use the taxation system to promote the UK tourism industry. [77480]

Dawn Primarolo *[holding answers 18 March 1999]:* The Government currently have no such plans. UK tourism is enjoying record success and the tourism industry is about to benefit from the long term strategy "Tomorrow's Tourism: a growth industry for the new millennium" recently announced by my right hon. Friend the Secretary of State for Culture, Media and Sport.

Petrol Smuggling

Mr. Hoyle: To ask the Chancellor of the Exchequer what estimate he has made of the amount of revenue lost to HM Treasury from petrol smuggling during the most recent period for which figures are available. [77482]

Ms Hewitt *[holding answer 18 March 1999]:* HM Customs and Excise do not have sufficient reliable information on which to base a published estimate of the revenue lost through petrol smuggling.

Green Transport Plan

Mr. Burstow: To ask the Chancellor of the Exchequer what involvement fleet managers have had in drawing up his Department's Green Transport Plan. [77967]

Ms Hewitt *[holding answer 22 March 1999]:* The Treasury do not own any fleet vehicles. Ministerial cars are supplied and managed by the Government Car and Despatch Agency (GCDA).

Road Fuel Duty

Mr. Whittingdale: To ask the Chancellor of the Exchequer if he will set out the assumptions used in calculating the annual saving of carbon if the road fuel duty escalator is maintained at its present level until 2010 as in Customs and Excise Press Notice, C&E11. [78017]

Ms Hewitt: Table 5.1 in the 1999 Economic and Fiscal Strategy Report and Financial Statement and Budget Report contained an environmental appraisal of those Budget measures which were primarily environmental or which are likely to have a significant environmental impact.

The road fuel duty escalator over the period 1996 to 2002 is estimated to reduce annual carbon dioxide emissions by between 2 and 5 million tonnes of carbon in 2010. Footnote 6 of Table 5.1 explains that this estimate is based on the Department of the Environment, Transport and the Regions "1997 National Road Traffic Forecast" and the methodology set out in "Energy Paper 65" published by the Department of Trade and Industry in 1995.

Mr. Whittingdale: To ask the Chancellor of the Exchequer what plans he has to continue to implement the road fuel duty escalator in future years; and if he will set a final date for implementation of the duty escalator. [78016]

Ms Hewitt: The road fuel escalator, which provides for duty increases on road fuels of at least 6 per cent. above inflation, shows the Government's continuing commitment to the environment and to the 'polluter pays' principle. It will help the Government to deliver the UK's share of the EU target to reduce emissions of greenhouse gases by 8 per cent. by 2008–2012. Our environmental assessment shows that the escalator, if continued at its present level until 2002, will improve urban air quality and reduce greenhouse gases by between 2 and 5 million tonnes of carbon a year by 2010. The future of the road duty escalator will be considered each year in the Budget.

Mr. Redwood: To ask the Chancellor of the Exchequer if he will estimate the annual cost for businesses of the additional fuel duties introduced since 1 May 1997. [76260]

Ms Hewitt: The collection of excise duty is the responsibility of HM Customs and Excise. The annual cost to business of the existing road fuel escalator commitment, inherited from the previous Administration, is estimated to be about £2.5 billion. In addition, Customs estimate that the annual cost of the charges to fuel duties announced in the 1997, 1998 and 1999 Budgets is about £750 million.

Although it was legislated for under the previous Government, the separate rate for ultra-low sulphur diesel did not come into effect until after 1 May 1997 and has therefore been treated as a change since that date.

Critical Illness Insurance

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer what estimate he has made of the number of companies in the financial services sector which offer critical illness insurance cover; and what steps he is taking to ensure that exclusions are brought to the attention of policy holders. [77660]

Ms Hewitt: The Government do not maintain records of the number of companies which offer critical illness cover. I understand that the Association of British Insurers (ABI) estimate that in 1998 some sixty insurance companies offered critical illness insurance cover in the UK.

To ensure policyholders are aware of exclusions and other terms, the ABI code of practice for the selling of life insurance business, including critical illness insurance, includes an obligation that an intermediary shall at all times conduct business with the utmost good faith and integrity, explaining all essential provisions of the contract and drawing attention to all restrictions applying to the policy. The aim is to ensure that as far as possible the prospective policyholder understands the extent of his insurance cover.

Financial Statement and Budget Report

Mr. Gibb: To ask the Chancellor of the Exchequer which of the items listed in Table 1.11 of the Red Book are also included in public spending figures. [76455]

Mr. Milburn: To ensure consistency with the European System of Accounts 1995, the following measures in Table 1.11 of the Financial Statement and Budget Report, published in March 1999, are scored either in DEL or AME:

3: Research and development tax credit

6: Abolition of Vocational Training Relief

15: Employment Credit

16: Income Support: two week extension for lone parents moving into work

19: Increases in Income Support child premia

20: Increases in Working Families Tax Credit and Disabled Person's Tax Credit

21: Child benefit: indexation of rates and uprating

22: Sure Start Maternity Grant

23: Maternity pay reforms

25: Increase in minimum income guarantee for pensioners

26: £100 Winter Allowance

27: Abolition of mortgage interest relief

39: Energy efficiency measures and support for renewable energy sources.

Mortgage interest relief, the Working Families Tax Credit and Disabled Persons Tax Credit are income tax credits administered by the Inland Revenue and are therefore netted off from income tax receipts when assessing the level of and changes to net taxes and social security contributions.

Private Finance Initiative

Mr. Maclean: To ask the Chancellor of the Exchequer (1) what measures he has put in place to ensure the spread of best practice on use of the PFI throughout Government; [76398]

(2) what are the criteria on the basis of which decisions about the relative priority of PFI projects are made. [76397]

Mr. Milburn: Recommendation number 4 of the review of the Private Finance Initiative by Sir Malcolm Bates, announced on 23 June 1997, said that the Treasury Taskforce should sign off the commercial viability of all significant projects before the procurement process commences.

A further announcement on 10 February 1998 said that projects would be deemed "significant" for at least one of four reasons: those which are either big, high profile, highly replicable or ground breaking. They are also likely to raise issues that require speedy resolution.

The Taskforce continues to publish a full range of policy statements, technical notes and other guidance on PFI. These are available from Treasury Public Enquiry Unit, the Taskforce website (www.treasury-projects-taskforce.gov.uk) and in CD ROM form.

The Taskforce also maintains a library containing contract documents, case studies and other relevant documentation which those involved in PFI are encouraged to consult.

The Taskforce encourages public sector staff involved in PFI to undertake appropriate training, and has commissioned PricewaterhouseCoopers to manage a Taskforce approved training programme.

Capita in partnership with the Taskforce runs a programme of conferences covering PFI issues of the day.

Alcohol Duty

Mr. Blizzard: To ask the Chancellor of the Exchequer if he will make it his policy to use revenue gained from the abolition of duty free to reduce excise duty on beer. [77603]

Dawn Primarolo: The Government are continuing to press strongly for an extension of duty free sales to allow time for a better successor regime to be developed. In his Budget on 9 March 1999, *Official Report*, columns 173–90, the Chancellor announced a freeze on beer duty.

Mr. Blizzard: To ask the Chancellor of the Exchequer what assessment he has made of the proposal to reduce indicative limits contained in the Customs and Excise review of alcohol and tobacco duties. [77604]

Mrs. Roche: The recommendation that the Government should consider the need to negotiate changes to the rules regulating the system of minimum indicative levels is currently being considered along with a range of other options designed to tackle fraud and smuggling. It would require the unanimous agreement of all 15 member states to change the rules.

Pensions

Mr. Webb: To ask the Chancellor of the Exchequer what estimate is provided by his Department's Survey of Personal Incomes of *(a)* the number of people making contributions in excess of £3,600 per year and *(b)* the average contribution of those persons to (i) personal pensions and (ii) occupational pension schemes. [76244]

Ms Hewitt: Of the 14 million people currently making extra provision to voluntary private pensions above the compulsory minimum, around 2½ per cent. make contributions in excess of £3,600.

Approximate information for those contributions in 1996–97 is in the table.

Contributions in excess of £3,600 per year to pensions

	Number of people	*Average contribution (£)*
Personal pensions	230,000	8,800
Occupational pensions	120,000	6,200

Notes:

1. Estimates should be treated with caution since contributions to occupational pensions and net personal pension arrangements are not directly measured by the Survey of Personal Incomes and have been modelled from other survey and administrative information.
2. Personal pensions includes contributions to retirement annuity contracts, but excludes 'minimum contributions' by DSS to appropriate personal pension schemes and contributions made by employers.
3. Occupational pensions excludes contributions made by employers, but includes free-standing additional voluntary contributions.
4. Covers contributions made by employees and the self-employed.
5. Includes basic rate tax repaid to scheme administrators in respect of contributions made by employees to personal pensions under net contribution arrangements.
6. Figures are rounded to the nearest 10,000 people and £100 respectively, although they are not necessarily accurate to that degree.

Agricultural Chemicals

Mr. Brake: To ask the Chancellor of the Exchequer what plans he has to publish the results of his Department's work on taxing *(a)* fertilisers and *(b)* pesticides. [74971]

Ms Hewitt: A research report commissioned by the Department of the Environment, Transport and the Regions on the possible impact and design of a tax or charge on pesticides has today been published, together

with a list of consultative questions. The Government will consider carefully the views expressed on a number of issues raised in the report in deciding how best to proceed.

EU Soul Programme

Mr. Mitchell: To ask the Chancellor of the Exchequer which part of the budget of the Europe Union provides funds for the Soul Programme; how much is devoted to it; by whom it is administered; and what programmes in the United Kingdom it supports. [76773]

Ms Hewitt: I am unaware of any programme by this name.

Euro

Mr. Maclean: To ask the Chancellor of the Exchequer if the adoption of the euro would involve the physical movement of any proportion of UK gold reserves to the European Central Bank. [77543]

Ms Hewitt: In accordance with Article 30 of the ESCB Statute and paragraph 10(b) of Protocol No.11 to the EC Treaty, if the UK joined the single currency, the Bank of England would be required to contribute to the foreign reserve assets of the ECB. The Bank of England would be credited by the ECB with a claim equivalent to its contribution, which would be remunerated. The ECB has the right to hold and manage the foreign reserve assets that are transferred to it, but physical movements is not necessary for these purposes.

Rural Building Projects

Mr. Whittingdale: To ask the Chancellor of the Exchequer what discussions he has had with Action with Communities in Rural England on a VAT refund scheme for building projects which have received grant aid from public funds; and if he will make a statement. [78286]

Dawn Primarolo: ACRE made representations in November 1997 to the first phase of the Review of Charity Taxation. These, along with 3,000 other replies, were analysed and informed the Review's consultation document which was published on Budget Day.

Withholding Tax

Mr. Whittingdale: To ask the Chancellor of the Exchequer what was the outcome of discussions about the proposed withholding tax at the ECOFIN meeting on 15 March; and if he will make a statement. [78204]

Dawn Primarolo: The Commission gave an informal progress report on its discussions with third countries on adoption of equivalent measures in relation to payments of interest to Community residents. There was no general discussion of the draft Directive on taxation of savings, and no decisions were taken.

Village Halls

Mr. Whittingdale: To ask the Chancellor of the Exchequer what his policy is on the charging of VAT on repairs and improvements to village halls; and if he will make a statement. [78288]

Dawn Primarolo: There is no scope for VAT relief on Village halls under the EC Sixth VAT Directive. Therefore their repair and maintenance is subject to VAT at the standard rate.

Duty Free

Mr. Whittingdale: To ask the Chancellor of the Exchequer what was the outcome of discussions about the future of duty free at the ECOFIN meeting on 15 March; and if he will make a statement. [78205]

Dawn Primarolo: At ECOFIN the Presidency proposed a one-off further extension of two and a half years for excise duty free arrangements with VAT being applied from 1 July 1999. Six member states supported this compromise proposal. Six member states and the Commission opposed it. The Presidency concluded that COREPER should be invited to examine the Commission's proposals and report back to the next ECOFIN Council. The UK will continue to press strongly the case for a deferral of the abolition of excise duty free so that better successor regime arrangements can be developed.

Financial Services Regulator

Mr. Gordon Prentice: To ask the Chancellor of the Exchequer what guidelines or advice he has issued concerning the reference of matters subject to investigation by the Financial Services Regulator to the Serious Fraud Office; and if he will make a statement. [76970]

Ms Hewitt: The Treasury has not issued guidance to the Financial Services Authority (FSA) on when to refer matters subject to investigation to the Serious Fraud Office (SFO). The FSA and SFO have long-standing arrangements which ensure that each agency is informed about investigations where the other has an interest and agreed guidelines on the criteria for determining who is best placed to pursue a particular case. They are currently preparing, with other investigative and prosecuting authorities, new guidelines for co-operation to take account of the new powers proposed for the FSA in the Financial Services and Markets Bill.

Valuation Office

Ms Lawrence: To ask the Chancellor of the Exchequer what targets will be set for the Valuation Office Executive Agency for 1999–2000. [78855]

Dawn Primarolo: I have set the following key targets for the Valuation Office in 1999–2000:

Operational

rating

to publish new rating valuation lists by 31 December 1999

to clear 264,500 appeals against the existing rating lists

Council tax

against the policy, in co-operation with the valuation tribunals, of clearing appeals within 6 months of receipt:

to clear council tax appeals equal to the number received up to a maximum of 80,000

Client and customer services

to achieve a further improvement against the Agency's valuation indicator by 1 per cent. to 88 per cent.

to meet timeliness targets in 90 per cent. of cases

Finance and cost efficiency

to break even overall after charging for the full cost of chargeable services including notional interest of 6 per cent. on the average working capital.

measurement will be within a tolerance of the greater of 2 per cent. of relevant turnover or £1 million

to achieve financial efficiency gains of 4.0 per cent.

Investing in People

to achieve Investors in People accreditation by 31 December 1999.

Further details are contained in the Valuation Office's Forward Plan, copies of which will be placed in the Library of the House on publication.

Tax Law Rewrite Project

Ms Lawrence: To ask the Chancellor of the Exchequer what further developments there have been on the Tax Law Rewrite Project. [78963]

Dawn Primarolo: I am pleased to announce that the Tax Law Rewrite project is making very good progress and continues to enjoy wide support. The Inland Revenue have published a document which reviews the recent progress of the project and outlines its work programme for 1999–2000. Copies have been placed in the Libraries of the House.

The Steering Committee chaired by Lord Howe of Aberavon carried out a stocktake of the project during 1998. The rewritten legislation has been well received by the main users in the tax community and they are enthusiastic that the project should continue. It is a massive undertaking, but one we are committed to doing well.

Public Expenditure

Ms Lawrence: To ask the Chancellor of the Exchequer what arrangements are being made for in-year control of public expenditure from 1999–2000 onwards; and if he will make a statement. [78856]

Mr. Milburn: I have today written to the Chairman of the Treasury Committee outlining the arrangements the Government are making for in-year control of public expenditure.

The spending control framework announced in the Comprehensive Spending Review establishes a new aggregate, the Department Expenditure Limit, which covers all spending within departments' direct or indirect control. The new arrangements were set out in the 1998 Economic and Fiscal Strategy Report (Cm 3978) and the Comprehensive Spending Review White Paper (Cm 4011).

With effect from 1999–2000 the system of cash limits will be replaced by a single control on each department at the level of the Departmental Expenditure Limit (DEL). In future, the disciplines of notifying a control limit to Parliament, reporting changes in that limit, and accounting for any breach will apply at the level of the DEL. Changes in DELs arising from transfers between departments or calls upon and benefits to the DEL Reserve will be notified to Parliament.

Details of this and the increased emphasis on the use of End-Year Flexibility to contain pressures on the DEL will be described in the Introduction to the 1999–2000 Main Supply Estimates which will be presented to the House shortly.

Departments have been encouraged to establish small unallocated provisions within their Departmental Expenditure Limits for 1999–2000 onwards to give them flexibility to manage their budgets and respond to unforeseen pressures in-year. This will help ensure that the three year plans set in the CSR can be adhered to.

Excise Duty and VAT

Mr. Whittingdale: To ask the Chancellor of the Exchequer if he will list the rates of *(a)* excise duty and *(b)* VAT on (i) cigarettes and (ii) hand-rolling tobacco in each member state of the European Union, the United States of America and Canada, taking account of the changes in his Budget. [76567]

Mrs. Roche: The information on the European Union is as follows. The information on the United States of America and Canada is not readily available.

	(i) Cigarettes			*(ii) Hand-rolling Tobacco*		
	Excise		*VAT*	*Excise*		*VAT*
Member state	*Specific (£ per thousand)*	*Ad valorem (Percentage of selling price)*	*(Percentage)*	*Specific (£ per kilogram)*	*Ad valorem (Percentage of selling price)*	*(Percentage)*
Austria	13	42	20.0	0	47	20.0
Belgium	9	47	21.0	0	38	21.0
Denmark	57	21	25.0	38	0	25.0
Finland	11	50	22.0	1	50	22.0
France	4	55	20.6	0	51	20.6
Germany	33	22	16.0	11	18	16.0
Greece	2	54	18.0	0	59	18.0
Ireland	59	17	21.0	76	0	21.0
Italy	3	54	20.0	0	54	20.0
Luxembourg	6	49	12.0	0	32	12.0
Netherlands	31	21	17.5	13	15	17.5
Portugal	15	40	17.0	0	30	17.0
Spain	2	54	16.0	0	38	16.0
Sweden	15	39	25.0	47	0	25.0
UK	83	22	17.5	88	0	17.5

Source:

UK figures, effective from 9 March 1999, from HM Customs & Excise Budget Notice BN 81/99. Other figures from European Commission (Directorate General XXI) Excise Duty Tables (December 1998).

TRADE AND INDUSTRY

Coal Production

Caroline Flint: To ask the Secretary of State for Trade and Industry when he will publish the report by International Mining Consultants Ltd., prepared as part of the Review of Energy Sources for Power Generation, on the prospects for coal production in the United Kingdom for the next 20 years. [78859]

Mr. Battle: I have today placed a copy of the Report in the Libraries of both Houses of Parliament.

This report is a thorough, technical engineering study of the British coal-mining industry. It assesses geological conditions and other extraction issues, to estimate production prospects and costs for coal in the UK. Though it does not attempt to predict the market conditions for coal, it will provide a valuable reference point for all those involved in the industry.

The report should be seen against the background of the measures the Government are taking to remove distortions in the UK electricity market, which will ensure a level playing field for all fuels. The coal industry is getting fairness, not favours—which is what they asked for. The reform programme under way includes:

working on the reform of the electricity trading arrangements in England and Wales;

seeking practical opportunities for divestment by major coal-fired generators;

pressing ahead with competition in electricity supply for all customers;

separating supply and distribution in electricity markets.

resolving the technical issues about the growth of gas, including the proper remuneration of flexible plant; and

continuing to press for open energy markets in Europe.

Year 2000 Business Continuity Plan

Mr. Chope: To ask the Secretary of State for Trade and Industry for what reason his Department did not meet the Government's target of producing an initial Year 2000 business continuity plan by January; and if he will make a statement. [78470]

Mr. Wills: Plans to deal with disasters affecting the central Department are well established and have existed for some years. Their review and modification as necessary to deal with potential Year 2000 problems started in late 1998. The broad approach was agreed in mid-December but required confirmation of some technical issues by relevant suppliers. This confirmation was provided by mid-January. Whilst the Business Continuity Plan was therefore agreed by the target date, there had not been sufficient time to document it by then.

The DTI's initial Business Continuity Plan was documented by the end of February and will be updated during 1999 as required.

Timber Protection Costs

Mr. Chope: To ask the Secretary of State for Trade and Industry if he will identify the *(a)* health, *(b)* safety and *(c)* environmental standards which apply to United Kingdom producers of timber which do not apply to similar producers in Baltic states; and if he will make a statement on the impact which such standards have upon United Kingdom costs of production. [74150]

Mr. Wilson *[holding answer 2 March 1999]:* There are many health, safety and environmental standards which apply to the UK forestry and sawmilling industry, the majority of which emanate from European Directives. These have been introduced under the Health and Safety at Work, etc. Act 1974 and the Environmental Protection Act 1990 among other statutes. Health and Safety standards include those laid down in secondary legislation such as the Provision and Use of Work Equipment Regulations; the Lifting Operations and Lifting Equipment Regulations; the personal Protective Equipment at Work Regulations; the Noise at Work Regulations; and the Control of Substances Hazardous to Health (COSHH) Regulations. While the Government recognise that there may be costs for business associated with higher environmental standards, they do not believe that these costs are significant over the long term in relation to the overall costs of sawmill operations.

Estonia, Latvia and Lithuania have Association Agreements with the EU under which they undertake to align their laws in respect of these standards with EU legislation by 2005, and are receiving assistance from the EU and member states to achieve this earlier in the context of intensifying their preparations for accession to the EU.

Sub-contractors

Mr. Sanders: To ask the Secretary of State for Trade and Industry if he will introduce further measures to ensure that contractors meet their obligations to sub-contractors. [75919]

Mr. Byers: There is already in place an extensive framework of commercial law on which parties to a contractual arrangement can seek to rely. Where disputes arise between parties to a contract, it is advisable for them to seek to establish their legal rights and obligations under the arrangements.

Mr. Sanders: To ask the Secretary of State for Trade and Industry what representations he has received regarding sub-contracting malpractices; and if he will make a statement. [75917]

Mr. Byers: I have not received any representations regarding sub-contracting malpractices in particular.

Working Time Directive

Mr. Redwood: To ask the Secretary of State for Trade and Industry if he will oppose the extension of the Working Time Regulations to the self-employed. [76257]

Mr. Byers: There are no proposals to extend the Working Time Directive or the Working Time Regulations specifically to the self-employed.

Trade Promotion

Mr. Chope: To ask the Secretary of State for Trade and Industry what was the last occasion on which a Government Minister led a trade delegation to *(a)* Ukraine and *(b)* Uruguay; and what future trade delegations are planned. [76562]

Mr. Wilson: There has been no Ministerially led trade delegation to Ukraine. The then Minister of Agriculture, Fisheries and Food, the right hon. Member for South-West Norfolk (Mrs. Shephard) visited Uruguay in September/October 1993.

There are no plans at present for a Ministerially led trade delegation to visit Ukraine or Uruguay.

Exports (Pains Wessex)

Ann Clwyd: To ask the Secretary of State for Trade and Industry (1) if he will list the export licences granted to Pains Wessex (Schermuly) for the export of *(a)* pyrotechnics, *(b)* tear gas, *(c)* plastic baton rounds and *(d)* anti-personnel fragmentation grenades or components for the above products since 1988 to Malaysia; [77242]

(2) if he will list the export licences granted to Pains Wessex (Schermuly) since 1988 for the export of *(a)* anti-personnel fragmentation grenades and *(b)* anti-ambush grenades to Indonesia; [77244]

(3) if he will list the open individual export licences granted to Pains Wessex (Schermuly) in each of the last 10 years. [77243]

Dr. Howells: The Export Control Organisation's computer databases have been interrogated and the following results were obtained. Between 1 January 1991 and 5 March 1999, no Standard Individual Export Licences, and between 1 January 1994 and 5 March 1999, no Open Individual Export Licences were issued to Schermuly Ltd.

This information should be considered in light of the answer given by my hon. Friend the Member for Hornsey and Wood Green (Mrs. Roche), the then Minister for Small Firms, Trade and Industry, to my hon. Friend the Member for Don Valley (Caroline Flint) on 30 October 1997, *Official Report*, columns *870–71*.

Ann Clwyd: To ask the Secretary of State for Trade and Industry if he will list the export licences granted to Pains Wessex for the export of *(a)* tear gas, *(b)* plastic baton rounds and *(c)* anti-personnel fragmentation grenades since 1988. [77241]

Dr. Howells: Inquiries are being made under the Code of Practice on Access to Government Information. Where confidential information is involved, the parties concerned may be asked if they consent to its disclosure, and this can take some time. I will write to my hon. Friend as soon as possible, and place a copy of that letter in the Library of the House.

Ann Clwyd: To ask the Secretary of State for Trade and Industry if he will list the licensed production agreements that Pains Wessex has established in other countries, indicating the products which these agreements cover. [77240]

Dr. Howells: I refer my hon. Friend to the reply I gave her on 22 March 1999, *Official Report*, column *117*.

National Minimum Wage

Mr. Jim Cunningham: To ask the Secretary of State for Trade and Industry what measures will be taken to ensure that employers who contravene the national minimum wage will face a high risk of prosecution. [76046]

Mr. Byers *[holding answer 16 March 1999]:* The Inland Revenue will enforce the National Minimum Wage on behalf of my Department. The National Minimum Wage Act 1998 contains a number of provisions relating to enforcement, both civil and criminal. Workers will be able to take cases of underpayment to an employment tribunal or a civil court.

Mr. Hepburn: To ask the Secretary of State for Trade and Industry what plans he has to extend the minimum wage provisions to those workers employed over 12 miles offshore. [78239]

Mr. Byers: A draft Order in Council was laid before both Houses of Parliament on 10 March which makes provision for extending the national minimum wage to workers who work or ordinarily work in UK territorial waters. It will also extend the national minimum wage to those who work or ordinarily work in the UK sector of the continental shelf where the work is connected with the exploration or exploitation of the sea-bed of the UK sector of the continental shelf (or its subsoil) or is work in the UK sector connected with the exploration or exploitation of a foreign sector of a cross-boundary petroleum field. Subject to Parliamentary approval and the approval of Her Majesty, it will come into force on 1 May.

Correspondence

Mr. Vaz: To ask the Secretary of State for Trade and Industry what action has been taken regarding the complaints made in respect of a company referred to in the correspondence between the hon. Member for Leicester, East and the Minister for Competition and Consumer Affairs dated 12 June 1998. [77586]

Dr. Howells: My hon. Friend should be well aware of the Department's long standing policy of not commenting on the affairs of individual companies.

Fireworks

Mr. Sawford: To ask the Secretary of State for Trade and Industry when he expects to announce the 1998 figures for firework injuries from all hospital casualty units in Great Britain. [77602]

Dr. Howells: I refer my hon. Friend to the reply I gave to my hon. Friend the Member for Plymouth, Sutton (Mrs. Gilroy) on 16 March 1999, *Official Report*, column *598*.

Mortgages

Mr. Rooney: To ask the Secretary of State for Trade and Industry, pursuant to his answer to the hon. Member for Bristol, West (Valerie Davey), 10 March 1999, *Official Report*, columns *263–64*, concerning the mortgage market, how he defines unjust interest rates in relation to the provisions on extortionate credit in the Consumer Credit Act 1974. [77448]

Dr. Howells *[holding answer 18 March 1999]:* Under the terms of the Consumer Credit Act 1974, it is for the Court to decide whether any particular credit agreement is extortionate. Among the factors that the Court may take into account are the prevailing interest rates when the credit bargain was made, the financial pressure the borrower was under at that time and the level of payments.

The research we have commissioned in this area will, amongst other things, look at what indicators can be drawn from past cases on extortionate credit and will also look at types of lending that appear to give rise to problems.

Unsolicited Mail

Dan Norris: To ask the Secretary of State for Trade and Industry what plans he has to introduce measures to protect *(a)* the elderly *(b)* people with mental health problems and *(c)* mentally disabled people from the impact of unsolicited direct mail. [77668]

Dr. Howells: The draft Regulations implementing the Distance Selling Directive will provide a mechanism under which consumers can object to receiving unsolicited direct mail in connection with distance contracts, that is one where consumer and supplier do not have face to face contact up to and including the moment when the contract is concluded.

My Department is committed to developing a strategy which offers consumers, especially older and vulnerable people in our society, the protection they need to ensure that they receive fair treatment and that they know about their rights. I will therefore seek to ensure that we explain clearly to consumers, especially the vulnerable, how they can object to receiving unsolicited direct mail.

Dan Norris: To ask the Secretary of State for Trade and Industry what steps he will take to regulate unsolicited direct mail sent to individuals' homes. [77669]

Dr. Howells: The Department will be issuing in the summer a draft of Regulations to implement the EU Distance Selling Directive (97/7/EC). The Directive requires, among other things, that unsolicited direct mail in connection with distance contracts, that is one where consumer and supplier do not have face to face contact up to and including the moment when the contract is concluded, may be used only where there is no clear objection from the consumer. Thus consumers must have the right to register their objection to receiving such mail and have their objection respected. Member States have to implement the Directive by 4 June 2000. The Department is consulting widely over the best means of implementing the Directive.

Milk Marque

Miss McIntosh: To ask the Secretary of State for Trade and Industry what representations he has received on the future of Milk Marque; and if he will make a statement. [77843]

Dr. Howells: My right hon. Friend the Secretary of State has received a number of representations from hon. Members individually and on behalf of constituents. He has also received representations from interested parties and from members of the public.

My right hon. Friend will announce what action, if any, he intends to take when he publishes the report.

Mr. Healey: To ask the Secretary of State for Trade and Industry when he plans to publish *(a)* the report of the MMC inquiry into Milk Marque and *(b)* his Department's response to the report; and if he will set out the terms of reference of the inquiry. [78236]

Dr. Howells: My right hon. Friend the Secretary of State for Trade and Industry will publish the MMC's report as soon as is practicable. I refer my hon. Friend to my previous answer to my hon. Friend the Member for Stroud (Mr. Drew) on 27 November 1998, *Official Report*, column *36*, for the terms of reference of the inquiry.

Milk Market

Mr. Letwin: To ask the Secretary of State for Trade and Industry when he expects to announce his response to the Monopolies and Mergers Commission's inquiry on the milk market. [78021]

Dr. Howells *[holding answer 22 March 1999]:* My right hon. Friend will publish the MMC's report as soon as is practicable.

Product Liability

Mrs. Roe: To ask the Secretary of State for Trade and Industry if he will introduce a statutory mandatory product recall requirement for domestic appliances. [78357]

Dr. Howells: I have no plans to introduce a statutory mandatory product recall requirement for domestic appliances at the present time. However, the DTI is currently working with business to develop a best practice guide to help companies conduct more effective product recalls. The question of a mandatory product recall power is one of the issues likely to be discussed in Europe in the context of the review of the General Product Safety Directive.

Mrs. Roe: To ask the Secretary of State for Trade and Industry how many cases have been brought under the product liability provisions of the Consumer Protection Act 1987; and what level of damages has been awarded by the courts. [78356]

Dr. Howells: There is no central record of cases brought under the product liability provisions of the Consumer Protection Act 1987, which is a civil law process. A search of judgments reported in the Law Reports has revealed two cases brought under the product liability provisions but the judgments concerned preliminary issues. Judgments in the County Court and some judgments in the High Court are not reported.

Travel Companies

Mr. Darvill: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 24 February 1999, *Official Report*, column *316*, on travel companies, when he expects the Director General of Fair Trading to complete his discussions with the major travel groups. [77791]

Dr. Howells: The Director General of Fair Trading is continuing his discussions with the major travel groups regarding undertakings on transparency of ownership links. He will provide me with advice in due course and I will make an announcement.

Clothing and Textile Industry

Mr. Woolas: To ask the Secretary of State for Trade and Industry what plans he has to revise the guidance notes on country of origin labelling for the United Kingdom clothing industry. [77898]

Mr. Wilson: The Department issued guidance on origin marking in December 1996 at the time that the Trade Descriptions (Place of Production) (Marking) Order 1988 was revoked. This applies not only to the labelling of clothing but to products generally. The guidance remains an accurate reflection of the current statutory requirements. I have no plans to revise it.

Republic of Ireland (Trade)

Mr. McNamara: To ask the Secretary of State for Trade and Industry in the last financial year for which figures are available and in each case estimating the financial sums involved, if he will list *(a)* the top 10 companies by volume of exports from Great Britain to the Republic of Ireland, *(b)* the top 10 companies by volume of imports from the Republic of Ireland to Great Britain, *(c)* the top 10 products in volume exported from Great Britain to the Republic of Ireland and *(d)* the top 10 products by volume imported from the Republic of Ireland to Great Britain. [78176]

Mr. Wilson *[holding answer 22 March 1999]:* Information on UK companies trade with Ireland is not available from any official sources. Figures for trade by financial year are not readily available, while data in volume terms are not available on an individual country basis.

Information on the top 10 products in value terms for UK exports to Ireland and imports from Ireland in 1998 is given in the following table.

UK trade with Republic of Ireland 1998—Top 10 products

SIT	*Description*	*£ million*
UK Exports		
C		
75	Office machines and ADP equipment	988
77	Electrical machinery, apparatus and appliances, nes and electrical parts	907
78	Road vehicles	563
84	Articles of apparel and clothing accessories	445
72	Specialised industrial machinery	346
64	Paper, paperboard, and articles of paper pulp, etc.	341
76	Telecommunications and sound recording and reproducing apparatus	331
69	Manufactures of metal nes	309
74	General industrial machinery and equipment, nes and machine parts nes	293
54	Medicinal and pharmaceutical products	285
	Others	4,916
	Total	9,724
UK Imports		
C		
75	Office machines and ADP equipment	1,447
51	Organic chemicals	813
76	Telecommunications and sound recording and reproducing apparatus	463
09	Miscellaneous edible products and preparations	416
54	Medicinal and pharmaceutical products	357
77	Electrical machinery, apparatus and appliances, nes and electrical parts	357
02	Dairy products and birds' eggs	320
01	Meat and meat preparations	282
11	Beverages	176
65	Textile yarn, fabrics, made-up articles, nes	165
	Others	2,861
	Total	7,655

Source:
HM Customs and Excise

PRESIDENT OF THE COUNCIL

Millennium Compliance

Mr. Chope: To ask the President of the Council which Government organisations providing information for the March 1999 review of year 2000 readiness have *(a)* failed to report on progress with business critical embedded systems since the last review and *(b)* have moved back completion dates since the last review. [78473]

Mrs. Beckett: The following is the information:

(a) Organisations which failed to report on progress with business critical embedded systems since the last review.

Central government departments and agencies

Scottish Fisheries Research Services
Government Car and Despatch Agency
National Archive of Scotland
Northern Ireland Office
Planning Inspectorate
UK Passport Agency
Vehicle Inspectorate

(b) Organisations which have moved back completion dates for business critical embedded systems since the last review:

Central government departments and agencies

Central Computer & Telecommunications Agency
Department for International Development
Driving Standards Agency
Employment Tribunals Service

General Registrar Office for Scotland
HM Customs and Excise
Lord Chancellor's Department
Ministry of Agriculture, Fisheries and Food
Ministry of Defence—centre
Ministry of Defence—Defence Evaluation and Research Agency
Planning Inspectorate
Public Record Office
Radiocommunications Agency
Royal Mint
Scottish Agricultural Science Agency
Scottish Fisheries Research Services
Scottish Record Office

Wider public sector

Bank of England.

Mr. Chope: To ask the President of the Council which *(a)* Government organisations and *(b)* Departments providing information for the March 1999 review of year 2000 readiness have moved back completion dates for business critical information technology systems since the previous review; and which are now predicting 100 per cent. completion later than March. [78474]

Mrs. Beckett: The following is the information:

(a) Government organisations and departments which have moved back completion dates for business critical IT systems since the previous review:

Central government departments and agencies

Companies House
Crown Prosecution Service
Department for Education and Employment
Department of Social Security
Department of Trade and Industry
Department for International Development
Driving Standards Agency
Employment Tribunal Service
Foreign and Commonwealth Office
Forestry Commission
Highways Agency
HM Customs and Excise
HM Treasury
Inland Revenue
Insolvency Service
Ministry of Agriculture, Fisheries and Food
Ministry of Defence—Procurement Executive
NI Department of Education
NI Department of the Environment
Ordnance Survey
Passport Agency
Patent Office
Radiocommunications Agency
Scottish Fisheries Research Services
Scottish General Register Office
Scottish Prison Service
Serious Fraud Office
Treasury Solicitor's Department
Vehicles Inspectorate
Welsh Office

Wider public sector organisations

Bank of England

(b) Government organisations and departments which are now predicting 100 per cent. completion of work on business critical IT systems later than March 1999:

Companies House
Crown Prosecution Service
Department for Education and Employment
Department of the Environment, Transport and the Regions
Department of Health
Department for International Development
Department of Social Security
Department of Trade and Industry
Driving Standards Agency
Driver and Vehicle Licensing Agency
Employment Tribunal Service
Foreign and Commonwealth Office
Forensic Science Service
General Register Office for Scotland
Government Car and Despatch Agency
Highways Agency
HM Customs and Excise
HM Treasury
Home Office
Inland Revenue
Insolvency Service
Intervention Board
Lord Chancellor's Department
Maritime and Coastguard Agency
Medicines Control Agency
Ministry for Agriculture Fisheries and Food
Ministry of Defence—Army
Ministry of Defence—centre
Ministry of Defence—Meteorological Office
Ministry of Defence—Procurement Executive
Ministry of Defence—Royal Air Force
Ministry of Defence—Royal Navy
Ministry of Defence—Hydrographic Office
National Weights and Measures Laboratory
Northern Ireland Office
NI Department for Economic Development
NI Department of Education
NI Department of Agriculture
NI Department of the Environment
NI Department of Finance and Personnel
NI Department for Health & Social Services
NI Prisons Service
Passport Agency
Patent Office
Planning Inspectorate
Office for National Statistics
Ordnance Survey
Queen Elizabeth II Conference Centre
Radiocommunications Agency
Registers of Scotland
Scottish Fisheries Research Services
Scottish Prison Service
Serious Fraud Office

The Buying Agency
Treasury Solicitor's Department
Valuation Office
Vehicle Inspectorate
Welsh Office

Wider public sector

Bank of England
British Broadcasting Company
Government Actuary's Department
Legal Aid Board
London Transport
Post Office.

Year 2000 Business Continuity Plans

Mr. Chope: To ask the President of the Council which Government Departments have not yet completed initial business continuity plans for 2000. [78471]

Mrs. Beckett: I refer the hon. Member to the summary tables and quarterly returns which on 16 March I placed in the Libraries of the House following my recent quarterly statement on progress across government in tackling the bug. At that time, 18 Government Departments and Agencies had forecast completion dates for their initial business continuity plans in March or later. Of these, eight have still to complete their initial plans. They are: the Department of Trade and Industry (centre), the Radiocommunications Agency, the Maritime and Coastguard Agency, the Debt Management Office, the Crown Prosecution Service, the Serious Fraud Office, the Public Record Office and the Fisheries Research Services.

Mr. Chope: To ask the President of the Council if she will place copies of all Government Department initial business continuity plans for 2000 in the Library. [78472]

Mrs. Beckett: Information about business continuity plans is included in the latest quarterly returns which I placed in the Libraries of the House following my recent quarterly statement on 16 March. Future quarterly returns will provide more detail, in particular focusing on what plans are in place to ensure the continuity of essential services at the Millennium.

It is for individual Ministers to decide whether or not to publish their complete business continuity plans, according to their judgment of the nature of some of the detail involved. It would clearly be inappropriate for Ministers to publish information that is sensitive or relates to matters of national security.

SOCIAL SECURITY

Bereavement Allowances

Mr. Rendel: To ask the Secretary of State for Social Security how many widows will be affected by the loss of the widow's bereavement allowance broken down by those aged *(a)* 50–55, *(b)* 55–60 and *(c)* 60 years and over; and what the average amount will be lost not including the effects of the proposed reforms to bereavement benefits. [76841]

Angela Eagle *[holding answer 15 March 1999]:* Existing claimants will retain their entitlement to this allowance even after 5 April 2000. Women who are bereaved after 5 April 2000 will not be able to claim the allowance.

Means-tested Benefits (Scotland)

Mrs. Laing: To ask the Secretary of State for Social Security if he will list the cost of *(a)* all means-tested benefits in Scotland, *(b)* means-tested benefits for people aged 15 to 25 years in Scotland, *(c)* means-tested benefits for people aged 26 to 40 years in Scotland and *(d)* means-tested benefit for people aged 41 to 65 years in Scotland in each year since 1992 in (i) cash terms and (ii) 1998–99 prices. [77770]

Angela Eagle: The information is not available in the format requested. Such information as is available is in the tables.

Income related benefits expenditure (cash terms)

£ million

Scotland—by age group	*1992–93*	*1993–94*	*1994–95*	*1995–96*	*1996–97*	*1997–98*
Total (All age groups)	2,010	2,190	2,330	2,430	2,560	2,610
Income—related benefits (15 to 25)	310	320	330	340	350	300
Income—related benefits (26 to 40)	670	730	790	840	890	920
Income—related benefits (41 to 65)	550	610	660	700	750	810

Notes:
1. Figures may not sum due to rounding.
2. Figures have been rounded to nearest £10 million.
3. Figures include expenditure on Jobseeker's Allowance (income-based), Income Support, Family Credit, Housing Benefit, Council Tax Benefit and Disabled Working Allowance.
4. They do not include smaller benefits such as Grants to Independent Living Fund, Grants to Motability and British Limbless Ex-Serviceman's Association, Earning Top Up and Social Fund Payments.
5. These benefits make up about 1.5 per cent. of all income related benefits expenditure.

Income related benefits expenditure (real terms 1998–99 prices)

£ million

Scotland—by age group	*1992–93*	*1993–94*	*1994–95*	*1995–96*	*1996–97*	*1997–98*
Total (All age groups)	2,340	2,480	2,590	2,640	2,690	2,680
Income-related benefits (15 to 25)	360	360	360	370	370	310

Income related benefits expenditure (real terms 1998–99 prices).

£ million

Scotland—by age group	*1992–93*	*1993–94*	*1994–95*	*1995–96*	*1996–97*	*1997–98*
Income-related benefits (26 to 40)	780	820	880	910	940	940
Income-related benefits (41 to 65)	640	690	730	760	790	830

Notes:
1. Figures may not sum due to rounding.
2. Figures have been rounded to nearest £10 million.
3. Figures include expenditure on Jobseeker's Allowance (income-based), Income Support, Family Credit, Housing Benefit, Council Tax Benefit and Disabled Working Allowance.
4. They do not include smaller benefits such as Grants to Independent Living Fund, Grants to Motability and British Limbless Ex-Serviceman's Association, Earning Top Up and Social Fund Payments.
5. These benefits make up about 1.5 per cent. of all income related benefits expenditure.

Total social fund spending in Scotland

£ million

	1992–93	*1993–94*	*1994–95*	*1995–96*	*1996–97*	*1997–98*
Cash Terms	42	44	47	46	47	64
Real Terms[1]	49	50	52	50	49	65

[1] 1998–99 prices
Notes:
1. Figures do not include Cold Weather Payments.
2. Social Fund Spending in Scotland broken down by age is not available.
3. Figures rounded to the nearest million.

Winter Fuel Payments

Mr. Steinberg: To ask the Secretary of State for Social Security what plans he has to extend to those *(a)* in receipt of benefits and *(b)* on low incomes the heating allowance for those on pensions. [77990]

Angela Eagle: The Winter Fuel Payments scheme provides extra help to around ten million eligible pensioners, in over seven million households towards their heaviest fuel bills. We have no plans to extend the scheme to other groups.

We are committed to tackling the problems associated with vulnerable people keeping warm and has already introduced numerous substantial measures to meet this objective.

Unclaimed Benefits

Mr. Jenkins: To ask the Secretary of State for Social Security if he will estimate the amount of income-related benefits unclaimed by those entitled to them in *(a)* the Tamworth constituency and *(b)* Staffordshire. [78341]

Angela Eagle: The information is not available. The national estimates of take-up of income-related benefits are currently being revised and are due to be republished in May.

Disability Living Allowance

Mrs. Fyfe: To ask the Secretary of State for Social Security if he will estimate the number of people receiving the higher rate of disability living allowance; and of these the number who have *(a)* had their benefit (i) reduced and (ii) stopped and *(b)* had their benefit increased. [78316]

Mr. Bayley: The information is not available in the form requested. Such information as is available is in the table.

Recipients of Disability Living Allowance

	Thousands
All recipients of higher rate awards[1,2]	1,447
Number of these cases where the value of the previous award was lower[3,4]	238
Number of these cases where the value of the previous award was higher[3,4]	44
Number of these cases where the previous award terminated[3,5]	19

[1] Figures at 31 August 1998.
[2] Awards involving the highest rate of the care component or the higher rate of the mobility component either paid singly or combined with any rate of the other component.
[3] The previous award was made between 1 April 1992 and 31 August 1998.
[4] The value of the award is based on the rates of each component.
[5] Cases terminate for various reasons including: expiry of a fixed period award; residence and presence conditions no longer satisfied; other conditions of entitlement not satisfied. Benefit may have been relinquished voluntarily by the claimant or withdrawn by the Department.
Source:
Analytical Services Division 5 per cent. data

PRIME MINISTER

Iraq (Medical Supplies)

Mr. Dalyell: To ask the Prime Minister, pursuant to his answer of 16 March 1999, *Official Report*, column *573*, if he will have discussions with the Iraqi authorities about increasing the role of the UN in the distribution of medical supplies in central and southern Iraq. [78029]

The Prime Minister *[holding answer 22 March 1999]:* As my hon. Friend is aware, we have no diplomatic relations with the Government of Iraq and our dealings with them are strictly limited to occasional contacts with the Iraqi Interests Section of the Jordanian Embassy in London and the Iraqi mission to the UN in New York.

As I said in my earlier answer, we would support proposals from the panel assessing the humanitarian situation in Iraq to increase the role of the UN in distributing medical supplies in central and southern Iraq. But it would be for the UN to discuss any such proposals with the Iraqi authorities.

LORD CHANCELLOR'S DEPARTMENT

Civil Servants (Appraisal)

Mr. McDonnell: To ask the Minister of State, Lord Chancellor's Department what were the appraisal performance markings awarded to civil servants in 1998 for *(a)* each agency in his Department and *(b)* the Department broken down by (i) grade, (ii) gender, (iii) ethnicity, (iv) part-time/full-time working and (v) disability; and for (1) each agency and (2) the Department whether the Cabinet Office's four fifths rule for detecting potential adverse impact was applied to the appraisal markings of civil servants in the 1998 report round. [78140]

Mr. Hoon: The appraisal performance markings awarded to Civil Servants in 1998 within the Lord Chancellor's Department and its Agencies are shown in the tables.

Although we do monitor for Equal Opportunities purposes, neither the Lord Chancellor's Department nor its Agencies applied the four fifths rule in analysing the appraisal markings awarded to staff in 1998.

Appraisal marks received in LCD headquarters for appraisals completed in 1998

	A	*B*	*C+*	*C*	*T*	*D*
a) LCD Headquarters						
	26	228	219	145	3	1
b)(i) Grade/Box mark						
Grade 6	3	18	11	6	—	—
Grade 7	4	63	40	35	—	—
SEO	1	19	22	7	—	—
HEO	4	48	51	24	1	—
EO	6	29	45	34	1	1
AO	5	45	35	19	1	—
AA	—	—	4	2	—	—
Support Grades	3	6	11	18	—	—
Total	26	228	219	145	3	1
b)(i) Grade/Box mark						
Female	16	130	131	72	2	—
Male	10	98	88	73	1	1
Total	26	228	219	145	3	1
(iii) Ethnicity/Box mark						
White	24	192	164	114	—	1
Asian	2	5	17	9	—	—
Black	—	8	18	13	1	—
Other	—	2	1	—	—	—
Unknown	—	21	19	9	2	1
Total	26	228	219	145	3	1
(iv) Part time or full time/Box mark						
Full Time	25	223	201	131	3	1
Part Time	1	5	18	14	—	—
Total	26	228	219	145	3	1

Appraisal marks received in LCD headquarters for appraisals completed in 1998

	A	*B*	*C+*	*C*	*T*	*D*
(v) Disability/Box mark						
Disabled	1	6	9	3	—	—
Non-disabled	24	198	188	124	1	1
Unknown	1	24	22	18	2	—
Total	26	228	219	145	3	1

Notes:
LCD Headquarters moved to a new Appraisal system from 1997–98 and use A, B, C+, C, T and D.
A, B, C+ and C are above standard, and D is below standard.
T = Training and indicates a temporary drop in standard whilst learning a new job.
At 31 March 1998 there were 815 permanent staff in post in LCD Headquarters.
Senior Civil Servants are not included.

Appraisal marks received in the court service and public trust office for appraisals completed in 1998

	1	*2*	*3*	*4*	*5*
a)					
Total for Court Service	32	3,611	4,695	27	4
Total for Public Trust Office	—	165	223	2	—
b) (i) Grade/Box mark					
Grade 6	1	20	9	—	—
Grade 7	1	44	28	—	—
SEO	2	103	80	1	—
HEO	6	403	326	2	1
EO	9	737	1,014	4	—
AO	6	1,732	2,321	16	2
AA	—	81	149	—	—
Support Grades	7	666	991	6	1
Total	32	3,776	4,918	29	4
(ii) Gender/Box mark					
Female	21	2,507	3,157	11	2
Male	11	1,269	1,761	18	2
Total	32	3,776	4,918	29	4
(iii) Ethnicity/Box mark					
White	30	3,325	4,121	16	3
Asian	—	105	199	4	—
Black	1	99	216	4	1
Other	—	18	30	—	—
Unknown	1	229	352	5	—
Total	32	3,776	4,918	29	4
(iv) Part time or full time/Box mark					
Full Time	30	3,299	3,924	24	4
Part Time	2	477	994	5	—
Total	32	3,776	4,918	29	4
(v) Disability/Box mark					
Disabled	—	82	162	1	—
Non-disabled	31	3,198	4,014	19	4
Unknown	1	496	742	9	—
Total	32	3,776	4,918	29	4

Notes:
The Court Service and Public Trust Office switched to new appraisal system for the 1998–99 year. However, for reports ending in 1998 they both used a numeric system of 1 to 5.
The figures at b) are for the Court Service and Public Trust Office combined.
At 31 March 1998 there were 9,246 permanent staff in post in the Court Service and 554 in the PTO.
Senior Civil Servants are not included.

Special Advisers

Mr. Tyrie: To ask the Minister of State, Lord Chancellor's Department if he will list the total number of occasions when *(a)* departmental and *(b)* non-departmental special advisers have travelled abroad in an official capacity since 2 May 1997, unaccompanied by Ministers. [77980]

Mr. Hoon: There have been no occasions since 2 May 1997 when the special adviser employed by my Department has travelled abroad in an official capacity unaccompanied by Ministers. Neither the Lord Chancellor nor I have any non-departmental special advisers.

NORTHERN IRELAND

Human Rights Commission

8. **Jane Griffiths:** To ask the Secretary of State for Northern Ireland what representations she has received relating to the Human Rights Commission's work. [76686]

Marjorie Mowlam: The Government have received no representations relating to the work of the Northern Ireland Human Rights Commission since it was established on 1 March. However, during the passage of the Northern Ireland Bill, we received many representations from interested parties on what the functions and powers of the Commission should be. These were fully debated in Parliament and the Government introduced a number of amendments to the Bill to reflect the representations that had been made.

20. **Fiona Mactaggart:** To ask the Secretary of State for Northern Ireland if she will make a statement on the work of the Human Rights Commission. [76698]

Mr. Paul Murphy: The Northern Ireland Human Rights Commission was formally established on 1 March under the provisions of the Northern Ireland Act 1998. The Chief Commissioner is Professor Brice Dickson, and there are nine part-time Commissioners. The establishment of the Commission is the central feature of the additional protections for human rights in Northern Ireland which are envisaged in the Belfast agreement. The Government believe that it will be a powerful force in developing, through education and research, an active human rights culture in Northern Ireland. One of its early functions will be to advise on a possible Bill of Rights for Northern Ireland. How the commission carries out its various responsibilities is a matter for the commission itself to determine.

Rev. Ian Paisley: To ask the Secretary of State for Northern Ireland if the interview panel for appointments to the Northern Ireland Human Rights Commission recommended only the persons ultimately appointed. [77985]

Mr. Paul Murphy: The two interview panels put forward recommendations on all those interviewed which numbered eight for the Chief Commissioner part and 23 for the Commissioner parts.

Rev. Ian Paisley: To ask the Secretary of State for Northern Ireland what criteria were adopted to ensure that the human rights commissioners appointed were representative of the community as a whole. [77982]

Mr. Paul Murphy: My right hon. Friend the Secretary of State, in placing advertisements widely and issuing a press release, ensured that applications were received from as wide a selection of people as possible. The sift criteria for interview were adopted to ensure that the best candidates were interviewed. The Secretary of State then appointed a Chief Commissioner and Commissioners making a judgment about the group as a whole being representative of the community in Northern Ireland. She is satisfied that the statutory requirement has been met.

Rev. Ian Paisley: To ask the Secretary of State for Northern Ireland what criteria were used for shortlisting applicants for membership of the Northern Ireland Human Rights Commission; who carried out the shortlisting; and what consultation was undertaken with *(a)* the Irish Government and *(b)* others regarding shortlisting. [77984]

Mr. Paul Murphy: Shortlisting was carried out by the three members of the interview panel using the following two criteria:

(a) the candidate's record of achievement in their chosen field, and

(b) evidence from their application form of a good grasp of human rights.

The panel did not consult with anyone in drawing up the shortlist.

Rev. Ian Paisley: To ask the Secretary of State for Northern Ireland what were the advertised requirements for the appointment of Northern Ireland's Human Rights Commission; and if these requirements were discussed with *(a)* the Irish Government and *(b)* the Secretariat at Maryfield. [77981]

Mr. Paul Murphy: Copies of the advertisements will be placed in the Library of the Houses. The details were not discussed with either the Irish Government or the Secretariat at Maryfield.

Rev. Ian Paisley: To ask the Secretary of State for Northern Ireland whom she consulted prior to agreeing the appointments to the Northern Ireland Human Rights Commission. [77986]

Mr. Paul Murphy: The Secretary of State discussed the recommendations of the two interview panels with the Chairmen of those panels. She did not consult anyone else prior to appointing the Chief Commissioner and Commissioners.

Fishing

9. **Mr. Jack:** To ask the Secretary of State for Northern Ireland if she will make a statement on discussions she has held with the Irish Government on ways of improving fishing opportunities in the Irish sea. [76687]

Mr. McFall: Over the past six months I have written to the Taoiseach on a number of occasions in connection with a joint approach to exploitation of Irish Sea stocks. I am delighted to report that the United Kingdom and Irish Governments were able to co-operate at last December's Council of EU Fisheries Ministers. We achieved significant increases in fishing opportunities for haddock for the benefit of all fishermen fishing in the Irish Sea, particularly the Northern Ireland fleet. This was a very welcome development, and I hope that we will continue to find opportunities to co-operate constructively on fisheries issues.

Good Friday Agreement

10. **Ms Kelly:** To ask the Secretary of State for Northern Ireland what meetings she has had with the Irish Government about the implementation of the Good Friday agreement in the last month. [76688]

Marjorie Mowlam: I have had regular contacts with the Irish Government and with the Northern Ireland political parties in the last month. It is important that all parties to the Good Friday Agreement work together at this crucial time to ensure that every aspect is implemented in full.

11. **Sir Sydney Chapman:** To ask the Secretary of State for Northern Ireland if she will make a statement on progress on implementing the Good Friday agreement. [76689]

12. **Mr. Jim Murphy:** To ask the Secretary of State for Northern Ireland if she will make a statement on progress in implementing the Good Friday agreement. [76690]

Marjorie Mowlam: I refer hon. Members to the reply that I gave to my hon. Friend the Member for Falkirk, East (Mr. Connarty) today, *Official Report*, column 379.

Irish Language

13. **Mr. Flynn:** To ask the Secretary of State for Northern Ireland what new proposals she has to improve the quality of teaching through the medium of Irish. [76691]

Mr. McFall: The quality of intakes to Irish Medium Education initial teacher training courses is already high and the Education and Training Inspectorate has found the quality of teaching in schools to be generally good.

Post-devolution, this issue will be for the Irish Language Agency of the North-South Implementation Body on Languages.

Euro

14. **Mr. Ben Chapman:** To ask the Secretary of State for Northern Ireland if she will make a statement on the impact of the euro on north-south relationships in the island of Ireland. [76692]

Mr. Paul Murphy: Northern Ireland is unique in that it is the only part of the United Kingdom with a border to the euro-zone. It is very early to be definitive about the impact of the euro, but in the short term it is likely to be limited.

Decommissioning

15. **Mr. Brady:** To ask the Secretary of State for Northern Ireland what assessment she has made of progress on the decommissioning of illegally held arms and explosives. [76693]

Mr. Ingram: The Good Friday agreement committed all the participants to the total disarmament of all paramilitary organisations. The participants also confirmed their intention to work constructively and in good faith with the Independent International Commission on Decommissioning and to use any influence they may have to achieve the decommissioning of all paramilitary arms within two years of last May's referendum and in the context of the implementation of the overall settlement.

21. **Rev. Martin Smyth:** To ask the Secretary of State for Northern Ireland what report she has received from General De Chastelain on the status of parties in the Assembly in relation to decommissioning. [76699]

Mr. Ingram: I understand that discussions continue between various Assembly parties and the Independent International Commission on Decommissioning.

25. **Mr. Campbell-Savours:** To ask the Secretary of State for Northern Ireland if she will consider the purchase of arms from paramilitary groups in Northern Ireland as part of the process of decommissioning. [76703]

Mr. Ingram: Decommissioning schemes were agreed in June 1998 after extensive consultation. The schemes do not provide for the purchase of paramilitary arms since that option was not supported by the parties.

28. **Dr. Godman:** To ask the Secretary of State for Northern Ireland when she last met the Taoiseach to discuss matters relating to the issue of the decommissioning of paramilitary weaponry. [76706]

Mr. Ingram: My right hon. Friend the Secretary of State last formally met with the Taoiseach on 3 February and they also met again during their recent visits to the USA for St. Patrick's day.

29. **Miss Kirkbride:** To ask the Secretary of State for Northern Ireland what assessment she has made of progress on the decommissioning of illegally held arms and explosives. [76707]

Mrs. Ann Winterton: To ask the Secretary of State for Northern Ireland what recent representations she has received on when the decommissioning of illegally held weapons and explosives will begin. [76683]

Mr. Ingram: I have welcomed the start to decommissioning made by the LVF on 18 December. The Independent International Commission on Decommissioning is continuing its vital work. It is time for all groups to play their part in the full implementation of the agreement; they should start to decommission now.

Drumcree

16. **Mr. McCabe:** To ask the Secretary of State for Northern Ireland if she will make a statement on progress towards the resolution of the problems relating to the Orange Order parade at Drumcree. [76694]

26. **Shona McIsaac:** To ask the Secretary of State for Northern Ireland what progress is being made towards the resolution of the problems over the Orange Order parade at Drumcree. [76704]

Mr. Ingram: Since last July, the Government have been playing an active and constructive role in helping to find a solution to these problems which would address the legitimate concerns of all sides. We have appointed in a personal capacity Frank Blair, Director of ACAS Scotland, as facilitator and urge all sides to co-operate with him.

Health Care

17. **Mr. McNulty:** To ask the Secretary of State for Northern Ireland what impact the Budget will have on health care provision in Northern Ireland. [76695]

Mr. McFall: The Chancellor's Budget statement confirmed the Government's continuing commitment to modernise the NHS. I am equally determined that health services in Northern Ireland are equipped to provide a first class service, and am considering how this can best be achieved.

Omagh Bombing

18. **Mr. Thompson:** To ask the Secretary of State for Northern Ireland what estimate she has made of the total compensation payable as a result of the Omagh bomb. [76696]

Mr. Ingram: Responsibility for this matter has been delegated to the Compensation Agency and I understand from the chief executive that the information is as follows.

Compensation for death or injury in such circumstances is payable under the Criminal Injuries (Compensation) (Northern Ireland) Order 1988. The Agency anticipates that approximately £9 million is likely to be paid in respect of the victims of the Omagh bomb.

Loss or damage to property in such circumstances is payable under The Criminal Damage (Compensation) (Northern Ireland) Order 1977. The current estimate is that approximately £8 million is likely to be paid for damage caused to buildings, their contents and to vehicles.

National Stadium

19. **Mr. Grogan:** To ask the Secretary of State for Northern Ireland if she will make a statement on the Government's policy on a national sports stadium in Northern Ireland. [76697]

Mr. McFall: The Government are aware of the need to assess the possibility of providing a national stadium in Northern Ireland. It has, therefore, asked the Sports Council to lead in establishing a Working Group to explore the need for, and feasibility of providing a national stadium and to recommend the way forward.

Paramilitary Violence

22. **Mr. Blunt:** To ask the Secretary of State for Northern Ireland what estimate she has made of the number of punishment beatings since the Good Friday agreement; and in how many of the cases charges have been laid against alleged perpetrators. [76700]

Mr. Ingram: Since the Good Friday agreement, to 11 March, there have been 161 paramilitary-style assaults, 102 by Loyalists and 59 by Republicans. There have been 66 paramilitary-style shootings, 39 by Loyalists and 27 by Republicans.

Charges are made on the basis of specific offences, for example, common assault, grievous bodily harm and actual bodily harm. The database does not record separately those which are deemed to be paramilitary-style and it is therefore not possible to provide information on the number of persons who have been made amenable for these attacks.

New Deal (Young People)

23. **Mr. Goggins:** To ask the Secretary of State for Northern Ireland how many young people under 25 years have participated in the new deal in Northern Ireland to date; and how many of those are now in work. [76701]

Mr. McFall: The Chief Executive of the Training and Employment Agency has informed me that since 6 April 1998, 9,707 New Deal clients under 25 years have entered New Deal. Of these, at the end of February 1999, 2,547 had found work. Almost 70 per cent. were unsubsidised jobs. Information on whether they are still in employment could be provided only at disproportionate cost.

Lifelong Learning

24. **Dr. Iddon:** To ask the Secretary of State for Northern Ireland what proposals she has to introduce the Government's lifelong learning programme in Northern Ireland. [76702]

Mr. McFall: The Government's strategy for lifelong learning in Northern Ireland was published on 9 February 1999. A copy of the document, "Lifelong Learning: a New Learning Culture for All", has been placed in the Library of the House.

Equality Commission

27. **Ms Rosie Winterton:** To ask the Secretary of State for Northern Ireland when the Equality Commission in Northern Ireland will be established. [76705]

Marjorie Mowlam: I refer my hon. Friend to the reply I gave to my hon. Friend the Member for Glasgow, Maryhill (Mrs. Fyfe) today, *Official Report*, column 376.

Peace Process

30. **Ms Bridget Prentice:** To ask the Secretary of State for Northern Ireland if she will make a statement on the progress of the peace process. [76708]

Marjorie Mowlam: I refer my hon. Friend to the answer I gave to my hon. Friend the Member for Falkirk, East (Mr. Connarty) today, *Official Report*, column 379.

Patten Commission

Mr. Robert McCartney: To ask the Secretary of State for Northern Ireland (1) if she will make it her policy that no information from the Patten Commission on policing which is not in the public domain will be shared with *(a)* any other Government and *(b)* any private group; [77582]

(2) if she will make it her policy that no information from the Patten Commission on policing which is not in the public domain will be shared with *(a)* any other Government and *(b)* any private group. [77584]

Mr. Ingram: I refer the hon. and learned Gentleman to the answer given to him by my right hon. Friend the Prime Minister on 19 March 1999, *Official Report*, columns *843–44*.

Closed Circuit Television

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland what was the greatest approved expenditure during the past five years for the provision of CCTV security equipment at *(a)* a controlled school, *(b)* a maintained school and *(c)* a voluntary grammar school; and if she will make a statement on the criteria used for approval of expenditure on CCTV security systems at schools. [77611]

Mr. McFall: The greatest approved expenditure for CCTV equipment over the past 5 years was £18,000 for a controlled school, £17,000 for a maintained school and £12,000 for a voluntary grammar school. Applications for CCTV systems in schools are considered on their merits in light of the available resources and a risk assessment based on guidelines in the booklet, "Security and Personal Safety in Schools".

Dundonald Training Centre

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many staff are presently employed at Dundonald Training Centre; how many trainees are involved there; and what proposals she has to increase training opportunities in the boroughs of Ards, Castlereagh and North Down. [77796]

Mr. Ingram: Responsibility for the subject in question has been delegated to the Training and Employment Agency under its Chief Executive, Mr. Ian Walters. I have asked him to arrange for a reply to be given.

Letter from Ian Walters to Mr. John D. Taylor, dated 23 March 1999:

The Secretary of State for Northern Ireland has asked me, as Chief Executive of the Training and Employment Agency, to reply to your question about Dundonald Training Centre and training opportunities in the Boroughs of Ards, Castlereagh, and North Down.

Pending a decision on its future, Dundonald Training Centre is not currently operational. Five staff remain in the Centre to maintain the premises and provide support services to other parts of the training centre network. A further 30 T&EA staff are located on the Dundonald site engaged in duties which are not directly linked to the work of training centres. There are no trainees in the Centre at present.

A document on the future structure of relationships between training centres and Further Education Colleges, which was published for consultation purposes in September 1998, recommended a working partnership between colleges and training centres which would better utilise their respective strengths. The views and advice offered during the consultation process are being assessed and an announcement on the way forward is expected shortly.

The future of Dundonald Training Centre will depend upon the outcome of the Review. The extent to which vocational training arrangements in Ards, Castlereagh, and North Down might be further improved will be similarly addressed through the implementation of the Review's recommendations.

As you know, high quality training is available now under the New Deal and Jobskills programmes and will be offered shortly in Worktrack which will succeed ACE. Complementing these programmes is the recently announced strategy for Lifelong Learning, a £63 million initiative to encourage a culture of continuous learning. This major new initiative will help individuals of all ages to acquire the skills they need to meet the demands of a rapidly changing economy.

I hope you find this information useful.

EDUCATION AND EMPLOYMENT

Further Education

Mr. Steinberg: To ask the Secretary of State for Education and Employment what change there has been in the number of students in further education in the United Kingdom since tuition fees were introduced. [75022]

Mr. Mudie: The information requested is not available.

New Deal (Targets)

Mr. Brady: To ask the Secretary of State for Education and Employment what targets the Employment Service has set for improving employability through the implementation of the New Deal. [75665]

Mr. Andrew Smith *[holding answer 9 March 1999]:* Responsibility for the subject of these questions has been delegated to the Employment Service agency under its Chief Executive. I have asked him to arrange for a reply to be given.

Letter from Leigh Lewis to Mr. Graham Brady, dated 24 March 1999:

As the Employment Service is an Executive Agency, the Secretary of State for Education and Employment has asked me to reply to your question about the targets we have set for improving employability through the implementation of New Deal. This is something which falls within the responsibilities delegated to me as Chief Executive of the Agency.

We are working to the goal of implementing the Government's commitment to helping 250,000 young unemployed people off benefit and into work. Placement in jobs, retention in employment and qualifications gained are employability measures included within the core performance measures of the New Deal.

I hope this is helpful.

Chief Inspector of Schools

Mrs. Mahon: To ask the Secretary of State for Education and Employment if he will investigate the recent reports relating to the conduct of the Chief Inspector of Schools; and if he will make a statement. [76456]

Ms Estelle Morris: Chris Woodhead has made it clear that he does not accept the allegations made in recent reports about his conduct during the period when he was a school teacher and no evidence has been brought forward to substantiate them. He has also made it clear that he supports the Government's new legislation on improper relationships between pupils and their teachers.

Museums (School Programmes)

Mr. Fearn: To ask the Secretary of State for Education and Employment what assessment he has made of the effect on local authority museums' school programmes of the further delegation of funding to schools. [76640]

Ms Estelle Morris: Local education authorities are not required to delegate funding for school museum services in 1999–2000, except to grant-maintained schools. From April 2000, we intend to require them to delegate funding for school library and museum services to secondary schools; in the case of primary and special schools, our intention is that any funding for these services which is not delegated should be passed to the schools on an

earmarked basis, which will enable the schools to decide whether to buy the services from their own or another authority.

We are committed to encouraging museums and galleries to develop their educational role and strengthen their links with schools, and have recently announced that we shall be making £2.5 million available for this purpose over three years.

Working Time Directive

Mr. Tyrie: To ask the Secretary of State for Education and Employment how many civil servants in his Department have been invited to waive the Working Time Directive requirement to work less than 48 hours a week on 17 consecutive weeks; how many civil servants in his Department have refused to waive the requirement; and what is the total cost of compliance with the Directive. [76810]

Mr. Mudie: Three members of the Senior Civil Service in the Department for Education and Employment (including the Employment Service) have signed an agreement to disapply the 48 hour limit. Central records are not kept for staff outside the Senior Civil Service in DfEE (including the Employment Service), nor do the Regulations require employers to keep records of the number of workers who refuse to sign an opt-out agreement. The standard terms and conditions of service for staff employed by the Department for Education and Employment (including the Employment Service) are well within the limits set by the Working Time Regulations. Compliance costs are not kept centrally and could be provided only at disproportionate cost.

Support Staff Pay

Mrs. May: To ask the Secretary of State for Education and Employment what assessment his Department has made of the impact of the single status agreement on the pay of non-teaching support staff. [76939]

Ms Estelle Morris *[holding answer 16 March 1999]:* No assessment has been made. As with other groups of local government staff, pay and conditions of service for education support staff are determined by local authorities in negotiation with staff and the relevant trade unions. The Government traditionally are not involved. However, we welcome the encouragement in the single status agreement of local pay and grading reviews and the commitment to training and development for all staff.

Correspondence

Mr. McLoughlin: To ask the Secretary of State for Education and Employment when the hon. Member for West Derbyshire can expect a reply to the letter he sent on 20 November 1998 on behalf of his constituent, Mr. Purdy. [77316]

Mr. Mudie: Since an interim reply was issued on 11 January 1999, the hon. Member for West Derbyshire's letter of 20 November has, unfortunately, been mislaid in the Department. A reply was issued to the copy letter provided by the hon. Member's office today.

Departmental Review (Regional Consultation)

Mrs. Ellman: To ask the Secretary of State for Education and Employment if his current review of the delivery of high-quality further education, training and work force development includes consultation at a regional level. [77824]

Mr. Mudie: Yes. We have invited comments from a wide range of partners at local, regional and national level.

Classroom Assistants

Mrs. Brinton: To ask the Secretary of State for Education and Employment what regulations set the pay and conditions of classroom assistants. [77906]

Ms Estelle Morris: The pay and conditions of classroom assistants in schools are not governed by regulations but are determined by Local Education Authorities and schools in negotiation with their staff and relevant trade unions.

Mrs. Brinton: To ask the Secretary of State for Education and Employment what minimum qualifications classroom assistants are required to possess. [77907]

Ms Estelle Morris: It is for Local Education Authorities and schools to determine the qualifications required by classroom assistants working in schools. The Department is working with Local Education Authority representatives and others to develop a national framework of training and qualifications for classroom assistants based on occupational standards/NVQs.

Local Authority Spending

Mr. Burstow: To ask the Secretary of State for Education and Employment if he will list the local authorities to which Ministers have written urging greater spending on local services within their portfolio area. [77960]

Ms Estelle Morris *[holding answer 22 March 1999]:* My right hon. Friend the Secretary of State has written to all English Local Education Authorities to urge them to ensure that the additional provision which we have made available is actually spent on education and, in particular, is used to support schools so that the resources can be spent directly on raising standards.

Millennium Dome (School Visits)

Mr. Peter Ainsworth: To ask the Secretary of State for Education and Employment what discussions he has had with teaching unions regarding overnight accommodation costs and overtime payments for teachers accompanying parties of school children visiting the Millennium Dome. [78166]

Ms Estelle Morris *[holding answer 22 March 1999]:* None. Many schools are accustomed to taking children on overnight trips.

Information Technology Learning Centres

Mr. Peter Bradley: To ask the Secretary of State for Education and Employment how many of the new IT learning centres announced in the Budget are to be developed in rural areas; and if he will list their locations. [78310]

Mr. Charles Clarke: The number of learning centres to be located in rural areas and their locations is yet to be decided.

New Deal (Lincolnshire Schools)

Shona McIsaac: To ask the Secretary of State for Education and Employment if he will list those schools in *(a)* north east Lincolnshire and *(b)* north Lincolnshire which received finances through the New Deal for schools; and in each case for what purpose the money was allocated. [78312]

Mr. Charles Clarke: The following two tables answer my hon. Friend's question.

Table 1: Schools in North East Lincolnshire which have benefited from the first two rounds of the New Deal for Schools

Schools in NE Lincolnshire benefiting from NDS	*Purpose for which grant was awarded*
Bradley Park Infants	Upgrading of glazing to conform with legislation
Bradley Park Junior	Upgrading of glazing to conform with legislation
Cambridge Park	(a) Upgrading of old/worn wiring, switchgear and lighting luminaries
	(b) Renewal of roofing
	(c) Upgrading of glazing to conform with legislation
Coomb Briggs Primary	(a) Replacement of windows and window frames
	(b) Renewal of roofing
Edward Heneage Primary	(a) Boiler/valve replacement
	(b) Repairs to chimney and high level gables
	(c) Upgrading of glazing to conform with legislation
Elliston Infants	Upgrading of glazing to conform with legislation
Elliston Junior	Upgrading of glazing to conform with legislation
Enfield Primary	Renewal of roofing
Freshney Park Infants	(a) Upgrading of glazing to conform with legislation
	(b) Replacement of dangerous metal doors with wooden doors
Grange Infants	Renewal of roofing
Grange Junior	Renewal of roofing
Havelock	Remedial work to local exhaust ventilation system
Healing Comprehensive	Upgrading of glazing to conform with legislation
Healing County Primary	(a) Boiler/valve replacement
	(b) Upgrading of glazing to conform with legislation
Hereford Comprehensive	Replacement of windows and window frames
Humberston Comprehensive	Upgrading of glazing to conform with legislation
Humberston CE Primary	Upgrading of glazing to conform with legislation
Humberston Park	Provision of storage for wheelchairs and other mobile means of transport
Immingham Comprehensive	(a) Boiler/valve replacement
	(b) Remedial work to local exhaust ventilation system
Laceby Acres Primary	Renewal of roofing
The Leas Junior	(a) Boiler/valve replacement
	(b) Upgrading of glazing to conform with legislation
Lindsey	Remedial work to local exhaust ventilation system
Littlecoates Primary	Upgrading of glazing to conform with legislation
Matthew Humberstone	(a) Replacement of heating/hot water services
	(b) Remedial work to local exhaust ventilation system
	(c) Upgrading of glazing to conform with legislation
Middlethorpe Primary	(d) Re-roofing of leaking sports hall and CDT block
	(a) Upgrading of glazing to conform with legislation
New Waltham Primary	(b) Resurfacing of dangerous playground
Nunsthorpe Infants	Boiler/valve replacement
Nunsthorpe Junior	Renewal of roofing
Nunsthorpe Nursery	Refurbishment of toilets
Old Clee Infants	Upgrading of glazing to conform with legislation
Old Clee Junior	Upgrading of glazing to conform with legislation
Queen Mary Avenue Infants	Upgrading of glazing to conform with legislation
St. Peter's CE Primary	Upgrading of glazing to conform with legislation
Scartho Infants	Upgrading of glazing to conform with legislation
Scartho Junior	Upgrading of glazing to conform with legislation
	(a) Boiler/valve replacement
	(b) Rewiring
Signhills Infants	(c) Upgrading of glazing to conform with legislation
Signhills Junior	Upgrading of glazing to conform with legislation
South Parade Infants	Replacement of heating/hot water services
South Parade Junior	Upgrading of glazing to conform with legislation
Springfield Primary	Upgrading of glazing to conform with legislation
Stanford Primary	Part replacement of plumbing to ensure adequate hot water to toilets
	(a) Replacement of windows and window frames
Strand Junior	(b) Renewal of roofing
Waltham Toll Bar Comprehensive	Renewal of roofing
	Concrete lintels

Table 1: Schools in North East Lincolnshire which have benefited from the first two rounds of the New Deal for Schools

Schools in NE Lincolnshire benefiting from NDS	*Purpose for which grant was awarded*
Western	(a) Replacement of heating/hot water services (b) Remedial work to local exhaust ventilation system
Willows Primary	Renewal of roofing
Wintringham Comprehensive	(a) Remedial work to local exhaust ventilation system (b) Upgrading of glazing to conform with legislation
Wybers Wood Infants	Upgrading of glazing to conform with legislation
Wybers Wood Junior	Upgrading of glazing to conform with legislation
Yarborough Junior	(a) Upgrading of glazing to conform with legislation (b) Replacement of dangerous metal doors with wooden doors

Table 2: Schools in North Lincolnshire which have benefited from the first two rounds of the New Deal for Schools

Schools in North Lincolnshire benefiting from NDS	*Purpose for which grant was awarded*
Baysgarth	Provision of local exhaust ventilation
Berkeley Infants	Replacement of rotten external timber windows
Berkeley Junior	Partial rewiring
Brigg Primary	Upgrading of heating
Broughton Infants	(a) Replacement of part heating schemes (b) Partial rewiring
Brumby Comprehensive	(a) Provision of local exhaust ventilation (b) Partial re-roofing
Burton-upon-Stather County Primary	Upgrading of heating
Crosby Primary	Replacement of part heating schemes
Foxhills Comprehensive	(a) Upgrading of heating (b) Provision of additional toilets
Frederick Gough	Provision of local exhaust ventilation
Frodingham Infants	Replacement of part heating schemes
Goxhill Primary	Partial rewiring
Grange Lane Junior	Complete rewiring
High Ridge Comprehensive	(a) Provision of local exhaust ventilation (b) Partial re-roofing
Huntcliff Comprehensive	(a) Upgrading of heating (b) Provision of local exhaust ventilation
Killingholme Primary	(a) Partial rewiring (b) Partial reheating and upgrading of low surface temperature system
Kirmington Primary	(c) Partial rewiring (d) Partial reheating and upgrading of low surface temperature system
Kirton in Lindsey Primary	Partial re-roofing
Leys Farm Junior	Partial rewiring
Messingham Primary	Partial re-roofing
New Holland Primary	Partial rewiring
St. Bede's	(a) Provision of local exhaust ventilation (b) Complete rewiring
Sir John Nelthorpe	Provision of local exhaust ventilation
South Axholme	Provision of local exhaust ventilation
South Ferriby Primary	Partial reheating and upgrading of low surface temperature system
South Leys Comprehensive	(a) Provision of local exhaust ventilation (b) Replacement of rotten external timber windows
Thomas Sumpter Comprehensive	(a) Provision of local exhaust ventilation (b) Fire precautionary work
Vale of Ancholme	(a) Provision of local exhaust ventilation (b) Complete rewiring
Winterton Comprehensive	(a) Upgrading of heating (b) Replacement of asbestos-impregnated ceilings

Science Laboratories

Dr. Gibson: To ask the Secretary of State for Education and Employment how many new scientific laboratories have been built in schools in the last five years. [78232]

Mr. Charles Clarke: This information is not held centrally.

Education Funding (Leicestershire)

Mr. Tredinnick: To ask the Secretary of State for Education and Employment (1) what advice he has given Leicestershire County Council concerning the expenditure of the 1999–2000 increase in the education SSA for the county; and if he will make a statement; [78247]

(2) what responses he has received from the leaders of the *(a)* Conservative, *(b)* Liberal and *(c)* Labour county councillors in Leicestershire to his letter of 1 March to county councillors entitled Education Funding; and if he will make a statement; [78246]

(3) if he will list the education authorities which have not passed on to schools the whole of the increase in the education SSA for 1998–99; and if he will make a statement. [78337]

Ms Estelle Morris *[holding answer 23 March 1999]*: My right hon. Friend the Secretary of State has written to all English Local Education Authorities, including Leicestershire, to urge them to use all of the cash increase in the education SSA for 1999–2000 to support education services. We expect every Local Education Authority of whatever political control to ensure that the increase is spent on education and used in the direct delivery of services. No responses have been received from the leaders of the Conservative and Liberal Groups to the letters which have been sent to the County Council. The Labour Group Leader has indicated that the Labour Group is committed to providing additional resources for education in Leicestershire. Final data are not yet available on actual expenditure in 1998–99 or planned expenditure in 1999–2000 but we will be monitoring the financial returns of authorities to see whether the cash increase in the education SSA has been used to support education.

Ministerial Engagements

Ms Abbott: To ask the Secretary of State for Education and Employment (1) what his engagements were at 11.00 am on Friday 19 March; and if he will make a statement; [78447]

(2) what engagements the Minister for Employment, Welfare to Work and Equal Opportunities had at 11.00 am on Friday 19 March; and if he will make a statement; [78448]

(3) what engagements the Minister for School Standards had at 11.00 am on Friday 19 March; and if he will make a statement; [78449]

(4) what engagements the Minister for Education and Employment had at 11.00 am on Friday 19 March; and if he will make a statement; [78450]

(5) what engagements the Under-Secretary of State responsible for Lifelong Learning, my hon. Friend the Member for Leeds, East (Mr. Mudie), had at 11.00 am on Friday 19 March; and if he will make a statement; [78452]

(6) what engagements the Under-Secretary of State responsible for School Standards, my hon. Friend the Member for Norwich, South (Mr. Clarke), had at 11.00 am on Friday 19 March; and if he will make a statement; [78453]

(7) what engagements the Under-Secretary of State responsible for Employment and Equal Opportunities, my hon. Friend the Member for Barking (Ms Hodge), had at 11.00 am on Friday 19 March; and if he will make a statement. [78454]

Mr. Blunkett: Following the briefing given to my hon. Friends the Members for Hackney, North and Stoke Newington (Ms Abbott) and for Hackney, South and Shoreditch (Mr. Sedgemore) by the School Standards Minister the day before the announcement relating to Hackney LEA on Thursday, 18 March, Education and Employment Ministers were visiting a range of schools and other facilities throughout England on Friday. Details are as follows:

I was visiting Mossbrook Special School in Sheffield and attending an international education seminar;

The Minister for Employment, Welfare to Work and Equal Opportunities was giving a speech in Oxford to the Tourism Business Scheme on recruitment problems in the Tourist Industry and visiting a New Deal self-build project;

The Minister for School Standards had a two hour dental appointment and was in Birmingham on Departmental and Constituency business;

The Parliamentary Under-Secretary of State for Lifelong Learning was visiting Rawthorpe High School in Huddersfield;

The Parliamentary Under-Secretary of State for School Standards was opening the Milton Keynes Educational Partnership Conference in Northampton;

The Parliamentary Under-Secretary of State for Employment and Equal Opportunities was addressing a childcare conference in Gloucester;

Baroness Blackstone was in London providing Ministerial cover.

FOREIGN AND COMMONWEALTH AFFAIRS

Appointments

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those people he has appointed to public bodies since 1 November 1998, indicating the positions to which they have been appointed and if they receive remuneration. [76419]

Mr. Fatchett: Since 1 November 1998, the Secretary of State or other FCO Ministers have made or approved the following appointments to non-departmental public bodies:

Name of Appointee	*Body*	*Position*	*Remuneration*
Keith Vaz MP	British Council	Vice Chairman	Nil
D. A. Thompson (reappointment)	Commonwealth Institute	Chairman	£5,000
Tony Baldry MP	Commonwealth Institute	Governor	Nil
Floella Benjamin	Commonwealth Institute	Governor	Nil
Algy Cluff (reappointment)	Commonwealth Institute	Governor	Nil
Lord Dholakia	Commonwealth Institute	Governor	Nil
Anne Ferguson	Commonwealth Institute	Governor	Nil
Mary Marsh	Commonwealth Institute	Governor	Nil
Anthea Millett	Commonwealth Institute	Governor	Nil
Bill Morris	Commonwealth Institute	Governor	Nil
Helen Robinson (reappointment)	Commonwealth Institute	Governor	Nil
Jonathon Taylor	Commonwealth Institute	Governor	Nil
Sam Younger	Commonwealth Institute	Governor	Nil
Keith Vaz MP	Commonwealth Institute	Governor	Nil

Gibraltar

Mr. Austin: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Spanish Foreign Minister concerning his recent statements about alleged criminal activity in Gibraltar; and if he will make a statement; [76928]

Dr. Marek: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the recent allegations about criminal activity in Gibraltar made by the Spanish Foreign Minister; and if he will make a statement. [76395]

Ms Quin *[holding answer 15 March 1999]:* My right hon. Friend the Foreign Secretary raised Spanish allegations about criminal activity in Gibraltar with the Spanish Foreign Minister when they met on 21 February. He made clear to Sr. Matutes the strength of British and Gibraltarian determination to confront criminal activity in any form. He invited the Spanish authorities to substantiate their allegations.

We have received details of some specific Spanish concerns. We have been looking into these, together with the relevant Gibraltar authorities, and are responding.

Mr. Wilshire: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the instructions given to *(a)* the Governor of Gibraltar and *(b)* the Royal Gibraltar Police regarding the enforcement of the laws restricting fishing in Gibraltar's territorial waters. [78352]

Ms Quin: It is not our practice to reveal details of confidential exchanges between the Foreign and Commonwealth Office and any Governor or Ambassador. Nor is it our practice to give details of the operational instructions given to the Royal Gibraltar Police.

Mr. Wilshire: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish the agreement reached with the Spanish Government on fishing by Spanish trawlers in Gibraltar's territorial waters. [78351]

Ms Quin: The understanding reached with Spain was not a written document. On 5 October 1998, my right hon. Friend the Foreign Secretary and the Spanish Foreign Minister confirmed an understanding reached earlier between British and Spanish officials on the basis for a return to the situation that had prevailed in British waters around Gibraltar between 1991 and 1997, when fishing took place in moderation and the fishermen respected the authority of the Gibraltar law enforcement agencies. They agreed that we should revert to that situation.

Pakistan

Ann Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs when he last met the Attorney General of Pakistan to discuss the law as it affects women in Pakistan. [76349]

Mr. Fatchett *[holding answer 23 March 1999]:* Neither I nor my right hon. Friend the Foreign Secretary have met the Attorney General of Pakistan. We discuss the law as it affects women as part of our continuing dialogue with Pakistan.

EU Budget Contribution

Dr. Marek: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will provide a breakdown of the UK's contribution to the EU for the last year for which figures are available. [78373]

Ms Quin *[holding answer 23 March 1999]:* The European Commission's report of 7 October 1998 called "Financing the European Union", a copy of which was deposited on 26 October (Batch list 121), contains Member States' payments into the EU budget from 1992–99, although the figures for 1998 and 1999 are estimates. The payments are listed by type; Traditional own resources (customs duties, agriculture duties, sugar levies less collection costs), VAT, GNP and the adjustment made to other Member States' contributions to fund the UK abatement. UK 1995–97 average contributions were:

	£ million	*Euro million*
Traditional Own Resources	1,929.6	2,807.6
VAT Own Resource	3,700.7	5,384.5
GNP Own Resource	1,991.8	2,898.1
Abatement	−1,574.4	−2,290.7
Total	6,047.7	8,799.5
The average net contribution (net of receipts) was:	1,957.4	2,848

Millennium Compliance

Mr. Chope: To ask the Secretary of State for Foreign and Commonwealth Affairs for what reason no external assessment has been made of the plans of his Department for millennium compliance. [78466]

Mr. Fatchett: At present I am content to rely on the robustness and independence of our own Internal Audit team. They have just completed an examination of our compliance programme. We have taken on board the lessons they have flagged up. If, however, we feel that there is a need for external assessment, we shall arrange one.

European Commissioners

Mr. Laurence Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs which European Union institution will be responsible for controlling the payments to the retiring commissioners when they leave office; what plans he has to meet those who are to make those payments; and if he will make a statement. [78202]

Ms Quin: Commissioners' terms and conditions are set down in the 1967 Council Regulation 422/67. This governs transitional and pension payments following their retirement or resignation from the Commission.

Payments following a Commissioner's departure are paid by the Commission.

We expect out-going Commissioners to be treated in accordance with this Statute. I have no plans to meet the Commission to discuss these arrangements.

Sierra Leone

Mr. Alan Johnson: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received of the murder of civilians in Waterloo, Sierra Leone; and if he will make a statement. [78323]

Mr. Tony Lloyd: We have no precise figure for the number of civilian deaths in Waterloo. We believe that between 3,000 and 5,000 persons were killed during the rebel attack on Freetown in January, and that many of them had fled initially from Waterloo.

The Nigerian-led West African peacekeeping force, ECOMOG, succeeded in expelling the rebels from Waterloo on 24 February. In Waterloo, we understand that the rebels murdered some civilians and committed other atrocities; the rebels destroyed much of the town's infrastructure. Our High Commissioner in Freetown visited Waterloo on 6–7 March, and reported evidence of heavy fighting and widespread destruction.

Mr. Howard: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of developments in Sierra Leone following the most recent reports of atrocities by rebel troops. [78421]

Mr. Tony Lloyd: The situation in Freetown is improving, but remains volatile. The picture in the rest of the country is unclear, due to difficulties of access. Rebels are believed to be active in large areas of the north and east; for example, heavy fighting has recently been reported around Kambia, near the border with Guinea. We condemn the appalling atrocities, murder and destruction committed by the rebels. We continue to support strongly the democratically elected Government of Sierra Leone and the efforts of the Nigerian-led West African peacekeeping force, ECOMOG, to protect the civilian population. My right hon. Friend the Foreign Secretary's announcement on 2 March of a new £10 million package of assistance for Sierra Leone is further evidence of that commitment.

Schengen Agreement

Mr. Maclean: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his oral answer to the right hon. and learned Member for Folkestone and Hythe (Mr. Howard) of 16 March 1999, *Official Report*, column 868, on Spain, what is the legal basis for his statement that no country has a veto on a United Kingdom application to join in arrangements made under the Schengen agreement. [78399]

Ms Quin: Under Article 5 of the Protocol integrating the Schengen acquis into the framework of the European Union, the United Kingdom will be free to participate in any future Schengen-based co-operation. Under Article 4 of that Protocol, it is only in respect of existing Schengen provisions (the "Schengen acquis") that a request by the United Kingdom to take part will be subject to the unanimous approval of the thirteen Schengen States.

Asia-Europe Foreign Ministers Meeting

Mr. Maclean: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish the agenda for the forthcoming Asia-Europe Foreign Ministers meeting of 29 and 30 March. [78394]

Mr. Fatchett: The Asia-Europe Foreign Ministers' Meeting in Berlin on 28–29 March 1999 will discuss regional and international issues of common interest. It will also review progress on the wide range of ASEM initiatives promoting economic, social, environmental, cultural and law enforcement co-operation, particularly those initiatives endorsed by Leaders at the Second Asia-Europe Meeting in London on 3–4 April 1998. Publication of the formal agenda is a matter for the German Federal Government as host of the meeting.

Pauline Green

Mr. Maclean: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he made and on what dates to the head of the European Socialist party concerning the January motions of no confidence in the European Parliament on fraud and the Commission; and if he will make a statement. [78397]

Ms Quin: It is not the practice for members of the Government to give details of party political discussions in this manner.

Rambouillet

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the Rambouillet negotiations. [77754]

Mr. Tony Lloyd: I refer my hon. Friend to the Statement on Kosovo made by my right hon. Friend the Prime Minister on 23 March 1999, *Official Report*, columns 161–63.

Russia (Human Rights)

Mr. David Atkinson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the human rights situation in Russia. [78382]

Ms Quin: Russia has made progress towards the rule of law and democracy. But we remain concerned about anti-semitism; the law on religion; prison conditions; and the cases of the environmentalists Nikitin and Pasko, among other issues. We raise our concerns frequently with the Russians. The Foreign Secretary did so most recently during his visit to Russia on 3 to 5 March. We also hold annual talks with the Russians on human rights.

Moldova (Human Rights)

Mr. David Atkinson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the human rights situation in Moldova. [78383]

Ms Quin: Moldova enjoys a working, multi-party democracy. International observers regarded the 1998 parliamentary elections as free and fair. There have been no reports of politically motivated killings or disappearances or torture of prisoners by the authorities. There are occasional instances of police cruelty and prisons are generally overcrowded. The Constitution and the law provide for freedom of expression though it is forbidden to publish views which question the country's independence, sovereignty or territorial integrity. The law makes it easy for public figures to launch defamation suits which can lead to self-censorship by journalists. The Constitution provides for judicial independence though in

practice the Prosecutor's Office has too much influence over the judiciary. Religious freedom, the right of assembly, freedom of movement and academic freedom are all respected.

In the separatist region of Transdniestria, there are reports of serious human rights abuses (including torture, police cruelty, questionable detentions, pressure on the media and discrimination against use of the Roman alphabet).

Bulgaria (Human Rights)

Mr. David Atkinson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the human rights situation in Bulgaria. [78386]

Ms Quin: The Government believe that Bulgaria has made good progress on human rights in recent years. Positive developments in the past few months include the abolition of the death penalty and the ratification of the Framework Convention for the Protection of National Minorities. Further progress is needed, however, on the implementation at local level of human rights legislation.

Romania (Human Rights)

Mr. David Atkinson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the human rights situation in Romania. [78384]

Ms Quin: Considerable progress on human rights has been made in Romania since the overthrow of the Communist regime in 1989. The UK is satisfied that Romania now adheres to modern European standards of human rights in respect of democracy, the rule of law and protection of the rights and freedoms of citizens. In certain areas, such as the administration of justice, the elimination of corruption and the treatment of minorities and the disadvantaged, further improvement is needed. The UK welcomes the movement towards greater protection of human rights in Romania and seeks to support this process.

China (Human Rights)

Mr. David Atkinson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the human rights situation in the People's Republic of China. [78385]

Mr. Fatchett: We continue to be very concerned about human rights in China, including the recent clampdown on peaceful political activists. We have raised these concerns directly with the Chinese authorities through the continuing bilateral and EU human rights dialogues. These dialogues have made limited progress in some areas. The General Affairs Council decided on 22 March that the EU would not change its position on China at this year's UN Commission on Human Rights (UNCHR). The EU will continue to express publicly its growing concerns about human rights in China at the UNCHR, as well as at bilateral and EU high-level meetings with China. It will remain in close contact with its main partners in pursuit of the common objective of achieving concrete improvements in human rights in China. It will keep its policy under regular review in the light of developments there.

Falklands Flights

Mr. Ben Chapman: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will quantify the economic effects that the removal of the Lan Chile link will have on the people of the Falklands. [78210]

Mr. Tony Lloyd: We hope that Lan Chile will continue to fly to the Falklands. We have expressed our regret to the Chilean Government over the decision to ask the airline to suspend these flights and have said we do not believe this to be justified. It is not possible to quantify reliably the economic effects that suspension of the flights would have on the Falklands, but without an alternative in place, the impact would be adverse. For example, tourism would be affected as would the ability to buy some Chilean goods and services. Airfreight would no longer pass through Chile.

Falklands (Agriculture)

Mr. Ben Chapman: To ask the Secretary of State for Foreign and Commonwealth Affairs what encouragement his Department has given to the Government of the Falklands to diversify the islands agricultural base. [78389]

Mr. Tony Lloyd: It is for the Falkland Islanders and their Government to decide whether and how to diversify their agriculture. We encourage them to consider diversification options. They are studying options including alternative livestocks. They are investing in a programme to improve their pasture, which will facilitate diversification, and have secured EU funds for the construction of an abattoir.

CABINET OFFICE

Civil Servants (Appraisal)

Mr. McDonnell: To ask the Minister for the Cabinet Office what were the appraisal performance markings awarded to civil servants in 1998 for *(a)* each agency in his Department and *(b)* the Department broken down by (i) grade, (ii) gender, (iii) ethnicity, (iv) part-time/full-time working and (v) disability; and for (1) each agency and (2) the Department whether the Cabinet Office's four fifths rule for detecting potential adverse impact was applied to the appraisal markings of civil servants in the 1998 report round. [78148]

Mr. Kilfoyle: The information requested is set out in the tables. In the Cabinet Office the appraisal performance marks were analysed by our statisticians who reported that the differences by gender and ethnicity were not statistically significant. The Department is keeping the situation under review. It is committed to a policy of equal opportunity and wishes to ensure that box marking standards reflect that commitment.

Percentage

Department/Agency	*Box 1*	*Box 2*	*Box 3*	*Box 4*	*Box 5*
Cabinet Office					
Grade					
SCS	19	55	25	*	*
Band A	15	50	34	*	*
Band B	10	49	41	*	*
Band C	4	49	46	*	*
all Grades	8	49	42	*	*

Department/Agency	Box 1	Box 2	Box 3	Box 4	Box 5
					Percentage
Gender					
Male	6	41	54	*	*
Female	11	52	37	*	*
Ethnicity					
White	9	51	40	*	*
Other ethnic origin	6	41	54	*	*
Part-time/full-time					
Part-time	4	60	36	*	*
Full-time	8	46	45	*	*
Disability					
Yes	*	50	50	*	*
No	8	47	45	*	*
CCTA					
Grade					
A1	*	100	*	*	
A2	13	57	30	*	
B1	10	74	16	*	
B2	9	78	9	3	
B3	12	73	15	*	
C1	9	91	*	*	
C2	29	62	10	*	
C3	13	87	*	*	
D	20	80	*	*	
all Grades	14	72	14	*	
Gender					
Male	13	72	14	*	
Female	15	73	12	*	
Ethnicity					
White	14	73	13	*	
Other ethnic origin	*	80	20	*	
Part-time/full-time					
Part-time	*	80	20	*	
Full-time	14	73	13	*	
Disability					
Yes	14	73	12	*	
No	13	50	37	*	
Civil Service College					
Grade					
Zone 1 and 2	8	92	*	*	
Zone 3	6	60	33	*	
Zone 4	36	64	*	*	
Zone 5	24	68	5	3	
Zone 6	9	73	17	*	
Zone 7	*	36	64	*	
all Grades	12	66	21	*	
Gender					
Male	6	65	28	*	
Female	16	67	16	*	
Ethnicity					
White	12	67	21	*	
Other ethnic origin	22	44	33	*	
Part-time/full-time					
Part-time	5	81	14	*	
Full-time	14	63	23	*	

Disability
The number of staff with a disability is too small to permit a detailed analysis
The Civil Service College is confident that it meets the 4/5ths rule

Department/Agency	Box 1	Box 2	Box 3	Box 4	Box 5
					Percentage
Government Car and Despatch Agency					
Grade	*	86	14	*	*
The numbers of staff are too small to permit more detailed analysis, including the 4/5ths rule					
Property Advisers to the Civil Estate					
Grade					
Grade 6	*	55	27	18	
Grade 7	8	25	38	29	
SEO/SPTO	*	33	33	33	
HEO	*	38	48	14	
EO	*	15	52	33	
AO	2	20	46	33	
AA	*	*	50	50	
All Grades	2	24	44	30	
Gender					
Male	2	26	41	31	
Female	*	23	47	29	
Ethnicity					
White	2	25	43	30	
Other ethnic origin	*	17	44	39	
Part-time/full-time					
Part-time	*	20	30	50	
Full-time	2	25	45	29	
Disability					
The number of staff with a disability is too small to permit a detailed analysis					
The 4/5ths rule has not been applied					
The Buying Agency					
Grade					
Band 5/6	17	33	50	*	
Band 4	*	25	75	*	
Band 3	*	46	54	*	
Band 2	*	48	48	4	
Band 1	5	28	67	*	
all Grades	3	36	61	*	
Gender					
Male	2	35	63	*	
Female	4	37	57	2	
Ethnicity					
White	2	38	60	*	
Other ethnic origin	20	*	80	*	
Part-time/full-time					
Part-time	*	36	64	*	
Full-time	3	36	60	*	
Disability					
The number of staff with a disability is too small to permit a detailed analysis					
The 4/5ths rule has not been applied					

	Box 1	Box 2	Box 3a	Box 3b	Box 4	Box 5
						Percentage
Central Office of Information						
Grade						
SCS and Directing grades	8	76	8	5	3	*
Management A	6	66	26	2	*	*
Management B	2	54	40	4	*	*
Management C	11	55	21	13	*	*
Support A	3	44	46	8	*	*
Support B	*	38	31	25	6	*
all Grades	5	58	30	6	*	*

	Percentage					
	Box 1	*Box 2*	*Box 3a*	*Box 3b*	*Box 4*	*Box 5*
Gender						
Male	5	58	28	7	*	*
Female	5	58	31	5	*	*
Ethnicity						
White	5	59	29	5	*	*
Other ethnic origin	5	45	35	15	*	*
Part-time/full-time						
Part-time	*	60	40	*	*	*
Full-time	5	58	29	7	*	*
Disability						
Yes	*	43	43	14	*	*
No	5	59	30	6	*	*

Note:

The COI has developed its own systems for detecting potential adverse impact in the performance appraisal of its staff. However, retrospective application of the 4/5ths rule confirms that there appears to be no notable bias on the grounds of gender, ethnicity or disability within the limitations imposed by COI's small number of staff.

The COI is a separate department which reports to the Minister for the Cabinet Office.

	Percentage						
	A	*B*	*C*	*D*	*E*	*F*	*G*
Security Facilities Division (formerly Security Facilities Executive)							
Grade							
Grade 7	*	25	50	12	13	*	*
SEO	*	6	41	41	12	*	*
HEO	*	5	17	65	13	*	*
EO	*	4	34	41	21	*	*
AO	*	5	10	33	52	*	*
AA	4	8	4	24	60	*	*
All Grades	*	6	22	38	33	*	*
Gender							
Male	*	5	21	41	33	*	*
Female	3	13	28	25	31	*	*
Ethnicity							
White	*	7	22	38	33	*	*
Other ethnic origin	*	*	18	45	36	*	*

The numbers of part-time and disabled staff are too small to permit detailed analysis

Notes:

The Security Facilities Division was until 1 July 1998 an Executive Agency of the Cabinet Office. It has now been integrated with the Department. Although the 4/5ths rule has not been used in monitoring performance standards, the results have been reviewed to ensure equality and consistency in report marking.

Percentages are rounded to the nearest whole number. Asterisks are used for percentages less than 1.5.

The Cabinet Office and its agencies have each developed their own appraisal systems. In each case the right hand column indicates unacceptable performance and the left hand column outstanding or excellent performance.

Government Employees (Ethnic Monitoring)

Mr. Vaz: To ask the Minister for the Cabinet Office if he will make a statement on the availability of records which monitor the number of ethnic minorities in Government offices; and what plans he has to publish the breakdown of Government employees by race and gender. [78121]

Mr. Kilfoyle: Information on ethnic origin is collected through voluntary surveys in Departments and agencies. The information is treated in confidence, and to protect the privacy of individual staff in any statistical table, numbers relating to fewer than five people are not disclosed, though this policy is under review.

Information about the ethnic origin and gender of employees is submitted quarterly by Departments and agencies to Mandate, the Cabinet Office's database of civil service personnel. Aggregate information about ethnic origin and gender is collected annually from those Departments and agencies who do not currently provide Mandate records. A service-wide analysis at 1 April each year is published in "Equal Opportunities in the Civil Service Data Summary". The information for 1998 was published in February 1999. We plan to publish the 1999 Data Summary towards the end of the year.

Special Advisers

Mr. Baker: To ask the Minister for the Cabinet Office if he will list the special advisers who have left their posts since 1 January 1998, giving in each case *(a)* the reasons and *(b)* the name of their successor. [78257]

Mr. Kilfoyle: Listed are the names of the Special Advisers who have left the Civil Service either as a result of resignation or through having their contracts terminated as a result of ministerial changes. The names of their successors are in brackets where appropriate:

John Adams
Wendy Alexander (Elsbeth Johnson)
Tim Allan (Lance Price)
Ruth Allen
Lisa Barclay
Tom Bentley
James Cornford
Jessica Crowe (David Mepham)
Kate Davies
Julian Eccles (Andy Burnham)
Tony Grayling
Daniel Harris (Dee Sullivan)
Liz Kendall
Cathy McGlynn
John McTernan
Marianne Morris
Nick Pearce (Sue Jackson)
Roz Preston
Huw Roberts
Norman Warner (Justin Russell)
Benjamin Wegg-Prosser
Damian Welfare
Charles Whelan.

ATTORNEY-GENERAL

Crown Prosecution Service

Mr. Chope: To ask the Attorney-General for what reason the Crown Prosecution Service did not meet the Government's target of producing an initial Year 2000 continuity plan by January; and for what reason it is not proposed to produce one until August. [78469]

The Attorney-General: From April 1999, the Crown Prosecution Service will be reorganised into 42 geographical CPS Areas. The reorganisation includes the appointment of 42 new Area Business Managers. The Crown Prosecution Service Year 2000 Project Board agreed that the production of Business Continuity Plans should await the appointment of the Area Business Managers as they will have a key role in the production, and operational ownership, of the Plans and business processes which the Plans must support.

August 1999 has been set as a date for the production of CPS Year 2000 Business Continuity Plans. This is an achievable target which takes account of the re-organising of the CPS in April and will enable Plans to be in place well in advance of the end of the year.

DEFENCE

RN Physiological Laboratory

Mr. Hancock: To ask the Secretary of State for Defence what experiments have been carried out at the Royal Navy Physiological Laboratory in the last 12 months; what animals were involved; and what was the purpose of the experiments. [65734]

Mr. Doug Henderson: This is a matter for the Chief Executive of the Defence Evaluation and Research Agency. I have asked the Chief Executive to write to the hon. Member.

Letter from Sir John Chisholm to Mr. Mike Hancock, dated 24 March 1999:

I have been asked to reply to your parliamentary question about the former Royal Navy Physiological Laboratory (RNPL) which is now part of the Centre for Human Sciences (CHS) Sector of the Defence Evaluation and Research Agency (DERA). The Centre for Human Sciences is currently running a research programme for the Ministry of Defence to determine the pressure and time limits for the safe escape of Navy personnel from a sunken submarine. The programme is also looking at the best treatments to maximise the recovery of those injured whilst escaping.

Goats are being used as the experimental model for this programme because their physiological behaviour in these circumstances approximates very closely to that of humans. In addition, we already have a substantial database of behavioural information from experiments with goats, thus minimising the number of new experiments needed.

All proposed research work involving the use of animals is subjected to rigorous internal review. The animals are not immersed in water but are subjected to varying levels of atmospheric pressure whilst in a pressure chamber. They are continuously monitored during the experiment. The work is carried out strictly in accordance with the requirements of the Animals (Scientific Procedures) Act 1986 which is administered by the Home Office. During 1998, 124 procedures were carried out using goats (1 animal = 1 procedure; but note that individual animals may take part in several procedures).

In addition to the statutory controls already in place, the Ministry of Defence has established an independent committee to review arrangements for animal care at DERA sites carrying out work with animals and to advise on best practice. Its independent reports are made to the Chief Scientific Adviser to the Ministry of Defence.

I hope the foregoing is helpful.

Falklands Flights

Mr. Ben Chapman: To ask the Secretary of State for Defence what assessment he has made of the effect the potential removal of the Lan Chile flight to and from the Falklands will have on the proposal to reduce Tristar flights to the islands. [77991]

Mr. Doug Henderson: We regret the Chilean Government's decision to ask Lan Chile to suspend flights to the Falklands and do not believe this to be justified. We hope the Lan Chile will continue to fly to the Falklands. The reduction in the number of RAF Tristar Airbridge flights to the Falkland Islands was one of a range of efficiency proposals identified by the Strategic Defence Review. It represents a rationalisation of the use of Tristar aircraft, following technical improvements that allow them to carry an increased payload. Final arrangements for the implementation of this measure are still under consideration.

Joint Training

Mr. Vaz: To ask the Secretary of State for Defence how many joint training exercises were conducted by the Army with other countries in the past year; and which countries they were. [78119]

Mr. Doug Henderson: Seventeen training exercises have been conducted to date by the Army with other countries in the current financial year, involving personnel from the following countries:

Australia

Austria

Azerbaijan

Belgium

Botswana

Bulgaria

Canada

Czech Republic

Denmark

Finland

Former Yugoslav Republic of Macedonia

Georgia

Germany

Greece

Hungary

Italy

Jamaica
Kenya
Latvia
Luxembourg
Moldova
Netherlands
Norway
Oman
Poland
Portugal
Romania
Slovakia
Spain
Turkey
Ukraine
USA.

Mr. Hancock: To ask the Secretary of State for Defence how many personnel were deployed on the jungle training exercises in Brunei carried out between 1 April 1997 and 31 March 1998. [76608]

Mr. Doug Henderson: The number of Royal Marine Command personnel deployed was 2,390 all ranks. In addition, 860 Gurkhas from the battalion in Burnei and 558 members of the Royal Brunei Armed Forces participated in the exercise.

TA Recruitment

Mr. Hancock: To ask the Secretary of State for Defence what targets were set for the Territorial Army recruitment activities held on Saturday 13 March; and what assessment he has made of their impact. [78226]

Mr. Doug Henderson: The aim of the Territorial Army National Open Day on 13 March was to reinforce the messages of the spring national marketing campaign at regional and local levels. This was part of the drive to meet the target for recruitment into the TA for the next financial year which is estimated at up to 10,000 new recruits. We are currently assessing the day's effectiveness and early indications are that it has been successful in increasing awareness of the TA.

TA Units (Wales)

Mr. Hoyle: To ask the Secretary of State for Defence if he will list the Territorial Army units in Wales, indicating which are classed as being in *(a)* North Wales and *(b)* South Wales. [78116]

Mr. Doug Henderson *[holding answer 22 March 1999]:* All Territorial Army units in Wales (current and future) can be found in the publication "Modern Forces for the Modern World: A Territorial Army for the Future"—Volume 2, a copy of which has been placed in the Library. TA units in the towns listed have been classified as either South or North as follows:

South Wales	*North Wales*
Abergavenny	Bangor
Abertillery	Caenarfon
Aberystwyth[1]	Colwyn Bay
Brecon	Llandudno
Bridgend	Prestatyn
Cardiff	Queensferry
Carmarthen	Wrexham
Cefn Fforest	—
Cwmbran	—
Gorseinon	—
Haverford West	—
Llanelli	—
Monmouth	—
Newport	—
Pentre	—
Pontypool	—
Pontypridd	—
Swansea	—

[1] Aberystwyth is included in the list for South Wales because it is home to a University Officers' Training Corps which is affiliated to Cardiff University, and has a detachment of 203 Field Hospital, whose headquarters is in the South.

Mission Statement

Ms Dari Taylor: To ask the Secretary of State for Defence what progress he has made towards a mission statement for his Department. [78854]

Mr. George Robertson: The objectives for the Ministry of Defence were included in the volume of Supporting Essays published as part of the Strategic Defence Review. I have since revised the language of these objectives to make them more simple and direct. The Mission Statement, which describes both the overall output and the main characteristics of the Ministry of Defence and Armed Forces, is as follows:

The Defence Mission

Purpose

The purpose of the Ministry of Defence, and the Armed Forces, is to:

- defend the United Kingdom, and Overseas Territories, our people and interest;
- act as a force for good by strengthening international peace and security.

How we achieve it

To achieve this, we:

- make a vital contribution to Britain's security policy and its promotion at home and abroad;
- direct and provide a defence effort that meets the needs of the present, prepares for the future and insures against the unpredictable;
- generate modern, battle-winning forces and other defence capabilities to help;
  - prevent conflicts and build stability;
  - resolve crisis and respond to emergencies;
  - protect and further UK interests;
  - meet our commitments and responsibilities;
  - work with Allies and partners to strengthen international security relationships.

Success depends, above all, on our people. We must:

- recruit and retain the best people for the job from a diverse society;
- train, motivate and quip them properly;
- manage with care, ensuring that the demands on individuals and their families are reasonable;
- develop careers in defence and skills for life.

In all this we must:

- make every pound count for defence to ensure that the defence budget is used to best effect;

develop a joint approach, harnessing the three Armed Services, defence civilians and all our resources to deliver the defence mission;

be open, flexible and creative in the way we work;

encourage British defence technology, science and industry;

help protect the natural environment;

be an active part of the wider community which we serve and in which we live.

This Defence Mission is implemented through a series of supporting objectives, which were set out in the Strategic Defence Review White Paper.

RAF Maintenance Group Defence Agency

Mr. Hancock: To ask the Secretary of State for Defence how many people are currently employed by the RAF Maintenance Group Defence Agency; what was the figure at its inception; on what date the RAF Maintenance Group Defence Agency published its report for 1997–98; and what was the cost of production of the report. [76880]

Mr. Doug Henderson: This is a matter for the Chief Executive of the RAF Maintenance Group Defence Agency. I have asked the Chief Executive to write to the hon. Member.

Letter from K. J. M. Procter to Mr. Mike Hancock, dated 24 March 1999:

Parliamentary question—numbers of people employed by the RAF maintenance group defence agency and the 1997–98 report

1. I am replying to your Question to the Secretary of State for Defence concerning the numbers of people employed by the RAF Maintenance Group Defence Agency (MGDA) currently and at its inception, the date of publication of the MGDA's report for 1997–98 and the cost of production of the report. As Acting Chief Executive of the MGDA, these matters fall within my area of responsibility.

2. Currently, the MGDA employs some 6,750 people (2,200 Servicemen and 4,550 civilians). At its inception in 1991, the Agency employed some 13,600 people (7,800 Servicemen and 5,800 civilians). During this time, of course, the Agency had reduced substantially in size by transfers and closures from 12 RAF stations and a similar number of other aerosystems, supply and signals units in 1991 to just 3 RAF stations now.

3. The MGDA's Annual Report and Accounts for 1997–98 was published on 8 July 1998 and copies placed in the libraries of both Houses of Parliament. The cost of production of the report was about £8,000.

Armed Forces (Uniforms)

Mr. Hoyle: To ask the Secretary of State for Defence what information and guidance his Department gives to the United Kingdom textile industry when planning procurement of uniforms and textiles for the armed forces. [77464]

Mr. Doug Henderson *[holding answer 18 March 1999]:* The Defence Clothing & Textiles Agency (DCTA) is bound by EC Regulations which require all contracts with a potential value of more than £160,670 to be advertised in the "European Journal". Requirements to the value of £250,000 are also advertised in the MOD Contracts Bulletin. The Defence Suppliers Service publishes a booklet entitled "Selling to the MOD" to assist all companies considering my Department as a potential market for their goods. Seminars, exhibitions and "Meet the Buyer" events are also organised. The DCTA held two separate day conferences for Contractors during 1998 and more are planned—these attract predominately UK contractors. The DCTA also provides ad hoc advice on potential future purchases, and operates a system to debrief unsuccessful tenderers on why their bids were unsuccessful. These activities are designed to ensure that a competitive environment is maintained to meet our objective of achieving Value for Money in the procurement of textile goods.

Mr. Hoyle: To ask the Secretary of State for Defence (1) what proportion of the expenditure by his Department on uniforms for the armed forces during the last three years went to companies in the United Kingdom; [77466]

(2) how much his Department has spent on procurement of uniforms for the armed forces in the last three years. [77465]

Mr. Doug Henderson *[holding answer 18 March 1999]:* Total expenditure on all items of clothing for the past three years was £159.092 million, 76 per cent. of which went to UK companies.

Iraq

Mr. Dalyell: To ask the Secretary of State for Defence, pursuant to his answer on Iraq of 18 March 1999, *Official Report*, column *810*, what threats to the coalition came from the area of the Syrian Christian community of Ainawa, near Erdbil. [78368]

Mr. George Robertson *[holding answer 23 March 1999]:* I am not aware of any threats to UK aircraft from the area of Erdbil.

Recruitment

Mr. Bob Russell: To ask the Secretary of State for Defence if he will list the number of recruits to each of the armed services in each of the past three years for which figures are available; what the recruitment targets were; and whether current recruitment targets are being achieved. [77486]

Mr. Doug Henderson: The recruitment targets and achievements for each of the Armed Services over the last three completed financial years were:

	1995–96	*1996–97*	*1997–98*
Naval Service			
Target	2,682	4,607	5,310
Achievement	(86%) 2,315	(85%) 3,909	(85%) 4,536
Army			
Target	15,805	15,830	16,504
Achievement	(75%) 11,785	(91%) 14,366	(89%) 14,658
RAF			
Target	2,814	3,283	4,163
Achievement	(92%) 2,601	(88%) 2,877	(92%) 3,839

For the current financial year, the recruitment achievement to date is:

	Target	*Achievement (%)*
Naval Service	5,088	93
Army	16,446	96
RAF	4,622	95

Military Exports (Private Flights)

Ann Clwyd: To ask the Secretary of State for Defence if he will list the RAF airfields from which private companies have exported goods in the last five years. [77250]

Dawn Primarolo: I have been asked to reply.

HM Customs and Excise does not keep records of such information.

HEALTH

Health Authority Debt

Mr. Simon Hughes: To ask the Secretary of State for Health if he will list the total debt *(a)* in cash terms and *(b)* as a percentage of income, of each trust and health authority at the end of each of the last five financial years. [76477]

Mr. Denham *[holding answer 15 March 1999]:* The information requested has been placed in the Library.

Mr. Simon Hughes: To ask the Secretary of State for Health if he will list by NHS region the bad debts and claims abandoned by each health authority, for each of the last five years. [76486]

Mr. Denham *[holding answer 15 March 1999]:* Detailed information on bad debts and claims abandoned is not held centrally, but copies of expenditure by each health authority on these items has been placed in the Library.

Breast Screening Programme

Mr. Stinchcombe: To ask the Secretary of State for Health what contingency plans he has to implement the findings of the pilot studies on extending the routine call element of the breast screening programme to women aged 65 to 69 years, as soon as they are published in 2001. [77339]

Mr. Hutton: The decision whether or not to extend the breast screening programme to all women aged 65–69 will be taken by Ministers, advised by the National Screening Committee, in light of the evaluation of the final results of the three pilot studies.

We recognise the pressures on the current programme due to increasing numbers of eligible women and staff shortages. In October 1998, the Chief Medical Officer set up a working group, with membership drawn from the relevant professional bodies, to look at these issues in more detail. He is currently considering their report.

Barnet Health Authority

Mr. Dismore: To ask the Secretary of State for Health what additional funds *(a)* have been made available, and *(b)* have been allocated for future use, to Barnet Health Authority since November 1998; and for what purposes these funds have been allocated. [77580]

Mr. Denham: The table shows the additional resources for Barnet Health Authority that have been announced since November 1998.

Barnet Health Authority additional funds from November 1998

Date	*Purpose*	*Amount (£000)*
1998–99		
13 November 1998	1998–99 winter additions	1,080
8 December 1998	colorectal cancer	63
21 December 1998	waiting list performance fund	217
2 February 1999	winter pressures contingency	110
1999–2000		
10 November 1998	cash uplift for 1999–2000 revenue allocations including modernisation funding as itemised below: waiting lists (£1,706k) primary care group management costs (£886k) improving primary care (£501k) mental health (£440k)	12,899
10 November 1998	special allocation—drugs misuse	94
17 February 1999	special assistance funding (last tranche)	170

Barnet Hospital

Mr. Dismore: To ask the Secretary of State for Health what is the total capital cost of the approved scheme for Phase 1b at Barnet Hospital. [77581]

Mr. Denham: The total capital cost of the approved scheme for Phase 1b at Barnet General Hospital is £65.5 million.

Drugs Dispensing

Miss McIntosh: To ask the Secretary of State for Health what representations he has received on permitting pharmacists to prescribe drugs; and if he will make a statement. [77842]

Mr. Denham: The possible prescribing of drugs by various professions, including pharmacists, is referred to in the final report of the Review of Prescribing, Supply and Administration of Medicines, which the Department issued on 8 March for consideration and comment. Copies of the report are available in the Library. We have also had preliminary discussions with various pharmacy, medical and nursing bodies about the possibility of community pharmacists supplying medicines—in particular those for certain minor illnesses—without prescriptions, but on the National Health Service.

Miss McIntosh: To ask the Secretary of State for Health what representations he has received on the right of doctors to dispense drugs; and if he will make a statement. [77862]

Mr. Denham: From time to time the Department receives representations from various parties about the rules governing the dispensing of National Health Service prescriptions by general practitioners in rural areas. In particular, departmental officials have recently met representatives of the General Practitioners Committee of the British Medical Association, the Dispensing Doctors Association and the Pharmaceutical Services Negotiating Committee to discuss those organisations' ideas for changes to the relevant regulations.

Care Standards

Mrs. Brinton: To ask the Secretary of State for Health when he expects the proposed regional commissions for care standards to be introduced. [77908]

Mr. Hutton: We want to establish the Commissions for Care Standards as soon as possible; however this will require primary legislation and will depend on legislative time being available.

Primary Care Boards

Mr. Fearn: To ask the Secretary of State for Health what is his estimate of the extra administrative costs to the National Health Service of the introduction of primary care boards. [78134]

Mr. Denham: There will be no extra administrative costs to the National Health Service arising from the introduction of primary care groups. The combined health authority and PCG management costs will be less than the management costs of the previous system of HAs and general practitioner fundholders. This will contribute towards our commitment to deliver a £1 billion saving in NHS management costs over the life of this Parliament.

HIV

Mr. Vaz: To ask the Secretary of State for Health how much money he has allocated in the last year for which figures are available for research into the HIV virus in Great Britain. [78124]

Ms Jowell: Departmental expenditure on HIV/AIDS research in 1997–98 was £117,000 for wholly funded work and around £1.275 million on partly funded research. The National Health Service research and development levy is also used to support research and development in health care settings. Project details are not held centrally and some further HIV/AIDS work may be supported by this route.

Mr. Vaz: To ask the Secretary of State for Health how many people have the HIV virus in Great Britain. [78128]

Ms Jowell: It is currently estimated that there were around 25,000 HIV infected adults (age 15 years and over) alive at the end of 1997. This figure includes diagnosed and undiagnosed infections.

Bovine Tuberculosis (Cheese)

Mr. Luff: To ask the Secretary of State for Health what is the policy of his Department in relation to stocks of cheese made with milk from a dairy herd which subsequently experiences an outbreak of bovine TB. [78110]

Ms Jowell: The Dairy Products (Hygiene) Regulations 1995 require that raw cows milk shall come from animals belonging to a herd which is officially tuberculosis free, otherwise it may be sold for human consumption only after it has been heat treated.

Where cheese has been made with heat treated milk there would be no food safety implications. However, in the case of cheese made from unpasteurised cows milk, the Department would liaise with food authorities to ensure that there were no public health implications or food safety risks before allowing the marketing of that cheese.

Rowntree Report

Mr. Vaz: To ask the Secretary of State for Health what assessment he has made of the Rowntree report's proposal to support food projects as a way to tackle health and social problems; and if he will make a statement. [78130]

Ms Jowell: This is an interesting and timely report. It is particularly relevant to the work currently being undertaken by the Social Exclusion Unit following the publication of its report "Bringing Britain together: a national strategy for neighbourhood renewal". The findings of the report funded by the Joseph Rowntree Foundation will also be useful in taking forward the twin aims of the Government's health strategy for England: improving health and tackling inequalities. These were set out in the green paper "Our Healthier Nation" and the white paper will be published shortly. As the Joseph Rowntree Foundation report points out, local food projects are just one way of improving access to food which may have long term health benefits in terms of enabling more people to make healthy eating choices. However, the other benefits of improving self confidence, self esteem, and self worth, which all contribute to give people and the communities they live in a sense of well being, are equally important in tackling inequalities and improving overall health.

Milk (Food Poisoning)

Mr. Luff: To ask the Secretary of State for Health what steps he is taking to ensure that food poisoning incidents attributable to a failure of the pasteurisation process are correctly recorded as emanating from imperfectly pasteurised milk rather than from unpasteurised milk; and if he will make a statement. [78111]

Ms Jowell: Investigations into food poisoning outbreaks are usually undertaken by the local authority and the Public Health Laboratory Service. If milk is identified as the source of an outbreak and the investigation is able to establish if the milk was unpasteurised, contaminated post-pasteurisation or subject to pasteurisation failure, then this information will be recorded.

Hospitals (Accidents)

Dr. Tonge: To ask the Secretary of State for Health what statistics his Department collates on accidents to in-patients in National Health Service hospitals. [78363]

Mr. Denham *[holding answer 23 March 1999]:* Information about accidents to in-patients is not available centrally. Individual National Health Service trusts are

ponsible for keeping information on accidents involving patients and the general public on their premises.

Mobile Phones

Mr. Vaz: To ask the Secretary of State for Health what plans he has to place a health warning on mobile phones. [77642]

Mr. Wills: I have been asked to reply.

I refer my hon. Friend to the answer given to my hon. Friend the Member for Stoke-on-Trent, North (Ms Walley) on 8 June 1998, *Official Report*, column *440*.

Mobile communications equipment should comply with the guidelines for restricting human exposure to electromagnetic fields of the National Radiological Protection Board. Whilst there has been renewed media interest in this subject there has been no new scientific evidence on which to base any changes to the guidelines.

There are no plans to require mobile phones to have a health warning.

Professional Regulation

Ms Moran: To ask the Secretary of State for Health what statutory protection is provided to the patients of (i) paramedics, (ii) chiropodists, (iii) physiotherapists, (iv) clinical psychologists, (v) occupational therapists and (vi) speech therapists in *(a)* the National Health Service and *(b)* the private sector; and what plans he has to introduce measures to provide additional protection. [75224]

Mr. Denham *[pursuant to his reply, 15 March 1999, c. 555–56]:* I regret that my previous answer contained inaccurate information relating to the restrictions on National Health Service employment of clinical psychologists and proposals for statutory regulation. The revised reply is as follows.

Chiropodists, physiotherapists and occupational therapists are regulated under the Professions Supplementary to Medicine Act 1960. It is an offence to pretend to be registered under that Act. In addition, employment in the National Health Service is restricted to those who are registered under the Act. We plan to replace the Act with new legislation to improve public protection, including restricting the use of common professional title to registered practitioners wherever they work.

NHS employment of speech and language therapists is restricted to members of the Royal College of Speech and Language Therapists. NHS employment of paramedics is restricted to those who have a qualification accredited by the Institute of Health Care Development. We are currently considering petitions to extend the 1960 Act to these two professions.

NHS employment of clinical psychologists is restricted to those who are eligible for registration as a Chartered Psychologist with the British Psychological Society. The Society manages a voluntary register under the auspices of the Privy Council.

The Health Bill, currently before Parliament, contains proposals for the strengthening of professional self-regulation.

SCOTLAND

Overseas Travel

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland if he will list, for each overseas trip by his Ministers and officials, since 1 May 1997 *(a)* the individuals who travelled, *(b)* the total costs of the trip broken down as available, *(c)* the destination of the trip and *(d)* the reason for the trip; and if he will make a statement. [69253]

Mr. Dewar *[holding answer 4 February 1999]:* All overseas visits by Ministers are conducted in accordance with the principles set out in the Ministerial Code. Information in the form requested is not held centrally and could be collated only at disproportionate cost. The figures given are estimates of costs attributable to officials. In accordance with convention the names of officials who accompany a Minister have not been given.

Date	*Destination*	*Reason*	*Personnel*	£
1997				
12–14 May	Cannes	Launch Scottish Film Day	Sam Galbraith, Private Secretary and 2 officials	4,160
19–20 May	Brussels	Agriculture Council	Lord Sewel and Private Secretary	1,480
1–2 June	Brussels	Meet EU Commissioners	Lord Sewel, Private Secretary and official	1,980
25–27 June	Luxembourg	Education Council	Brian Wilson and Private Secretary	1,630
20–21 August	Santiago	Attend Celtic Watersports Festival and tourism promotion	Brian Wilson and Private Secretary	1,685
2–4 September	Copenhagen	Study tour of Danish sport participation and school sports	Sam Galbraith, Private Secretary and official	2,305
20–28 September	USA	Inward investment and trade promotion	Secretary of State and Private Secretary	13,060
8–9 October	Brussels	Fact finding mission for Scottish Parliament	Secretary of State, Private Secretary and 5 officials	3,980
4–10 October	Hong Kong, Taiwan and Japan	Inward investment and trade promotion	Brian Wilson, Private Secretary and official	25,070
5–6 October	Munich	Fact finding mission for Scottish Parliament	Henry McLeish, Private Secretary and 4 officials	4,910
7–9 October	Oslo and Tampere	Meet Norwegian and Finnish Ministers to discuss Agriculture, Fisheries, Forestry and the Environment	Lord Sewel, Private Secretary and 3 officials	5,935
16 October	Luxembourg	Environmental Council	Lord Sewel, Private Secretary and official	3,145

Date	Destination	Reason	Personnel	£
20–21 October	Luxembourg	Agriculture Council	Lord Sewel and Private Secretary	1,345
20–22 October	Ireland	Gaelic related issues	Brian Wilson	500
29–31 October	Luxembourg	Fisheries Council	Lord Sewel, Private Secretary and 2 officials	3,160
19–20 November	Brussels	Education Council	Brian Wilson, Private Secretary and official	1,590
1–2 December	Brussels	Give St. Andrew's Day Lecture and meet EU Commissioner	Secretary of State, Private Secretary and official	1,315
8 December	Luxembourg	ESDP Bilaterals	Malcolm Chisholm, Private Secretary and 2 officials	2,465
17–18 December	Brussels	Fisheries Council	Lord Sewel, Private Secretary and official	2,140
1998				
12–13 January	Copenhagen and Stockholm	ESDP Bilateral	Calum Macdonald, Private Secretary and 2 officials	2,100
20–22 January	Helsinki and Bonn	ESDP Bilateral	Calum Macdonald, Private Secretary and 2 officials	2,900
25–26 February	Paris	ESDP Bilateral	Calum Macdonald, Private Secretary and official	900
11–12 March	Dublin	ESDP Bilateral	Calum Macdonald, Private Secretary and 2 officials	1,200
12–14 March	Madrid, Toledo and Barcelona	Fact finding visit for Scottish Parliament	Secretary of State, Private Secretary and 2 officials	3,500
24 March	Brussels	Fisheries Council	Lord Sewel, Private Secretary and official	1,150
25–27 March	Nice	METREX	Calum Macdonald, Private Secretary and official	1,800
2 April	Paris	ESDP Bilateral	Calum Macdonald, Private Secretary and 2 officials	1,300
14–16 April	Helsinki	Fact finding visit for Scottish Parliament	Henry McLeish, Private Secretary and 3 officials	4,800
25–30 April	USA	Inward investment promotion	Brian Wilson, Private Secretary and official	15,000
28 April	Brussels	European Seafood Exposition	Lord Sewel, Private Secretary and official	1,900
29–30 April	Luxembourg	Health Council	Sam Galbraith, Private Secretary and 2 officials	2,400
22 May	Catania	Conference of Peripheral Maritime Regions	Calum Macdonald, Private Secretary and official	2,200
27 May	Brussels	Communicable Diseases Council	Sam Galbraith, Private Secretary and official	1,100
1–4 June	Lisbon	European Forestry Ministers Conference	Lord Sewel and Private Secretary	1,800
3–4 June	Luxembourg	Education Council	Brian Wilson, Private Secretary and official	1,700
8 June	Luxembourg	Fisheries Council	Lord Sewel, Private Secretary and 3 officials	4,400
10–11 June	Paris	Attend Opening Match of FIFA World Cup Finals	Secretary of State, Private Secretary and 1 official	1,400
14–17 June	Bordeaux	Trade promotion and attend FIFA World Cup Match	Brian Wilson and Private Secretary	1,200
17–19 June	Strasbourg, Brussels and Bonn	Meet Ministers to discuss European affairs and structural funds	Calum Macdonald, Private Secretary and official	2,700
23–24 June	St. Etienne	Attend FIFA World Cup Match	Calum Macdonald and official	500
25–27 June	Prague	Meet European Education Ministers	Brian Wilson, Private Secretary and 2 officials	3,950
9–12 September	Kuala Lumpur	Attend Commonwealth Games	Sam Galbraith, Private Secretary and official	14,355
21–22 October	Luxembourg	Fisheries Council	Calum Macdonald, Private Secretary	1,130
13–15 November	Granada	Attend British/Spanish Tertulias	Secretary of State and Private Secretary	2,025
23–24 November	Brussels	Agriculture Council	Lord Sewel, Private Secretary and official	1,880
23–25 November	Munich and Helsinki	Address Scotland Bavaria Forum and meet Finnish Env. Affairs Minister	Calum Macdonald, Private Secretary and official (Helsinki only)	3,545
17–18 December	Brussels	Fisheries Council	Lord Sewel and Private Secretary	1,275
21 December	Brussels	Environment Council	Lord Sewel and Private Secretary	1,045
1999				
7–8 February	Gothenberg	Meet Volvo senior managers	Lord Macdonald, Private Secretary and official	1,110
8–10 February	Strasbourg	Visit European Parliament and address MEPs on devolution issues	Secretary of State, Private Secretary and 4 officials	5,115
16 February	Bonn	Meet German Finance Minister	Secretary of State, Private Secretary and 2 officials	2,440
22–26 February	Brussels	Agriculture Council	Lord Sewel, Private Secretary and 2 officials	2,635

The cost of these visits is part of this Administration's expenditure on ministerial overseas travel which in 1997–98 was £6.1 million, compared to £7.8 million in the last year of the previous administration.

Special Advisers

Mr. Tyrie: To ask the Secretary of State for Scotland if he will list the total number of occasions when *(a)* departmental and *(b)* non-departmental special advisers have travelled abroad in an official capacity since 2 May 1997. [76823]

Mr. Dewar *[holding answer 19 March 1999]:* Since 2 May 1997, my Special Advisers have made visits overseas on four occasions in an official capacity. All such travel complied with the requirements of the Ministerial Code and the Civil Service Management Code.

Means-tested Benefits

Mrs. Laing: To ask the Secretary of State for Scotland how many people *(a)* aged 15 to 25 years, *(b)* aged 26 to 40 years, *(c)* aged 41 to 65 years and *(d)* in total received a means-tested benefit in Scotland in each year since 1992. [77771]

Angela Eagle: I have been asked to reply.

The information requested is set out in the tables.

Income Support (IS), Income-based Jobseeker's Allowance (JSA(IB)), Family Credit (FC) and Disability Working Allowance (DWA) recipients by age of claimant, excluding any overlaps between these benefits, for Scotland: 1992–98

Thousands

	Number of benefit recipients			
	Aged 15 to 25	*Aged 26 to 40*	*Aged 41 to 65*	*All recipients*
May 1992	125	177	138	566
May 1993	117	193	146	599
May 1994	116	206	156	621
May 1995	113	212	159	623
May 1996	110	213	163	625
May 1997	95	204	162	596
May 1998	89	198	164	583

Notes:
1. DWA 100 per cent. count of claims.
2. FC 5 per cent. sample of awards.

Sources:
1. IS Statistics Quarterly Enquiries, May 1992 to May 1998.
2. Jobseeker's Allowance (JSA) Statistics Quarterly Enquiries, May 1997 to May 1998.

Housing Benefit (HB) and Council Tax Benefit (CTB) recipients by age of claimant excluding claimants of IS, JSA (IB), FC and DWA—Scotland

	Aged 15–25		*Aged 26–40*		*Aged 41–65*		*All recipients*	
	HB	*CTB*	*HB*	*CTB*	*HB*	*CTB*	*HB*	*CTB*
May 1992	7	n/a	23	n/a	71	n/a	228	n/a
May 1993	8	3	20	18	68	70	211	258
May 1994	6	3	18	12	64	67	199	235
May 1995	6	3	17	17	62	70	185	233
May 1996	8	3	20	16	60	70	183	223
May 1997	4	2	19	19	59	72	176	225
Provisional May 1998	4	2	20	20	55	71	168	224

Notes:
1. In general, children below the age of 18 are not entitled to benefit. Young people aged 16–17 can receive IS or JSA (IB) if they satisfy the conditions of entitlement and are in one of a number of a categories.
2. It has not been possible to provide a single figure representing the number of means-tested benefit recipients in Scotland. This is due to the fact that an individual may be in receipt of more than one means-tested benefit and it has not been possible to remove all overlaps between HB and CTB in Scotland due to the data collection procedure.
3. We estimate however that approximately 65 per cent. of HB recipients also receive CTB.
4. Figures are rounded to the nearest thousand and as such totals may not sum.
5. IS, JSA and FC figures are based on a 5 per cent. sample of benefits claimants. CTB and HB estimates are based on a 1 per cent. sample of Housing Benefit Management System and are subject to a degree of sampling error. DWA is based on a 100 per cent. scan of all DWA claimants.
6. Estimates are based on samples taken at May of each of the years.
7. Figures are not available for DWA as at May 1992.
8. IS figures prior to October 1996 include unemployed claimants.
9. Information refers to benefit units.
10. The information on HB and CTB does not include second adult rebate cases.

Sources:
Housing Benefit Management System, annual 1 per cent. sample inquiries taken in May of each year shown.

Houses in Multiple Occupation

Dr. Godman: To ask the Secretary of State for Scotland what conclusions the Government have drawn from its consultations on proposals for the introducing of Mandatory Licensing of Houses in Multiple Occupation in Scotland. [78858]

Mr. Dewar: Some 86 bodies and individuals to the Consultation Paper on the Mandatory Licensing of Houses in Multiple Occupation which was issued last year. The overwhelming majority of those responding supported the case for making it mandatory for all local authorities in Scotland to introduce licensing of houses in multiple occupation.

The Consultation Paper also sought views on the best way of implementing mandatory licensing and the scope of any licensing scheme. In the light of the responses to the consultation paper, we believe that mandatory licensing of houses in multiple occupation should be introduced initially by means of an Order under the Civic Government (Scotland) Act 1982 although it may be desirable to introduce new primary legislation in the longer term.

We envisage that any licensing scheme should be based on a definition of a house in multiple occupation as a house which is the only or principal residence of a specified number of persons who are not all members of one family or one or other of two families. We also envisage that there would be a staged implementation of the licensing by progressively reducing the number of specified persons so that the largest houses in multiple occupation would be licensed first but, over time, all houses in multiple occupation would be included in the scheme. The activity to be licensed would be the letting of premises as a house in multiple occupation but we believe that the definition should be extended to include other situations where occupancy rights in houses in multiple occupation are granted, outside of conventional lets.

We have also given careful consideration to the views of consultees on the need for exemptions from the proposed licensing scheme and we believe that the only categories of houses in multiple occupation that should be exempted are those owned by local authorities (since local authorities will be bodies responsible for enforcement) and residential and nursing homes which are already subject to registration and enforcement by the local authority or health board.

The Consultation Paper sought views on a number of possible modifications of licensing procedures linked to the use of the powers under the Civic Government (Scotland) Act 1982. There was strong support for the proposal to extend the period during which an application for a new licence might be considered by the local authority to ensure that applicants have sufficient time to undertake remedial works specified as licensing conditions before a licence is granted. There was also support for granting an authorised officer of a local authority, with the approval of the Court, the power to enter and search premises where there are reasonable grounds for believing that it is being let as a house in multiple occupation but without a licence. We believe that both of these changes should be incorporated into the proposed Order and that account should also be taken of the suggestion, made by some consultees, to exempt women's refuges from the public notification procedures in the 1982 Act to help safeguard the anonymity of this particular type of house in multiple occupation.

We consider that a licensing system along these lines would give increased protection to tenants without penalising those responsible landlords who are already providing satisfactory housing. We hope that the Scottish Parliament will give early priority to these proposals and their detailed implementation would be taken forward in consultation with the Convention of Scottish Local Authorities and other relevant interests.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Select Committee Reports

Mr. Maclean: To ask the Secretary of State for Scotland if *(a)* he, *(b)* civil servants in his Department or *(c)* special advisers in his Department have (i) had sight of drafts of Select Committee reports, in whole or in part, or (ii) been informed of conclusions of Select Committee reports prior to their publication by the Select Committees. [75874]

Mr. Dewar: On 26 November 1998, the *Glasgow Herald* newspaper printed what it claimed were extracts from the then unpublished report of an inquiry into "The operation of multi-layer democracy" by the Scottish Affairs Select Committee. This provoked widespread media coverage and comment on that and subsequent days, and I was approached for comment by many journalists.

Inquiries established that the Committee had made its report to the House on 18 November. By 26 November the report was with the printers, and it was published on 2 December 1998. I received protests from members of the Committee about the way in which the contents of the report were being reported. My own initial comments reflected those concerns.

I made it clear to those members of the Committee to whom I spoke that my only concern was to assess the accuracy of the press reports by then appearing in many newspapers. A member of the Committee supplied me with extracts from the report which confirmed that the extensive quotations contained in the media coverage were accurate but not complete. In particular, the *Glasgow Herald* had not chosen to report the Report's single conclusion, that

"we wholeheartedly welcome the Scottish Parliament and Executive and wish them all possible success".

Neither I nor anyone acting on my behalf made any attempt nor had any opportunity to influence the Committee's consideration of the report nor the terms of the report itself. Neither did I nor anyone acting on my behalf comment on the report in advance of its publication other than in response to the publication of extracts from a leaked copy by the *Glasgow Herald*.

Neither I nor ministerial colleagues in the Scottish Office nor our parliamentary private secretaries have seen drafts of any other Select Committee reports, nor of parts of reports including their conclusions, before publication. Nor to the best of my knowledge have there been any other occasions on which such material has been given to civil servants or special advisers in my Department. This excludes embargoed copies of reports, including the report published on 2 December 1998, issued under House of Commons Standing Orders.

Mr. Wilshire: To ask the Secretary of State for Scotland if he will publish a of list leaked Select Committee documents that reached *(a)* him, *(b)* his Ministers, *(c)* his officials, *(d)* his advisers and *(e)* departmental parliamentary private secretaries during (i) 1997, (ii) 1998 and (iii) 1999. [77929]

Mr. Dewar: I refer the hon. Member to the answer I gave today to the right hon. Member for Penrith and The Border (Mr. Maclean), *Official Report*, column *324*. I know of no other such documents.

AGRICULTURE, FISHERIES AND FOOD

Meat Hygiene Service

Mrs. Fiona Jones: To ask the Minister of Agriculture, Fisheries and Food what plans he has to introduce training programmes for OVS level staff in the Meat Hygiene Service. [62783]

Mr. Rooker: Official Veterinary Surgeons (OVSs) are qualified veterinary surgeons. The veterinary undergraduate course is approximately five years and is extensive and intensive. It incorporates training in microbiology, pathology, veterinary public health and zoonotic disease. In addition, and before commencing as OVSs, veterinary surgeons are required to undertake the OVS accreditation course. This provides refresher training in meat hygiene and inspection, animal welfare and relevant legislation.

The MHS also launched its Continuing Professional Development (CPD) programme in April 1997 as a mechanism for addressing the training and professional development needs of OVSs. In partnership with various training providers, the MHS provides at least two days training per year to facilitate CPD to ensure that the skills and knowledge of OVSs are up to date. OVSs must undertake a minimum of a further three days CPD obtained from other sources such as the Veterinary Public Health Association/British Veterinary Association Conferences and other commercially provided CPD.

Training in enforcement, assertiveness and other management skills continues to form part of the MHS's ongoing training programme for OVSs.

Badger Culling

Mr. Nigel Jones: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement about Crown immunity in relation to the randomised badger culling trial. [67012]

Mr. Rooker: The Protection of Badgers Act 1992 does not bind the Crown. Therefore, in the context of the trial, the licence requirements contained in the Act do not apply to the Minister. The trial is taking place with the agreement of landowners as part of a wide-ranging approach to dealing with an increasing and urgent bovine TB problem. It is being conducted by Ministry staff in designated areas in accordance with the recommendations of the Independent Scientific Group chaired by Professor Bourne, which take account of welfare concerns.

Horticulture and Fruit Industry

Mr. Jack: To ask the Minister of Agriculture, Fisheries and Food if he will list those *(a)* schemes and *(b)* initiatives which have been introduced by the public and the private sector during the last five years that have been aimed at improving quality standards in the horticulture and fruit industry. [66496]

Mr. Rooker: The reformed fruit and vegetable regime emphasises the importance of maintaining and improving quality. Actions to achieve that objective may attract financial assistance within agreed operational programmes. We expect that such programmes will have received in total some £6.5m in the UK in respect of 1998. In addition, the Horticultural Marketing Inspectorate continues to assist the sector to achieve the standard required by EU legislation.

I am not responsible for initiatives in the private sector, but I would commend the Assured Produce Scheme which has been set up by the National Farmers Union and which has the strong support of the multiple retailers.

Primate Imports (Research)

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food how many primates imported to the United Kingdom in 1998 for research purposes from *(a)* China, *(b)* Mauritius, *(c)* Indonesia and *(d)* the Philippines were (i) found to be dead on arrival and (ii) suffered serious injury during transit. [69283]

Mr. Rooker *[holding answer 4 February 1999]:* All primates imported into the UK are required to undergo six months in quarantine. Following arrival in the quarantine premises, the Veterinary Surgeon or Medical Supervisor appointed to the premises completes reports on the health of the animals on arrival. During 1998, all primates imported from China, Mauritius and the Philippines were reported as being found healthy on arrival. There were no primates imported into the UK from Indonesia during 1998.

Food Sampling

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food (1) what action his Department has taken in the past two years when the rates of *(a)* food sampling and *(b)* food analysis by local authorities, in relation to their statutory duties on food law, have fallen; [77512]

(2) if he will list the occasions on which he has taken action in respect of a local authority which failed to take sufficient or appropriate samples of food in relation to its statutory duties under food law in the last five years. [77952]

Mr. Rooker: Local authorities whose sampling rates fall below acceptable levels are sent a written reminder of their obligations by the Ministry. To date there have been no occasions when action has been required under section 42 of the Food Safety Act 1990.

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food (1) how much money was *(a)* allocated to and *(b)* spent by each individual local authority in each of the financial years 1989–90 to 1997–98 on the sampling and analysis of food, pursuant to their statutory duty; [77499]

(2) how much money was spent in each year between 1989–90 and 1997–98 and in 1998–99 to date by local authorities on their statutory duties in relation to food; and what percentage this was of the total sum provided in the standard spending assessment for each of those financial years for the enforcement of the law in relation to food control; [77522]

(3) how much was spent, in each of the financial years since 1989–90, by local authorities in relation to (i) food sampling and (ii) food analysis; [77536]

Mr. Rooker: Enforcement of Food Law remains with local authorities and we do not hold figures on local authority expenditure on food control centrally.

Live Animals (Transportation)

Mr. Prosser: To ask the Minister of Agriculture, Fisheries and Food if he will introduce legislation requiring the master of a vessel carrying live farm animals to submit a written return on animals *(a)* injured and *(b)* dying during the voyage; and if he will make a statement. [77948]

Mr. Morley: I have no plans to introduce such a requirement, which would seem to be of minimal value in relation to roll-on/roll-off vessels. On the other hand, a requirement on these lines may be worthy of consideration when negotiations start on the proposals for detailed rules on specialist livestock vessels which the EU Commission is currently drawing up.

Mr. Prosser: To ask the Minister of Agriculture, Fisheries and Food what criteria he applies in deciding whether to use his powers under the Welfare of Animals (Transport) Order 1997 to prevent a vessel carrying live farm animals from sailing in adverse weather conditions; and if he will make a statement. [77947]

Mr. Morley: These powers are granted by WATO 1997 to Inspectors appointed as such by the Minister or by the local authority. MAFF Inspectors have comprehensive guidance covering the use of these powers in relation to rough weather sailings. I am placing a copy in the Library.

Mr. Prosser: To ask the Minister of Agriculture, Fisheries and Food for what reasons the 'Cap Afrique' was allowed to sail in adverse weather conditions with live farm animals on board on 3 March; and if he will make a statement. [77945]

Mr. Morley: I presume my hon. Friend is referring to the voyage by the 'Cap Afrique' on 2 March. In the light of prevailing conditions, and after discussion with the master of the vessel, MAFF inspectors at the quayside were of the view that they did not have grounds for serving a notice prohibiting transport under Article 18 of the Welfare of Animals (Transport) Order 1997. A MAFF veterinarian accompanied the animals on the voyage and concluded that the animals were transported in compliance with the 1997 Order. I am placing a report in the Library.

Minister for Science

Mr. Redwood: To ask the Minister of Agriculture, Fisheries and Food which meetings he has attended since July 1998 at which the Minister for Science was present where GM foods or crops were discussed. [73125]

Mr. Nick Brown *[holding answer 25 February 1999]:* None.

Genetically Modified Crops

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food if he will make it his policy to require segregation of genetically modified crops from other crops imported into the United Kingdom under the WTO rules relating to the right to protect human health and the application of the precautionary principle. [78255]

Mr. Rooker: All genetically modified (GM) crops which are permitted to be imported into the UK have been approved following a rigorous assessment of their safety. It is therefore not possible to require segregation under WTO rules.

Fisheries Council

Mr. Maclean: To ask the Minister of Agriculture, Fisheries and Food if he will publish the agenda for the forthcoming EC Fisheries Council of 30 March. [78395]

Mr. Morley: The agenda for the Council is expected to cover an orientation debate on proposals for reform of fisheries structural funds; a Commission presentation of its proposals for reform of the common market organisation in fisheries products and on the listing of serious infringements of EU fisheries controls; and adoption of autonomous tariff quotas for fisheries products.

I shall represent the UK and will be asking the Commission under Any Other Business for a report on progress on the allocation of new quotas for shrimp, spurdog and blue whiting and on the introduction of closed areas for sandeels.

Farmland Access (Horseriders)

Mr. Paul Marsden: To ask the Minister of Agriculture, Fisheries and Food what plans he has to provide financial assistance to those farmers who provide new opportunities for access to their land by horseriders; and if he will make a statement. [78220]

Mr. Morley: Payments are available for farmers who provide voluntary access for horseriders on their land under the Countryside Stewardship Scheme. Agreements are for 10 years. An independent evaluation of the access provisions under the agri-environment schemes, including the Countryside Stewardship Scheme, was carried out in 1998. This will form the basis of a review including consideration of access for horseriders under Countryside Stewardship in future.

Regional Development Funding

Mrs. Browning: To ask the Minister of Agriculture, Fisheries and Food what was the total budget for the EAGGF South West Objective 5b Area for Devon and Cornwall; how much money has been received by the Government in respect of the fund; what is the actual amount spent; and what is the balance as yet unspent. [78372]

Mr. Morley *[holding answer 23 March 1999]:* The total EAGGF allocation for the South West Objective 5b area is £30.14 million. Of this 89.5 per cent. has been committed to projects. £6.33 million has been spent by projects to date. The unspent balance is £23.81 million. Advances of EAGGF funds are paid when expenditure trigger points are reached. So far £1.94 million has been received and a further payment of 9.26 million euros (approximately £6.59 million) is being processed by the Commission.

Tridemorph

Mr. Bradshaw: To ask the Minister of Agriculture, Fisheries and Food what action the Government are taking in respect of the pesticide Tridemorph. [78922]

Mr. Rooker: The independent Advisory Committee on Pesticides has considered new scientific information and has identified a possible risk of harm to the unborn child if the mother is exposed to high levels of the fungicide tridemorph while working with the compound.

The Government's first priority is human safety. We therefore acted on 19 March to impose, with immediate effect, stringent measures designed to minimise the risk of harmful exposure. These include engineering controls and protective clothing as well as restrictions on the maximum dose and the way in which it may be applied to the crop. We are also requiring those companies that market the pesticide to mount an active information campaign to inform pesticide users of the issues and the action which they should take.

Genetic Modification

Dr. Gibson: To ask the Minister of Agriculture, Fisheries and Food what response the Government have made to the House of Lords European Communities Committee report of Session 1998–99 on EC regulation of genetic modification in agriculture (HL 11). [78923]

Mr. Rooker: The Government have welcomed the Report as making an important contribution to the intense debate on the regulation of GMOs in agriculture through the presentation of a balanced and considered perspective on the key issues surrounding the application of biotechnology in agriculture and food production.

The Government's response in particular welcomes a number of the Committees's recommendations. It makes the point that vigorous and wide-ranging assessment of risks to the environment and human health must continue to form the foundations of the regulatory process and that the Government are committed to ensuring that risk assessment provisions are strengthened and extended to include indirect and delayed environmental monitoring on the grounds that this will allow a clear picture to be built up of the environmental effects of GMOs, and enable the assumptions in the risk assessment to be verified.

The response further welcomes the Committee's recommendations on labelling and makes it clear that the Government are pressing the European Commission to develop further proposals on thresholds for adventitious contamination and a list of materials from GM crops that will not require labelling.

Finally, the response states that the effective and timely revision of Directive 90/220 on the deliberate release into the environment of GMOs is a major priority for the Government. It offers the opportunity to reinforce the existing legislation to secure full protection for human health and the environment, while providing a stable and predictable regime which will maintain UK and EU competitiveness in the commercial exploitation of biotechnology and genome research. The European Parliament adopted its first reading Opinion in February 1999. The Government welcome the Opinion, and support the Parliament's call for moves to reach a common position shortly.

A copy of the Government's response is available in the Library of the House.

Written Answers to Questions

Thursday 25 March 1999

DEFENCE

Iraq

Mr. Baker: To ask the Secretary of State for Defence what has been the cost to public funds of British military activities relating to Iraq since the end of Operation Desert Fox. [75672]

Mr. George Robertson *[holding answer 9 March 1999]:* Operation Desert Fox ended on 19 December 1998. Expenditure on subsequent British military activity relating to Iraq in January and February 1999 is approximately £10 million.

Mr. Dalyell: To ask the Secretary of State for Defence what was the approximate weight of ordnance fired against targets in Iraq between Wednesday 17 March and Saturday 20 March. [78716]

Mr. George Robertson: I am withholding the information requested under Exemption 1 of the Code of Practice on Access to Government information relating to Defence, Security and International Relations.

Electronic Red Boxes

Mr. Maclean: To ask the Secretary of State for Defence if he will name the Ministers in his Department who are regular users of electronic Red Boxes. [76171]

Mr. Spellar: I refer the right hon. Member to the answer given to him by my hon. Friend the Parliamentary Secretary, Cabinet Office, on 16 March 1999, *Official Report*, columns *651–52*.

Naval Recruiting and Training Agency

Mr. Hancock: To ask the Secretary of State for Defence how many people are currently employed by the Naval Recruiting and Training Agency; what was the figure at its inception; on what date the Naval Recruiting and Training Agency published its report for 1997–98; and what was the cost of production of the report. [76896]

Mr. Doug Henderson: This is a matter for the Chief Executive of the Naval Recruiting and Training Agency. I have asked the Chief Executive to write to the hon. Member.

Letter from John Chadwick to Mr. Mike Hancock, dated 25 March 1999:

I am replying to your Question to the Secretary of State for Defence about the numbers of people currently employed by the Naval Recruiting and Training Agency (NRTA), currently and at its inception, and the date of publication and cost of the 1997–98 Report, in my capacity as Chief Executive of the NRTA.

The NRTA currently employs 4,600 Naval and civilian personnel. At its inception in April 1995, the Agency employed 5,100 Naval and civilian personnel. The Agency Report for 1997–98 is currently being printed, after a delay in producing financial figures due to the requirement for reconciliation with the Ministry of Defence's overall Opening Balances. The cost of production will be in the order of £4,500.

I will arrange for a copy of the Agency Report for 1997–98 to be forwarded to you when it is available.

Defence Vetting Agency

Mr. Hancock: To ask the Secretary of State for Defence how many people are currently employed by the Defence Vetting Agency; and how many were at its establishment. [76636]

Mr. Spellar: This is a matter for the Chief Executive of the Defence Vetting Agency. I have asked the Chief Executive to write to the hon. Member.

Letter from Michael Wilson to Mr. Mike Hancock, dated 25 March 1999:

I am replying to your question to the Secretary of State for Defence about the number of staff employed by the Defence Vetting Agency, as this matter falls within my area of responsibility as Chief Executive of the Agency.

The Agency employed 349 staff when it was established on 1st April 1997. The strength of the Agency at 1st February 1999 was 365. The bulk of the additional 16 staff are 3-year Fixed Term Appointees, recruited for the specific purpose of clearing a developing backlog in one particular part of the organisation. As you are aware, the Agency plans to collocate at York by early 2001, at which time the strength will reduce to about 310. The exact figure will depend to some extent on how well a number of underlying management assumptions bear up.

I hope this is helpful.

Brimstone and Storm Shadow Programmes

Mr. Hancock: To ask the Secretary of State for Defence what is the current forecast *(a)* in-service date for and *(b)* cost of (i) the Brimstone and (ii) the Storm Shadow programmes; and what was the forecast in each case at the time that the contract was placed. [77262]

Mr. Spellar: The in-service dates for the Brimstone and Storm Shadow programmes remain the same as those forecast at the time the contracts were placed, namely October and December 2001 respectively.

The forecast programme cost for Brimstone was £783 million compared with a current estimate of £793 million. The forecast programme cost for Storm Shadow was £858 million compared with a current estimate of £878 million.

Mr. Hancock: To ask the Secretary of State for Defence what proportion of the work for the *(a)* Brimstone and *(b)* Storm Shadow programmes is being placed with UK registered companies; and what was the forecast proportion when the contract was placed. [77263]

Mr. Spellar: At the time the Brimstone contract was negotiated, the proportion of work by value, expected to be placed with UK registered companies was some 63 per cent. There has been no significant change in this percentage since placement of the contract.

When the Storm Shadow contract was placed, it was envisaged that in excess of 70 per cent. of work would be placed with UK registered companies. Matra BAe Dynamics have to date placed 85 per cent. of work by value; of which 80 per cent. has been placed in the UK.

Aircraft (In-service Dates)

Mr. Hancock: To ask the Secretary of State for Defence, pursuant to his answer of 8 March 1999, *Official Report*, columns *34–35*, on in-service dates for aircraft, what are the reasons for the different definitions of in-service. [77265]

Mr. Spellar: The current practice is to define in-service dates as the date by which an equipment, or a specified number of equipments, will contribute to the operational capability of the Service concerned. The in-service date quoted for the Hercules C130J conforms with this practice. The in-service dates for Eurofighter, Merlin HM Mk 1 and Merlin HC Mk3 were defined some years ago when the practice was to take account of a range of operational, production and international factors.

DERA

Mr. Colvin: To ask the Secretary of State for Defence if he will make a statement on his future plans for the Defence Evaluation and Research Agency. [77903]

Mr. Spellar: My noble Friend the Minister for Defence Procurement is expecting initial advice from a team studying the Public Private Partnership options for the Defence Evaluation and Research Agency at the end of this month. Following a period of discussion and consultation, Ministers would hope to make a decision and an announcement about the future of DERA later this year.

Mr. Colvin: To ask the Secretary of State for Defence how much of the turnover of the Defence Evaluation and Research Agency is civil. [77059]

Mr. Spellar: This is a matter for the Chief Executive of the Defence Evaluation and Research Agency. I have asked the Chief Executive to write to the hon. Member.

Letter from John Chisholm to Mr. Michael Colvin, dated 25 March 1999:

I have been asked to reply to your question to the Secretary of State for Defence about the turnover of the Defence Evaluation and Research Agency (DERA) in view of my responsibilities as Chief Executive.

The turnover of DERA for the financial year 1997/98 can be broken down into a number of constituent parts. Total income, as stated in our last Annual Report and Accounts, was £1006.3 million, of which £105.7 million came from non-Ministry of Defence sources. Defence related activities for either UK industry or foreign customers accounted for £38 million of this figure. Of the remaining £67.7 million which came from civil markets, £27.8 million was from British Government Departments other than the Ministry of Defence.

I hope this is helpful.

Technology Transfer

Mr. Colvin: To ask the Secretary of State for Defence what are the titles of the study groups established by his Department to examine the globalisation of technology transfer; what are the terms of reference of each; and when they are due to report. [77904]

Mr. Spellar: I am not aware that any working groups have been established specifically to study the globalisation of technology transfer. The UK continues to benefit from a wide-ranging programme of international collaboration in defence research, principally with our NATO Allies.

US Advanced Research Projects Agency

Mr. Colvin: To ask the Secretary of State for Defence what discussions there have been between his Department and the American Department of Defense Advanced Research Projects Agency; and if he will make a statement. [77902]

Mr. Spellar: The Defence Evaluation and Research Agency, DERA, as the UK MOD's main source of defence scientific and technical expertise, has regular exchanges with the Defense Advanced Research Projects Agency on a range of research matters. These discussions form a part of the UK's wider collaborative relationship with the US.

Auxiliary Oiler Contract

Mr. Davidson: To ask the Secretary of State for Defence, pursuant to his answer of 10 March 1999, *Official Report*, column *209*, on auxiliary oilers, if he will estimate the extent of the anticipated slippage. [77993]

Mr. Spellar: The Prime contractor, Marconi Naval Systems, is currently reviewing the Auxiliary Oiler programme. It would not be appropriate for MOD to speculate in advance of the company completing their review and reporting to the MOD.

HMS Illustrious

Mr. Hancock: To ask the Secretary of State for Defence what was the total cost of the recent overhaul of HMS Illustrious. [78227]

Mr. Spellar: HMS Illustrious is currently on sea trials following maintenance work at Portsmouth. As is normally the case, the sea trials will be followed by a period of defect rectification work. The total project cost will not be known until this work is complete.

Nimrod

Mrs. Ewing: To ask the Secretary of State for Defence what negotiations he is currently holding about replacements for Nimrod aircraft; and when he expects to make an announcement as to their effect on RAF bases in the United Kingdom. [78250]

Mr. Spellar *[holding answer 24 March 1999]:* The in-service date, ISD, for the RAF's new maritime patrol aircraft, Nimrod MRA4, which is currently under development by BAe, is April 2003. Resource and technical difficulties with the programme at BAe have led the company to advise that they do not expect to achieve the ISD before early 2005. Negotiations are underway on revisions to the Nimrod MRA4 contract, which will include recovery of liquidated damages for late delivery. The current Nimrod MR2 aircraft will continue to provide the UK's maritime patrol capability until the Nimrod MRA4 aircraft are delivered to RAF Kinloss. The delay is not, therefore, expected to have a significant effect on the current operations of RAF Kinloss.

Defence Bills Agency

Ms Buck: To ask the Secretary of State for Defence what is the planned basis of the Defence Bills Agency's future operations; and what key targets have been set for 1999–2000. [79037]

Mr. Spellar: On 14 December 1998, *Official Report*, columns *330–31*, I announced the decision to extend Agency status for the Defence Bills Agency for a further five years from 1 April 1999. Following this decision, a new Framework Document has been agreed for the Agency and I am today placing a copy of this in the Library of the House. In parallel, a new Service Level Agreement has been agreed between the Ministry of Defence and the Agency which sets out demanding objectives for the period up to 31 March 2004. The key targets derived from the Service Level Agreement for the year 1999–2000 are as set out:

1. To reduce transaction costs by 8 per cent. for bills and 5 per cent. for invoices by 31 March 2000.
2. To produce accounting and financial management information to time and quality set out in ISO 9001/3.
3. To pay 100 per cent. of correctly-presented bills within 11 calendar days of receipt as part of the Department's 30 day payment target.
4. To raise accurately 95 per cent. of invoices within 4 days of receipt of a correctly-authorised claimable document.
5. Within the permitted tolerances, to meet the performance targets prescribed in the Service Level Agreement.
6. To produce within 3 months a feasibility report on partnership options and, if possible to make arrangements to proceed with partnership within one year.

ENVIRONMENT, TRANSPORT AND THE REGIONS

West London Line

Mr. Coleman: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received with regard to the opening of new stations on the West London line at *(a)* Chelsea Harbour and *(b)* Stamford Bridge. [77792]

Ms Glenda Jackson: Since 2 May 1997, we have received four representations supporting a station at Chelsea Harbour and one representation regarding a station at Stamford Bridge.

Fiveways Corner, Mill Hill

Mr. Dismore: To ask the Secretary of State for the Environment, Transport and the Regions when he expects the major works at Fiveways Corner, Mill Hill, *(a)* to commence and *(b)* to be completed. [77864]

Ms Glenda Jackson: Work on the Fiveways Corner Improvement scheme is expected to start before the end of April and we expect it will take about 18 weeks to complete.

Jubilee Line Extension

Mr. Gordon Prentice: To ask the Secretary of State for the Environment, Transport and the Regions what is the cost per mile of the Jubilee Line extension; when he expects it to be completed; and if he will make a statement. [77826]

Ms Glenda Jackson: The Extension to the existing Jubilee Line is 16kms/10 miles long and London Transport's estimate of final cost is £3.2 billion.

London Transport plan to open the Extension in three phases (firstly Stratford to North Greenwich in late spring, then on to Waterloo in late summer and finally to Green Park where it will connect with the existing Jubilee Line in late autumn). Commissioning work is already in hand and trains are currently being tested on the line between Stratford and North Greenwich. The Government are confident that London Transport and Bechtel will deliver the Jubilee Line Extension in time for the Millennium.

Private Hire Vehicles (Licences)

Dr. Whitehead: To ask the Secretary of State for the Environment, Transport and the Regions (1) what discussions have been held between his Department and local authority licensing departments on the licensing of vehicles for private hire where the construction of the vehicle allows for the potential carriage of more than eight passengers; [77673]

(2) how many prosecutions of operators of licensed private hire vehicles for operating vehicles with the potential to carry more than eight passengers where those vehicles have previously been licensed by a local authority taxi licensing department have been undertaken in the last year. [77678]

Ms Glenda Jackson: The law defines private hire vehicles as vehicles constructed or adapted to carry fewer than nine passengers. Consequently, it is not possible for a local licensing authority to license as a private hire vehicle any vehicle which can carry more than eight passengers. I am not aware of any particular case where a licensing authority has licensed as a private hire vehicle a vehicle with a passenger-carrying capacity in excess of eight and I am, thus, not aware of any prosecutions arising from such a situation.

Small-engined Vehicles

Mr. Whittingdale: To ask the Secretary of State for the Environment, Transport and the Regions what proportion of the total number of cars in the United Kingdom have engine capacity below 1100 cc. [78009]

Ms Glenda Jackson: At the most recent statistical analysis of the vehicle records held by DVLA and DVLNI in September 1998, some 8% of vehicles registered in the Private and Light Goods class had an engine capacity not exceeding 1100 cc.

Government Office for London

Mr. Dismore: To ask the Secretary of State for the Environment, Transport and the Regions what are the performance indicators set for the Government Office for London, in dealing with planning inspectors' reports; and if he will make a statement. [78333]

Mr. Caborn: The target for dealing with Inspectors' reports on called in applications is 80 per cent. within 13 per cent. weeks and 100 per cent. within 20 weeks. For appeals, targets are 80 per cent. within 8 weeks and 100 per cent. within 13 weeks.

Mr. Dismore: To ask the Secretary of State for the Environment, Transport and the Regions what is the *(a)* longest, *(b)* shortest and *(c)* average time taken by the Government Office for London in processing planning inspectors' reports for each of the last three years; and if he will make a statement. [78331]

Mr. Caborn: The details are in the table:

	1996–97	*1997–98*	*1998–99*
Longest	51	86	34
Shortest	6	6	7
Average	13	23	13

Note:
Time in weeks

Countryside Access

Mr. Paul Marsden: To ask the Secretary of State for the Environment, Transport and the Regions when he plans to announce measures to improve access to the countryside for horseriders and cyclists. [78221]

Mr. Meacher: I refer my hon. Friend to the answer I gave him on 18 March 1999, *Official Report*, column 726.

Countryside Commission

Mr. Pike: To ask the Secretary of State for the Environment, Transport and the Regions when he proposes to announce the remaining members of the new Countryside Commission. [78354]

Mr. Meacher: I refer my hon. Friend to the answer I gave to my hon. Friend the Member for Denton and Reddish (Mr. Bennett), on 19 March 1999, *Official Report*, columns *888–89*.

Small Cars

Mr. Fearn: To ask the Secretary of State for the Environment, Transport and the Regions what percentage of cars currently registered in the United Kingdom are estimated to be below 1100cc. [78408]

Ms Glenda Jackson: At the most recent statistical analysis of the vehicle records held by DVLA and DVLNI in September 1998, some 8% of vehicles registered in the Private and Light Goods class had an engine capacity not exceeding 1100 cc.

Genetically Modified Animals

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions how many genetically modified animals, including fish, have escaped into the environment in the United Kingdom since 1990. [78593]

Mr. Meacher: None, to our knowledge.

Departmental Expenditure

Mr. Singh: To ask the Secretary of State for the Environment, Transport and the Regions if he will set out detailed future spending plans for his Department. [79071]

Mr. Prescott: I have today published my Department's Annual Report for 1999 (Cm 4204), and copies have been placed in the House Libraries. The Report sets out the Department's achievements over the last year and its detailed plans for delivering a fairer society, a cleaner environment and a more efficient economy. We have already published targets covering all areas of the Department's work in our "Public Service Agreement". Now we are setting out detailed spending plans showing how we will meet those targets and deliver our objectives. These include an additional £4.1 billion investment by the Department over the next three years, as well as an extra £8.3 billion for local authorities. The Report also includes a summary of our Departmental Investment Strategy, to be published shortly, which will set out how the Department ensures that capital investment delivers its objectives, whilst achieving value for money.

Business Aviation

Dr. Ladyman: To ask the Secretary of State for the Environment, Transport and the Regions when the remaining parts of his Department's study of Business Aviation in the South East will be published. [79203]

Ms Glenda Jackson: The report on Part 2 of the study of Business Aviation in the South East which we commissioned last year, "The Economic Impact of Business Aviation", has been published today and copies of the report have been placed in the Libraries of the House. Part 1 was published in July last year. As policy decisions arising from the study of airports issues in the South East of England and the East of England, announced by the Government on 11 March, may impact on Business Aviation, work on the final part of the study, "Future Capacity for Business Aviation", will not be finalised until the South East airports study has reported. At that time, we shall consider the implications for the work which has been done so far on future capacity for Business Aviation, and whether further work is needed.

FOREIGN AND COMMONWEALTH AFFAIRS

Civil Servants (Appraisal)

Mr. McDonnell: To ask the Secretary of State for Foreign and Commonwealth Affairs what were the appraisal performance markings awarded to civil servants in 1998 for *(a)* each agency in his Department and *(b)* the Department broken down by (i) grade, (ii) gender, (iii) ethnicity, (iv) part-time/full-time working and (v) disability; and for (1) each agency and (2) the Department whether the Cabinet Office's four fifths rule for detecting potential adverse impact was applied to the appraisal markings of civil servants in the 1998 report round. [78150]

Mr. Tony Lloyd: The following tables show the breakdown for the Foreign and Commonwealth Office and overall figures for Wilton Park. The figures for box 4 and 5 have been combined as they are very small. At present, 80 per cent. of the 1998 Appraisal Performance Markings have been received.

Neither Wilton Park, nor the Department as a whole, uses the Cabinet Office's "four fifths rule" to assess potential adverse impact.

(a) Wilton Park

	Box markings					
	1	*2*	*3*	*4/5*	*Not yet available*	*Total*
Number	8	21	6	0	5	40
Percentage	20	52.5	15.0	0	12.5	100

(b) FCO

	Box markings					
	1	*2*	*3*	*4/5*	*Not yet available*	*Total*
Number	761	2,353	1,193	42	1,119	5,468
Percentage	13.9	43.0	21.8	3.8	20.5	100

(i) Breakdown by grade

	Box markings								
	1		*2*		*3*		*4/5*		
	No.	*%*	*No.*	*%*	*No.*	*%*	*No.*	*%*	*No.*
SMS	103	24.3	159	37.5	44	10.4	1	.2	424
DS5/5S and HCS6/7	107	18.3	230	39.4	62	10.6	3	.5	584
DS6/SEO	23	8.7	130	49.2	66	25	3	1.1	264
DS7D/8	45	28	65	40.4	25	15.5	0	0	161
DS7M/HEO	73	13.2	253	45.8	134	24.2	8	1.4	553
DS9/E	118	12.6	400	42.8	214	22.9	14	1.5	935
Specialist	62	7.6	410	50.1	179	21.9	2	.2	818
Secretarial	122	25.2	202	41.7	112	23.1	4	.8	484
Support grades	12	3.8	107	33.4	93	29.1	3	.9	320
AO/DS10/EA	87	10.3	362	43	238	28.3	3	.4	842
AA	9	10.8	35	42.2	26	31.3	1	1.2	83

(ii) Breakdown by gender

	Box markings								
	1		*2*		*3*		*4/5*		
	No.	*%*	*No.*	*%*	*No.*	*%*	*No.*	*%*	*Total*
Male	466	13.3	1,502	42.7	755	21.5	29	.8	3,516
Female	295	15.1	851	43.6	438	22.4	13	.7	1,952

(iii) Breakdown by ethnic background

	Box markings								
	1		*2*		*3*		*4/5*		
	No.	*%*	*No.*	*%*	*No.*	*%*	*No.*	*%*	*Total*
White	648	15.1	1,849	43.2	898	21	32	.7	4,280
Ethnic minority	19	9.6	81	40.9	59	29.8	1	.5	198
Not recorded	94	9.5	423	42.7	236	23.8	9	.9	990

(iv) Breakdown by part-time or full-time

	Box markings								
	1		*2*		*3*		*4/5*		
	No.	*%*	*No.*	*%*	*No.*	*%*	*No.*	*%*	*Total*
Full-time	760	14.1	2,315	43	1,167	21.7	42	.8	5,379
Part-time	1	1.1	38	42.7	26	29.2	0	0	89

(v) Breakdown by disabled or not-disabled

	Box markings								
	1		*2*		*3*		*4/5*		
	No.	*%*	*No.*	*%*	*No.*	*%*	*No.*	*%*	*Total*
Not disabled	754	14.1	2,303	43	1,165	21.7	39	.7	5,357
Disabled	7	6.4	50	45.9	28	25.7	3	2.8	109

Cuba

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the jailing of political dissidents in Cuba. [78123]

Mr. Tony Lloyd: The Government are very concerned about the jailing of political dissidents in Cuba, and in particular with the sentencing of the four members of the "International Dissidence Working Group" in Havana on 15 March. This group exercised the freedom of

expression, as enshrined in the Universal Declaration of Human Rights, and were held without charge since July 1997. We do not accept that citizens who do so should be criminalised by state authorities.

Together with EU partners and bilaterally (including when Isabel Allende, Cuban Vice Foreign Minister met my noble Friend Baroness Symons on 25 February), we have made representations to Cuban authorities expressing serious concern and deep regret about the sentences. The EU Presidency issued a public statement on 17 March which said it was deeply disappointed that its repeated appeals for the unconditional release of the "Four" have been ignored, and that neither diplomats nor international media representatives were allowed to attend the trial.

Falklands Flights

Mr. Ben Chapman: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the effect on tourism in the Falklands of the proposed reduction in Tristar flights to the Falklands. [78388]

Mr. Tony Lloyd: The reduction in the frequency of RAF Tristar Airbridge flights to the Falkland Islands was one of a range of efficiency proposals identified by the Strategic Defence Review. It represents a rationalisation of the use of the Tristar aircraft following technical improvements that allow them to carry more passengers. We foresee no significant effect on tourism in the Falklands.

Sandra Gregory

Sir Nicholas Lyell: To ask the Secretary of State for Foreign and Commonwealth Affairs what action his Department is taking in relation to the case of Ms Sandra Gregory, convicted on a drugs charge in Thailand. [78225]

Mr. Fatchett: Following her conviction for drug offences in Thailand in 1993, Ms Gregory transferred to a British prison in 1997 under the terms of the UK/Thailand Prison Transfer Agreement. The Agreement does not allow sentences to be reviewed once a prisoner is repatriated, but does allow the prisoner to benefit from our parole system. Ms Gregory will be eligible for parole in 2003.

Ms Gregory has asked the Government to support her Royal Pardon Petition. We have declined to do so because our policy is to support Petitions only when a prisoner is terminally ill or when a relative is terminally ill and dependent relatives may be left with no-one to care for them. These circumstances are not present in Ms Gregory's case.

Overseas Territories

Mr. Thompson: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his statement of 17 March 1999, *Official Report*, columns 1125–27, if he will list the British overseas territories that comply with the European Convention on Human Rights and the International Covenant on Civil and Political Rights. [78000]

Mr. Tony Lloyd *[holding answer 22 March 1999]*: The European Convention on Human Rights has been extended to Anguilla, Bermuda, British Virgin Islands, the Cayman Islands, the Falkland Islands, Gibraltar, Montserrat, St. Helena and the Turks and Caicos Islands.

The International Covenant on Civil and Political Rights has been extended to Bermuda, British Virgin Islands, the Cayman Islands, the Falkland Islands and Dependencies, Gibraltar, Montserrat, the Pitcairn Group, St. Helena and Dependencies and the Turks and Caicos Islands.

Anguilla, the British Virgin Islands, the Cayman Islands, Montserrat, and the Turks and Caicos Islands risk being in breach of the ECHR and/or the ICCPR insofar as they have retained legislation which criminalises homosexual acts between consenting adults in private. Bermuda and the British Virgin Islands, furthermore, risk being in breach of the ECHR and the ICCPR if they administer judicial corporal punishment, which is still on their statute books. We are not aware of any legislation in the Falkland Islands and Dependencies, Gibraltar, St. Helena and Dependencies or the Pitcairn Islands which might place these territories in breach of either the ECHR or the ICCPR. We are taking steps to ensure that all of the Overseas Territories are in full compliance with the UK's international human rights obligations. Further details can be found in Chapter Four of the White Paper on Britain and the Overseas Territories, which is available in the House of Commons Library.

Millennium Compliance

Mr. David Atkinson: To ask the Secretary of State for Foreign and Commonwealth Affairs which countries he advises tourists to avoid because of the threat of the Millennium bug; and if he will make a statement on his public awareness campaign. [78430]

Mr. Fatchett: I refer to my reply of 12 March 1999, *Official Report*, column *398* to the hon. Member and also to my reply of 18 March 1999, *Official Report*, column *761* to my hon. Friend the Member for Hendon (Mr. Dismore). Our travel advice notices will aim to provide practical information to allow travellers to make their own informed decisions. We will continue to monitor other countries' preparedness and will issue new advice accordingly.

Strategic Export Controls

Liz Blackman: To ask the Secretary of State for Foreign and Commonwealth Affairs when the Government intend to update the Summary of Government Commitments regarding the application of strategic export controls. [79182]

Mr. Tony Lloyd: We will shortly be placing a copy of the updated Summary in the Libraries of the House.

During the course of research for the Annual Report on Strategic Export Controls a number of technical errors were discovered in the Summary, which forms an Appendix to the Annual Report. These errors, which pre-date 1 May 1997 are:

the entry for Burma should have read "Does not cover contracts existing at the time of imposition". Previous versions of the Summary had stated that existing contracts were covered. (1991 EU embargo).

the entry for Liberia should have specified that the embargo did not apply to ECOWAS peacekeeping forces. Previous versions of the Summary had omitted this point. (1992 UN embargo).

the entry for Sudan should have read "the embargo does not cover contracts existing at the time of imposition". Previous versions of the Summary had stated that existing contracts were covered. (1994 EU embargo).

the date of the introduction of the EU arms embargo against China should read 27 June rather than 26 June 1989 as in previous versions.

In addition, for Bosnia and Herzegovina and Croatia we have added that the embargoes were originally imposed in 1991. The 1996 Ministerial statements (referred to in the Summary) confirmed the EU's position on arms exports to these countries.

We have taken the opportunity of publishing the Annual Report to correct these errors.

Liz Blackman: To ask the Secretary of State for Foreign and Commonwealth Affairs when the Government intend to publish the Annual report on Strategic Export Controls. [79184]

Mr. Tony Lloyd: The Government have published the Annual Report today. I have arranged for copies to be placed in the Libraries of both Houses and in the Vote Office. The Report will also be available on the FCO website.

Narcotics Trade

Liz Blackman: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the Government of Iran's role in combating the trade in narcotics. [79185]

Mr. Tony Lloyd: We are aware of the efforts that Iran makes to counter the narcotics trade, an effort which deserves to be more widely recognised. Most of the heroin sold in Britain originates in Afghanistan. Iran is a key country on the heroin route from Afghanistan to Europe and is in the front line in the war against this trade. It has made good efforts in recent years to stem the traffic. Close to 3,000 deaths among frontier guards in the past 20 years is a regrettable reflection of the commitment that Iran has made to try to combat this menace.

In that connection, I should like to announce that the Government are donating £300,000 to the United Nations Drug Control Programme to provide Iranian frontier personnel with 1,020 bullet proof vests. This donation will enhance the capacity of Iran's frontier personnel to combat the drug traffickers and to reduce the sad toll of casualties which they have borne.

No supplier has yet been nominated for these goods. If they are sourced from the UK, an export licence would need to be granted. If such a licence were granted, this would represent an exception to our arms embargo on Iran and would be announced.

Abdul Rahin

Mr. Rooney: To ask the Secretary of State for Foreign and Commonwealth Affairs when the decision will be made on the application for entry clearance by Abdul Rahin, husband of Shaheen Akbar, interviewed at Islamabad on 16 December. [78721]

Mr. Fatchett: We have asked our High Commission in Islamabad for details of this case. My noble Friend Baroness Symons will write to my hon. Friend as soon as possible.

EU Council

Liz Blackman: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the forthcoming business in the Council of the European Union for April and list the major European Union events for the next six months. [79183]

Ms Quin: The information is as follows:

Monthly forecast of business:

April 1999	*Venue*	*Event*
8	Brussels	Political Committee
12–16	Strasbourg	European Parliament Plenary
13	Luxembourg	Consumer Affairs Council
15–16	Stuttgart	Euro-Med Foreign Ministers Conference 'Barcelona III'
16–18	Dresden	ECOFIN (Informal)
19–20	Luxembourg	Agriculture Council
20	Brussels	Political Committee
22	Luxembourg	Telecommunications Council
24–25	Luxembourg	NATO Summit
26	Luxembourg	Political Committee
26–27	Luxembourg	General Affairs Council
29	Luxembourg	Industry Council
29–30	Brussels	K4 Committee

The following subjects are likely to be discussed:

8 April—Brussels—Political Committee

No agenda yet available

12–16 April—Strasbourg—European Parliament Plenary

No agenda yet available

13 April—Luxembourg—Consumer Affairs Council

Proposal for a Directive of the European Parliament and the Council concerning the distance marketing of consumer financial services and amending Directives 90/619/EEC, 97/7/EC and 98/2/EC

Policy debate

Communication from the Commission on an action plan (1999–2001) on priorities for consumer policy

Debate

Council conclusions

Consumer-policy aspects of the negotiation of insurance contracts in the internal market

Progress report from the Commission

Forthcoming revision of the Directive on general product safety

Progress report from the Commission

Directive on the sale of consumer goods and associated guarantees

Adoption

15–16 April—Stuttgart—Euro-Med Foreign Ministers Conference "Barcelona III"

No agenda yet available

16–18 April—Dresden—ECOFIN (Informal)

No formal agenda

19–20 April—Luxembourg—Agriculture Council

No agenda yet available

20 April—Brussels—Political Committee

No agenda yet available

22 April—Luxembourg—Telecommunications Council

Proposal for a European Parliament and Council Directive on a common framework for electronic signatures

Common position

Commission's Green Paper on the convergence of the telecommunications, media and information technology sectors, and the implications for regulation: Towards an Information Society Approach

Conclusions

Proposal for a European Parliament and Council Directive on postal services

Policy debate

Status of the internal market in telecommunications, with Report on implementation

Debate

Globalisation and the Information Society: the need for strengthened international coordination

Update from the Commission relating to developments on electronic commerce

Digital Television

Information from the Presidency

Year 2000 computer problem

Update and possible resolution

24–25 April—Luxembourg—NATO Summit

No agenda yet available

26 April—Luxembourg—Political Committee

No agenda yet available

26–27 April—Luxembourg—General Affairs Council

Issues arising from the Special European Council

Amsterdam Treaty

Enlargement

Common strategies

EU-Turkey

Europe strategy

Romania

Preparation of Association Council

Estonia

Preparation of Association Council

Slovakia

Preparation of Association Council

Ukraine

Preparation of Cooperation Council

Western Balkans

EU-China

Preparation of summit (end of April/beginning of May, Beijing)

Myanmar

Extension of common position

Middle East peace process

29 April—Luxembourg—Industry Council

The economic situation

Information from the Commission on economic developments

Globalisation of the world economy

Commission communication

Policy debate

Competitiveness of European industry

(a) Benchmarking

Reports on benchmarking activities at the levels of framework conditions, sectors and enterprises

Conclusions

(b) Ongoing debate on competitiveness

Information on industrial aspects of related work in other Councils

Report by the Presidency

(c) Industrial aspects of enlargement

Information from the Commission

SMS

(a) Proposal for a Council Directive combating late payment in commercial transactions

Common position

(b) Commission communication on management training

Presentation by the Commission

(c) Follow-up Business Environment

Simplification Taskforce (BEST)

Conclusions

Communication on tourism and employment

Presentation by the Commission

Shipbuilding

Situation of the shipbuilding industry

Information from the Commission

Coal and steel industry

Expiry of the ECSC Treaty

Financial aspects

New Regulations on State aid for steel

Conclusions

Industrial aspects of electronic commerce

Commission Communication

Presentation by the Commission

Sectoral issues

OETH assessment and recommendations for its future

Conclusions

Competition policy

(a) Commission communication on the application of the EU competitiveness rules to vertical restrictions: follow-up to the green book on vertical restrictions

Political agreement

(b) Report from the Commission on modernising competition rules

Information from the Commission

29–30 April—Brussels—K4 Committee

No agenda yet available

European Calendar: April-September 1999

This calendar is primarily concerned with European Union matters, but certain other relevant events are also included. Events and dates quoted are based on the information available on the date of issue.

	Venue	Event
April 1999		
8	Brussels	Political Committee
12–16	Strasbourg	European Parliament Plenary
13	Luxembourg	Consumer Affairs Council
15–16	Stuttgart	Euro-Med Foreign Ministers Conference 'Barcelona III'
16–18	Dresden	ECOFIN (Informal)
19–20	Luxembourg	Agriculture Council
20	Brussels	Political Committee
22	Luxembourg	Telecommunications Council
24–25	Luxembourg	NATO Summit
26	Luxembourg	Political Committee
26–27	Luxembourg	General Affairs Council
29	Luxembourg	Industry Council
29–30	Brussels	K4 Committee
May 1999		
3–7	Strasbourg	European Parliament Plenary
6–7	Berlin	Political committee
6	Brussels	EU-ACP Ministerial meeting
7–9	Weimar	Environment Ministers (Informal)
10	Brussels	ECOFIN
10	Bremen	WEU Council
10–11	Berlin	Trade Ministers (Informal)
11	Brussels	Energy Council
17	Brussels	K4 Committee
17	Brussels	Political Committee
17–18	Brussels	General Affairs Council
17–18	Brussels	Agriculture Council
18	Brussels	EEA Council
18	Brussels	Co-Operation Council with Russia
18–19	Weimar	Culture Ministers (Informal)
20	Brussels	Research Council
21	Brussels	Development Council
25	Brussels	Joint ECOFIN and Labour and Social Affairs Council
25	Brussels	Social Affairs Council
25	Brussels	Political Committee
27	Brussels	Youth Council
27–28	Brussels	Justice and Home Affairs Council
31	Brussels	General Affairs Council
30 May–1 June	Dresden	Agriculture Ministers (Informal)
June 1999		
1	Dresden	Agriculture Ministers (Informal)
3–4	Cologne	European Council
7	Luxembourg	Education Council
8	Luxembourg	Health Council
10	Brussels	Political Committee
10	Luxembourg	Fisheries Council
10–13		European Parliament Elections
14	Luxembourg	ECOFIN (possible)
14–15	Luxembourg	Agriculture Council
14–15	Brussels	K4 Committee
17	Bonn	EU-Japan Summit
17–18	Luxembourg	Transport Council
21	Luxembourg	Internal Market
21	Bonn	EU-USA/Canada Summit
21–22	Luxembourg	General Affairs Council
22	Luxembourg	Labour and Social Affairs Council (possible)
24–25	Luxembourg	Environment Council
25–29	Rio de Janeiro	EU-Latin America/Caribbean Summit
28	Luxembourg	Culture Council
29	Brussels	Political Committee (possible)
July 1999		
2–3	Oulu	Industry and Research Ministers (Informal)
6–7	Savonlinna	Culture Ministers
8	Hameenlinna	Political Committee
9–10	Oulu	Labour/Social Affairs Ministers (Informal)
12	Brussels	ECOFIN
12	Brussels	Africa, Caribbean and Pacific Committee
16	Brussels	Budget
18–20	Savonlinna	Culture/Audiovisual Ministers (Informal)
19	Brussels	Political Committee
19–20	Brussels	General Affairs Council

	Venue	Event
19–20	Brussels	Agriculture Council
20–23	Strasbourg	European Parliament Plenary
22–23	Helsinki	K4 Committee
23–25	Helsinki	Environment Ministers (Informal)
August 1999		
No Council Business		
September 1999		
1	Brussels	Political Committee
4–5	Saariselka	Foreign Ministers (Informal)
6–7	Brussels	Agriculture Standing Committee
9–10	Turku	K4 Committee
10–12	Turku	ECOFIN (Informal)
12–14	Tampere	Agriculture Ministers (Informal)
13	Brussels	Political Committee (Informal)
13–14	Brussels	General Affairs Committee
13–17	Strasbourg	European Parliament Plenary
16–17	Kittila	Article 113 Committee
16–17	Turku	Justice and Home Affairs (Informal)
20	Brussels	Political Committee (Possible)
20–21	Brussels	Agriculture Standing Committee
23	Brussels	Telecommunications
24	Brussels	K4 Committee (Informal)
24–25	Tampere	Education Committee (Informal)
27–28	Kuopio	Ministers of Housing
27–28	Brussels	Agriculture Ministers
30	Brussels	Political Committee
30	Helsinki	Equality Conference

TRADE AND INDUSTRY

Indonesia (Exports)

1. **Ann Clwyd:** To ask the Secretary of State for Trade and Industry if he will make a statement on current ECGD liabilities in respect of exports to Indonesia. [77033]

Mr. Wilson: ECGD's exposure on Indonesia is £1,603 million, of which £41 million is in respect of unrecovered claims.

Assisted Areas (Kent)

18. **Mr. Prosser:** To ask the Secretary of State for Trade and Industry what representations he has received in support of retaining assisted area status for Dover and other areas of Kent. [77052]

Mr. Wills: Under the public consultation for the assisted areas review, a joint submission was received from Kent County Council, seven District Councils and Medway Unitary Authority arguing for assisted area status for Dover and six other areas of East and North East Kent.

Hon. Members representing Kent constituencies, including my hon. Friend, local Councillors and a number of local companies, have also made representations in support of the case for these areas.

Manufacturing Industry

19. **Mr. Burden:** To ask the Secretary of State for Trade and Industry what action he is taking to assist the competitiveness of manufacturing industry. [77053]

Mr. Byers: Manufacturing is a vital part of the economy. Its competitiveness is assisted by my policies for promoting best practice, encouraging the development of efficient supply chains, promoting the application of new technology, and developing beneficial regional partnerships.

Small Businesses (Regulations)

20. **Mr. Evans:** To ask the Secretary of State for Trade and Industry what action he is taking to reduce the amount of management time expended by small business on dealing with Government regulations. [77054]

Mr. Wills: My right hon. Friend the Secretary of State has made clear that one of the key tasks of my Department's new Small Business Service will be to help small businesses get to grips with regulation, providing them with practical assistance to cut the burdens of compliance.

Steel and Engineering Industries

21. **Helen Jackson:** To ask the Secretary of State for Trade and Industry what assessment he has made of the impact of the Chancellor's Budget statement on the steel and engineering industries. [77055]

Mr. Battle: By locking in the economic stability that our policies have already achieved, such as low inflation, and through our programme of targeted tax cuts, such as the reduction in Corporation tax to the lowest rate of any major industrialised country anywhere in the world, sectors such as steel and engineering should benefit and have a stable climate in which to compete.

Fresh Meat (Supermarkets)

22. **Mr. Edwards:** To ask the Secretary of State for Trade and Industry if he will make a statement on the Office of Fair Trading inquiry into supermarket retailing of fresh meat. [77056]

Dr. Howells: The Office of Fair Trading is carrying out an inquiry into the profitability of the major supermarkets in the grocery sector. I understand that the Office of Fair Trading hopes to be in a position to announce its conclusions in April.

Research and Development

23. **Mr. Bennett:** To ask the Secretary of State for Trade and Industry what representations he has received from business leaders on the measures announced in the Budget to encourage research and development. [77057]

Mr. Battle: The Government recognise the important role which research and development (R&D) plays in a modern knowledge-driven economy. This was the theme of the consultation document published jointly by HM Treasury and DTI on Budget Day 1998 entitled "Innovating for the Future: investing in R&D".

The findings from this review have already influenced both the planning for future Budgets and the Government's Competitiveness White Paper "Our Competitive Future—Building the Knowledge Driven Economy" published last December and its follow-up Implementation Plan (published by the Secretary of State for Trade and Industry on 10 March).

The Budget announcements on 9 March included details of the Government's intention to introduce a research and development tax credit for small and medium enterprises (SMEs) in the 2000 Budget. The Secretary of State for Trade and Industry announced on 10 March the publication of the Inland Revenue's technical paper to consult further with business on the detail of this measure. This represents a key output from the *Innovating for the Future* consultation which, in addition to the tax treatment of R&D, considered a range of questions looking at how best to remove barriers to innovation.

Around 200 representations were received. Of those commenting specifically on questions relating to tax credits, respondents can be divided into five main types: companies; business organisations; professional and union bodies; accountant and tax firms; and academic institutions. Individual companies gave a mixed view on tax credits from those firmly in support to those who felt such a measure might be less effective. The main business organisations also provided a variety of opinion with the CBI, for example, arguing that the feasibility of a targeted credit for SMEs should be assessed; the CBI reaffirmed their support for a specific SME measure in their Budget submission earlier this year. Professional and union bodies were almost totally in favour of tax credits (as were the majority of academic institutions) although the main accountancy, insurance and tax firms generally provided a more cautious response; a number advocating further analysis before any measures might be introduced.

A main theme to emerge from the consultation was the concern that any R&D investment measure introduced should also provide assistance to the most cash-constrained small companies in their start-up and early stages, when they are "tax exhausted" and would not immediately benefit from extra allowances to reduce their corporation tax. This message was also emphasised by the Williams Group's report to the Treasury (November 1998) analysing barriers to growth faced by high-tech small firms. In the light of these views, and the Government's own research and analysis, the Government announced at the Budget their intention to introduce a comprehensive R&D tax credit for SMEs, which would also involve a payable element for companies not yet in taxable profit.

In addition to this key measure other important outputs from the *Innovating for the Future* consultation are as follows.

Intellectual Property

Establishing a rational and less complex system for the taxation of intellectual property (IP) was an important conclusion to emerge from many respondents. IP is one of the key outputs of firms' innovation and R&D investment. The 1998 Pre-Budget Report therefore announced that the Government would consult, by the 2000 Budget, on two possible measures to reduce tax compliance costs and distortions on business decisions affecting IP transactions:

- moving towards a simpler system of IP taxation, essentially following the accounting treatment for relieving expenditure on IP purchases and taxing proceeds; and;
- simplifying the taxation of royalty payments which accrue to the owners of intellectual property rights.

In addition, the Competitiveness White Paper set out details of the Government's Intellectual Property Rights (IPR) action plan. This focuses on making the IPR system more affordable and accessible including a review of the impact of fees charged by the UK Patent Office. Work will also be taken forward to ensure the system is better able to keep pace with developments in new technology by, for example, agreeing EC Directives on copyright in the information society and stronger protection for software-related inventions. The action plan would also involve reform of the civil law system for IPR litigation; a push for an EC patent which is affordable and easy to enforce and work to ensure that EU harmonisation of "second tier" or "petty patents" benefits UK firms, particularly small companies.

Accounting Treatment

The consultation also highlighted the importance of measuring and reporting the value of innovation and intangible assets if firms are to manage their R&D activities effectively. The Government encourage companies to use the framework provided by current accounting standards as a means to inform their own R&D investment decisions and to disseminate information about their R&D activities to the market as a whole. As announced in the Competitiveness White Paper, the Government have therefore asked the Accounting Standards Board, in consultation with others, to take a fresh look at this issue. DTI will also be launching a best practice programme to identify and disseminate best practice for companies of all sizes in assessing the strengths and weaknesses of their intangible assets.

Science Exploitation, Management and Finance

The Competitiveness White Paper and recently published Implementation Plan include a range of new and reinforced measures to promote competitiveness within the knowledge driven economy. This included a particular focus on creating and exploiting knowledge and many have a strong resonance with the comments received on the *Innovating for the Future* consultation. For example:

- the doubling of DTI funding for the popular TCS (Teaching Company Scheme);
- funding for a national network of Faraday Centres to bring together businesses, scientists and engineers to commercialise research;
- a significant extension of the Smart scheme to help more small manufacturing firms to turn their innovative ideas into commercial reality;
- the further development of the University Challenge Fund (the Chancellor's Budget Statement included an extra £15 million) and the establishment of a £25 million Science Enterprise

Challenge (announced in the Pre-Budget Report) to establish up to eight new enterprise centres in universities to promote business skills and the commercialisation of research;

a national Venture Capital Challenge Fund to help provide, in partnership with private sector funding, risk capital to early stage high technology companies;

Enterprise Management Incentives (EMIs) to allow smaller, higher-risk companies recruit and retain talented managers;

new measures for corporate venturing, which look at tax incentives to encourage firms to invest in and become involved with small, high risk companies.

Copies of responses to the *Innovating for the Future* consultation have been placed in the Libraries of the House.

Small Businesses (Corporation Tax)

24. **Mr. Ben Chapman:** To ask the Secretary of State for Trade and Industry if he will make a statement on the impact of the new rate of corporation tax for small businesses. [77058]

Mr. Wills: Around 270,000 small and growing companies, that is two-thirds of all tax-paying companies, will benefit from the new 10 per cent. starting rate of corporation tax for small business, leaving them with more of their profits for retention, reinvestment and growth.

Trade Liberalisation

25. **Mrs. Butler:** To ask the Secretary of State for Trade and Industry when he next expects to discuss the liberalisation of trade with his international partners. [77060]

Mr. Wilson: The Secretary of State often meets his overseas counterparts individually and takes every opportunity to discuss with them specific issues relating to international trade and the importance of further liberalising world trade in general. He next expects to meet the majority of his international partners as a group at the World Trade Organisation's Ministerial conference in Seattle from November 30 to December 3 this year. The agenda for that meeting is not yet fixed but is expected to include the launch of a new Round of multilateral trade liberalisation negotiations.

Liberalisation of trade is a matter covered by the Common Commercial Policy of the EU. The Secretary of State will next discuss this with EU partners in Berlin on 9–10 May 1999 at an Informal Meeting of Trade Ministers. Other opportunities to meet groups of trade ministers include the annual Ministerial meeting of the Organisation of Economic Cooperation and Development and the biannual Asia-Europe meeting.

Business Costs

26. **Mr. Brady:** To ask the Secretary of State for Trade and Industry what assessment he has made of the net change in *(a)* regulatory costs and *(b)* tax costs to business since 1 May 1997. [77061]

Dr. Howells: Any assessment of the net change in regulatory costs is, on its own, misleading because it ignores the benefits of regulation which are much more difficult to quantify. What matters is that we minimise costs and maximise benefits when obliged to regulate. Our regulatory impact assessment procedures are designed to achieve this.

Details of the impact of particular tax measures introduced since 1 May 1997 are set out in the relevant edition of the Financial Statement and Budget Report.

Mr. Redwood: To ask the Secretary of State for Trade and Industry if he will reassess the annual cost to business of full implementation of the *(a)* minimum wage and *(b)* working time regulations following recent business experience. [77885]

Mr. Byers *[holding answer 19 March 1999]:* I will always be prepared to reassess our estimate of costs in the light of experience.

Supermarkets

27. **Mr. Andrew George:** To ask the Secretary of State for Trade and Industry when he expects the Office of Fair Trading to report on its inquiry into supermarket profitability; and if he will make a statement. [77063]

Dr. Howells: I understand that the Office of Fair Trading hopes to be in a position to announce its conclusions in April.

National Minimum Wage

28. **Mr. Pike:** To ask the Secretary of State for Trade and Industry what representations his Department has received on arrangements made by employers to avoid providing the full benefit of minimum wage to their employees. [77064]

Mr. Byers: Not only do most employers support the principle of the national minimum wage, but many firms have already adjusted their pay structures to take account of its introduction. The Inland Revenue will enforce the minimum wage by responding to complaints and targeting inspections on those sectors where underpayments are likely to occur.

29. **Mr. Walter:** To ask the Secretary of State for Trade and Industry what representations he has received concerning the Bank of England's assessment of the inflationary implications of the minimum wage. [77066]

Mr. Byers: I have received a number of representations on the possible effect of the introduction of the national minimum wage, including its impact on inflation.

Business Links

30. **Mr. Clapham:** To ask the Secretary of State for Trade and Industry what plans he has to review the Business Links services; and if he will make a statement. [77067]

Mr. Wills: My right hon. Friend the Secretary of State made a statement to the House last week which detailed our plans to create a new Small Business Service about which we will be consulting widely. As part of that consultation, I will be inviting views from Business Link Partnerships, small firms and their representative organisation, and other interested bodies, on how best we can deliver coherent, high-quality support programmes to smaller firms.

Aerospace Industry

31. **Mr. Gordon Prentice:** To ask the Secretary of State for Trade and Industry what recent discussions he has had with *(a)* British Aerospace and *(b)* the Society of British Aerospace Companies concerning the consolidation of the European aerospace industry; and if he will make a statement. [77068]

Mr. Battle: I met British Aerospace to discuss the consolidation of the European aerospace industry in advance of the meeting of Industry Ministers of the six European nations most closely involved in discussions on this issue, held in Madrid on 21 January.

Coal Industry

32. **Mr. Grogan:** To ask the Secretary of State for Trade and Industry if he will make a statement on the Government's policy towards the coal industry. [77069]

Mr. Battle: The United Kingdom coal industry neither seeks nor receives special treatment. The Government are concerned to ensure that UK coal producers are able to compete on a level playing field with other sources of energy and with imported coal.

The measures the Government are taking to remove distortions in the UK electricity market will ensure a level playing field for all fuels. It is for UK coal producers to respond to the challenge of an open and competitive coal market.

I published last week a report by International Mining Consultants Ltd. (IMCL) commissioned by my Department on the prospects for deep mined coal production in the UK over the next twenty years. The report shows that there are sufficient reserves to sustain a competitive deep mine industry of significant size well into the new century.

Building Societies

33. **Mr. Lock:** To ask the Secretary of State for Trade and Industry what representations *(a)* he has made and *(b)* plans to make to the Chancellor of the Exchequer concerning the impact on the financial services market of building society de-mutualisations. [77070]

Dr. Howells: I have not made, nor will I be making, any such representations.

Euro

34. **Mr. Laurence Robertson:** To ask the Secretary of State for Trade and Industry if he will make a statement on his plans to issue advice to businesses following the introduction of the euro. [77072]

Mr. Byers: My Department has recently launched a Euro Planner floppy disc designed to help small and medium businesses deal with the euro. More than 40,000 copies of the Euro Planner have already been sent out.

This is one part of the Government's broader strategy to help SMEs deal with the euro, which includes a national awareness campaign, supported by high-quality information on the euro; a network of twelve regional euro forum; the provision of practical advice through Business Links and other intermediaries and specific measures to facilitate the use of the euro by business.

Nuclear Waste

Mr. Llew Smith: To ask the Secretary of State for Trade and Industry what research has been *(a)* commissioned and *(b)* evaluated by his Department into the forms of packaging available for containment of (i) low, (ii) intermediate and (iii) high level radioactive wastes for its repatriation after reprocessing. [77943]

Ms Glenda Jackson: I have been asked to reply.

The Department does not commission research relating to specific packages: this is the responsibility of the designer concerned. The Department's role is to evaluate the safety case, made by designers, against the regulatory requirements which apply to certain types of package.

Political Donations

Ms Dari Taylor: To ask the Secretary of State for Trade and Industry if he will make a statement about the Government's response to the recommendation on political donations by companies made by the Committee on Standards in Public Life in its report on the funding of political parties in the United Kingdom. [78860]

Mr. Byers: The Government agree with the Committee that the current arrangements for company donations, under which directors have discretion whether to contribute to a political party and whether to seek shareholders' consent, will not be satisfactory in an era of greater openness about party sources and uses of party funds. It has therefore accepted the Committee's recommendation that legislative provision should be made to require any company intending to make a donation (whether in cash or in kind, and including any sponsorship, or loans or transactions at a favourable rate) to a political party or organisation to have the prior authority of its shareholders. The Government would, however, welcome views on the implementation of this recommendation, and I have today published a consultative document seeking comments on the following three areas: the definition of a "political donation" with respect to donations by companies; the way in which companies legislation should be amended to give effect to the Neill Committee's recommendation that a company should have to have the prior authority of its shareholders; and possible changes to the existing disclosure provisions relating to political donations in Schedule 7 to the Companies Act 1985. The consultation will inform the drafting of a Bill to implement the main findings of the Committee's report, which the Government intend to publish by the Parliamentary Summer Recess.

Monsanto

Mr. Baker: To ask the Secretary of State for Trade and Industry if he list all the potential crop organisms on which Monsanto has secured European patents. [74829]

Mr. Battle *[holding answer 5 March 1999]:* Up to the end of February 1999, six European patents for crop plants which have been modified in a particular way have been granted to Monsanto by the European Patent Office. The serial numbers of these patents are: EP0340197, EP0293358, EP0289479, EP0269601, EP0223452 and EP0218571. The inventions and the crops to which they

relate are specified in the patent specifications. Oppositions have been filed against two of the patents: EP0289479 and EP0269601.

Biological Resources

Mr. Baker: To ask the Secretary of State for Trade and Industry in respect of patent issues, what assessment his Department has made of the compatibility of Article 27 of TRIPS and Articles 8, 15 and 16 of the UN Convention on Biological Resources. [74846]

Mr. Battle *[holding answer 5 March 1999]:* Article 8 of the UN Convention on Biological Diversity concerns conservation of biodiversity in its natural habitat, requiring contracting states to set aside protected areas. Article 15 recognise sovereign rights over genetic resources while encouraging access for environmentally sound purposes. Article 16 states that transfer of technology, including biotechnology, is an essential element for the attainment of the objectives of the convention, that is to conserve biodiversity, to use it in a sustainable way and to share equitably the benefits arising from the use of genetic resources. The World Trade Organisation (WTO) Trade Related Aspects of Intellectual Property Rights (TRIPS) Agreement is complementary to the objectives and substance of this Convention. If patents were to be granted for known plants or for discovering something that exists in nature, then, under Article 27 of the TRIPS Agreement, it is clear that such rights would be invalid. The TRIPS Agreement also encourages technology transfer. It is not a matter for TRIPS or intellectual property regimes to set the conditions for access to the genetic resources. This is for individual contracting States to the CBD to decide.

Classic Collections (UK) Ltd.

Mr. Mullin: To ask the Secretary of State for Trade and Industry if he will call for a report from the British Standards Institute regarding the alleged misuse by Classic Collections (UK) Ltd., Slough, of ISO 9000 accreditation; and if he will make a statement. [76130]

Mr. Battle: I understand that this case involves allegations of misuse of the BVQI ISO 9000 certification mark which includes the National Accreditation of Certification Bodies (NACB) mark. My department licenses the United Kingdom Accreditation Service (UKAS) to use the NACB mark, to sub-license the use of the mark to UKAS accredited organisations such as BVQI and to control its use. I have asked UKAS to investigate these allegations of misuse and to take any necessary action. I also understand that the City of Sunderland Trading Standards Department is investigating the case and will take action under the Trade Descriptions Act if they think it is justified. As far as I am aware, the British Standards Institution has no role to play in this case.

Trade Delegations

Mr. Chope: To ask the Secretary of State for Trade and Industry what was the last occasion on which a Government Minister led a trade delegation to *(a)* South Africa, *(b)* Sri Lanka, *(c)* Thailand and *(d)* Uganda; and what future trade delegations are planned. [76559]

Mr. Wilson: *(a)* My hon. Friend the Financial Secretary to the Treasury, the hon. Member for Hornsey and Wood Green (Mrs. Roche), when Under-Secretary of State with responsibility for Small Firms, led an investment mission to South Africa in July 1998. There are no planned Ministerial-led trade delegations.

(b) The then Minister for Trade led a trade delegation to Sri Lanka in February 1995. There are no planned Ministerial-led trade delegations.

(c) The Minister for Education, Scottish Office, my right hon. Friend the Member for Airdrie and Shotts (Mrs. Liddell), when Economic Secretary to the Treasury, led a trade delegation to Thailand in March 1998. There are no planned Ministerial-led trade delegations.

(d) There have been no recent Ministerial-led trade delegations to Uganda. There are no planned Ministerial-led trade delegations.

Carbon Dioxide Emissions

Mr. Stunell: To ask the Secretary of State for Trade and Industry what assessment he has made of projected increases in CO_2 emissions as a result of the introduction of declining rate tariffs to larger domestic consumers by Northern Electricity; and if he will make a statement. [77110]

Mr. Battle: None. Any such impact is likely to be very small.

Car Industry

Mr. Whittingdale: To ask the Secretary of State for Trade and Industry which makes of car with engines of up to 1100 cc were built in Britain in 1998; and how many were sold in the United Kingdom of each make. [78011]

Mr. Battle: The only make of car with an engine capacity of 1100ccs (or less) manufactured and sold in the United Kingdom during 1998, was the Nissan Micra (998 cc)—produced at the Nissan plant in Sunderland. 38,684 of this particular model and a total of 48,757 Micras (of all engine sizes) were registered in the UK in 1998.

Source:
SMMT.

Domestic Appliance Safety

Mrs. Roe: To ask the Secretary of State for Trade and Industry what action the Government are taking to ensure that non-working surfaces on cooking and heating appliances do not reach dangerously high temperatures. [78355]

Mr. Battle: The safety of gas and electrical appliances is controlled by the Gas Appliances (Safety) Regulations 1995, and the Electrical Equipment (Safety) Regulations 1994, which implement European Safety Directives into UK law. Both these Regulations address surface temperatures.

European Safety Standards have been developed, UK participation being by the British Standards Institution, which give a presumption of conformity with the requirements of the Regulations. These standards do

include temperature limits, which officials within my Department are continually trying to see lowered, particularly as technology advances.

A recent enforcement action by the UK resulted in the European Commission declaring one of these standards defective and asking the standards-making bodies to review the standards on household appliances to ensure that temperature limits are adequately addressed.

Small-engined Vehicles

Dr. Marek: To ask the Secretary of State for Trade and Industry if he will list the vehicle models that are *(a)* made and *(b)* imported into the UK that have engine capacities of (i) less than 1,000cc, (ii) 1,000cc to 1,100cc, (iii) 1,101cc to 1,200cc and (iv) 1,201cc to 1,250cc. [78369]

Mr. Battle *[holding answer 23 March 1999]:* The following tables list the vehicles available in the UK in 1999, by model, origin and engine size (up to 1,250cc):

(i) Cars of less than 1,000cc

Manufacturer	*Model*	*cc*	*Country of origin*
Subaru	Vivio	658	Japan
Daewoo	Matiz	796	South Korea
Daihatsu	Cuore	847	Japan
Daihatsu	Move	847	Japan
Perodua	Nippa	847	Malaysia
Fiat	Seicento	899	Poland
Citroen	Saxo	954	France
Vauxhall	Corsa	973	Portugal
Daihatsu	Cuore	989	Japan
Daihatsu	Sirion	989	Japan
Suzuki	Alto	993	India
Suzuki	Swift	993	Hungary
Suzuki	Wagon R+	996	Japan
Nissan	Micra	998	UK
Seat	Arosa	998	Germany
Toyota	Yaris	998	Japan
Hyundai	Atoz	999	South Korea
Volkswagen	Lupo	999	Germany
Volkswagen	Polo	999	Spain

(ii) Cars 1,000cc to 1,100cc

No vehicles are produced in the 1,000 to 1,100 cc range

(iii) Cars 1,101cc to 1,200cc

Manufacturer	*Model*	*cc*	*Country of origin*
Fiat	Seicento	1108	Poland
Rover	Rover 200	1120	UK
Citroen	Saxo	1124	France
Peugeot	106	1124	France
Peugeot	206	1124	UK
Renault	Clio	1149	France
Suzuki	Wagon R+	1171	Japan
Vauxhall	Corsa	1199	Portugal/Spain

(iv) Cars 1,201cc to 1,250cc

Manufacturer	*Model*	*cc*	*Country of origin*
Fiat	Bravo/Brava	1242	Italy
Fiat	Punto	1242	Italy
Ford	Fiesta	1242	UK
Mazda	121	1242	UK

Source:
SMMT

Export Credits Guarantee Department

Mr. Baldry: To ask the Secretary of State for Trade and Industry what plans he has to alter the accountability to him of the Export Credits Guarantee Department in response to the last sentence of paragraph 64 of Sir Richard Wilson's review of export promotion. [78438]

Mr. Wilson: My right hon. Friend the Secretary of State for Trade and Industry has no plans to alter the accountability of the ECGD. ECGD's Chief Executive will continue to be accountable to the Minister for Trade.

Small Businesses (Rebates and Grants)

Mr. Pollard: To ask the Secretary of State for Trade and Industry if his Department plans to produce a guide to rebates and grants available for small businesses. [78627]

Mr. Wills: The publication "A Guide to Help for Small Firms" includes details of the wide range of support available to small businesses including financial help. It is currently being revised and I will ensure that my hon. Friend receives a copy and copies are placed in the Libraries of the House when it is published in mid-April.

Small Business Service

Mr. Pollard: To ask the Secretary of State for Trade and Industry when he plans to issue guidance to small businesses which want to apply for assistance from the Small Business Service. [78628]

Mr. Wills: A consultation paper on the specific role and functions of the Small Business Service will be published shortly with a view to the new service being set-up and running later in the year. In the meantime, a wide range of government support for smaller firms can be accessed through the national network of Business Links.

Mr. Pollard: To ask the Secretary of State for Trade and Industry when he expects to announce the appointment of the Chief Executive of the new Small Business Service. [78626]

Mr. Wills: It is hoped to make an announcement about the appointment of the Chief Executive of the Small Business Service in the Autumn.

Nazi Victims (Compensation)

Mr. Ivan Lewis: To ask the Secretary of State for Trade and Industry when the Government will launch a claim scheme to compensate victims of Nazi persecution who had property in the United Kingdom that was confiscated by Her Majesty's Government during the Second World War under the Trading with the Enemy legislation. [78991]

Mr. Byers: I am pleased to announce the launch of the Claim Scheme. It will have the following main features: claims can be made in respect of any property in the UK confiscated by HM Government under British legislation on enemy property or trading with the enemy, if it has not already been returned and compensation has not already been paid intended to cover its full value; the Government will pay compensation on the basis of wartime values increased by the change in the Retail Prices Index; compensation will be paid to victims of Nazi persecution who owned such property when it was confiscated, and

other people who can show that they were likely to have been the beneficial owner of such property if it had not been confiscated, if they or the original owner suffered Nazi persecution; claims will be determined by a panel of three assessors comprising a legally qualified Chairman, someone with financial expertise and someone with an understanding of belonging to a minority group.

The right hon. Lord Archer of Sandwell QC who advised the Government about the claims procedure has agreed to chair the panel which will be called the Enemy Property Claims Assessment Panel (EPCAP). It will assess all claims according to criteria set out in its Terms of Reference. A copy of the Constitution and Terms of Reference of the Panel has been placed in the Library of the House. The EPCAP will be supported by a Secretariat comprised of a team of DTI officials.

To assist claimants the Enemy Property Internet website at "www.enemyproperty.gov.uk" has been updated with additional lists of those who had their property seized under the enemy property or trading with the enemy legislation. The website has a copy of the claim form and background information that can be downloaded and printed. It now has a database of over 30,000 names covering property originally belonging to residents of Bulgaria, Czechoslovakia, Estonia, Germany, Hungary, Japan, Latvia, Lithuania, Poland, Romania and Yugoslavia. The database also includes records of people from other countries and those it was not possible to trace.

Claimants will have until 30 September 1999 to submit their claims to the EPCAP Secretariat. Those who have already written to my Department indicating an interest in the Scheme will be sent claim forms by the EPCAP Secretariat. The payment of compensation will not start until after that date because there may be several claims for the same property and entitlement will need to be established. Claim forms can be obtained from the EPCAP Secretariat at the address below:

Enemy Property Claims Assessment Panel
Room 116–118
10 Victoria Street
London
SW1 0NN

Telephone: 0171 215 3485

Fax: 0171–215 3487

Email: property.enemy@frmd.dti.gov.uk

Regulation

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry which regulations he is planning to amend to make them more compatible with a flexible, innovative and entrepreneurial economy. [77636]

Mr. Byers: The Competitiveness White Paper published last December set out specific commitments to help create such an economy. Those concerning regulation include: reviews of the insolvency and bankruptcy laws, and company law; consultation on the case for reform of the mergers regime; reform of telecommunications regulation; and the introduction of legislation to improve the regulation of financial services.

The White Paper, and the Implementation Plan I published earlier this month setting out the steps the Government will take to meet these commitments, are available in the Library of the House and on the DTI's web site at www.dti.gov.uk/comp.

Investment Programme

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry if he will make a statement on the targets and timetable for his plans to promote an investment programme in British economic capabilities. [77789]

Mr. Byers: The Implementation Plan for the Competitiveness White Paper details the milestones and target dates for programmes designed to stimulate the availability of the right finance for growth businesses and to provide them with the business skills to manage this finance. Measures include the establishment of an Enterprise Fund to leverage private investment capital, extending the Young Enterprise Scheme and consultation on corporate venturing.

Details of the relevant commitments are set out in section A of the Implementation Plan. Both the White Paper and the Implementation Plan are available in the Library of the House and on the DTI's web site at www.dti.gov.uk/comp.

Competitiveness

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry what progress he has made in establishing competitiveness indicators to measure the improvement in the United Kingdom's performance in this respect. [77786]

Mr. Byers: The Competitiveness White Paper announced the publication of a set of competitiveness indicators—the Competitiveness Index. The department is aiming to publish the Index in July. Further information is given in the DTI Implementation Plan, which has been placed in the Library or can be viewed on the Internet at www.dti.gov.uk/comp.

Business Collaboration

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry what progress he has made in encouraging collaboration between businesses. [77788]

Mr. Byers: The increasing importance of collaboration for successful businesses was a major theme in the Competitiveness White Paper. Many of the commitments in the paper are designed to help UK businesses to learn from others, including their competitors. These include the promotion of benchmarking, the spread of best practice and other schemes to encourage UK businesses to collaborate sectorally, regionally and locally.

Details of the relevant commitments are set out in the White Paper Implementation Plan, which sets out the progress made on each commitment. For example, the DTI has already issued draft guidance to Regional Development Agencies for their review of the coherence and quality of business support in their areas and has agreed support for 22 Centres of Expertise in the Business

Link partnership network in 1998–99, and is committed to the development of further Centres over the next three years.

Both the White Paper and the Implementation Plan are available in the Library of the House and on the DTI web site at www.dti.gov.uk/comp.

Mobile Phone Industry

Mr. Dismore: To ask the Secretary of State for Trade and Industry if he will make a statement on competition in the mobile phone industry. [77065]

Mr. Wills: Pursuant to his duties under the Telecommunications Act 1984, the Director General of Telecommunications issued a consultation document, "Competition in the mobile market", on 4 February.

The document presents the finding that Vodafone and Cellnet continue to have market influence but, as there are signs that effective competition is emerging, it is not appropriate now for regulatory controls to be applied to the price of calls from mobiles.

I understand that the closing date for comments has been extended to 1 April. I shall not prejudge the conclusions reached.

The DTI has consulted industry on proposed measures to ensure a competitive market in the next (third) generation of mobile services. I am now considering the responses received and will make a statement when I have come to a view.

Coal Pricing

Caroline Flint: To ask the Secretary of State for Trade and Industry what steps the Government are taking to identify imports of coal and coal products which may be unfairly priced. [79069]

Mr. Battle: We wish to see an open and competitive market for coal and coal products. We mean to ensure that the market is not distorted by imports which do not reflect the costs of production and freight. To this end, we have encouraged the European Commission to take action against such marketing practices which are supported by aid applied for an unauthorised purpose and welcome the decision it took last June on German anthracite. We have also encouraged UK coke manufacturers to draw the Commission's attention to the fact that sales of French foundry coke in the UK market appear to be supported by unauthorised state aid.

We are having continuing discussions with the Commission and with the Polish authorities and exporters about the pricing and future flows of Polish coal to the UK. We are also working with the industry to establish how far the prices of Chinese anthracite and coke cover their costs of production and freight.

Greater transparency is a key component of our policy. We have accordingly agreed with HM Customs and Excise that they will in future publish country of origin data on coal imports from non-EU countries on a monthly basis, and we intend to work closely with them and with interested parties to improve the quality of the data.

Insolvency Service

Mr. Nigel Griffiths: To ask the Secretary of State for Trade and Industry what targets he has set his Department's Insolvency Service Executive Agency for 1999–2000. [79070]

Mr. Byers: The Insolvency Service's planning assumption is that compulsory insolvencies will total 26,000 in the year to 31 March 2000, and I have therefore set it the target of completing case administrations to match new case input so that the number of cases outstanding at 31 March 2000 is maintained at the level as at 31 March 1999, with no more than 5 per cent. of cases being more than 36 months old. I have also set it the targets of reducing the unit costs of administering bankruptcy and compulsory liquidation cases by 5 per cent. in real terms over the period 1999–2002; and reducing the cost of investigations of bankruptcy and compulsory liquidation cases by 10 per cent. in real terms over the period 1999–2002. Despite this reduction, I expect The Service to continue to achieve at least the levels of proceedings for disqualification taken against unfit directors and reports on cases of criminal misconduct as in the current year.

In addition, I have set The Service the following quality of service targets for 1999–2000:

to report to creditors on assets and liabilities within 8 weeks in at least 97 per cent. of all cases; and within 12 weeks in 98 per cent. of all cases;

to hold the initial meetings of creditors within 12 weeks in 96 per cent. of all appropriate cases, and within 4 months in 98 per cent. of all appropriate cases;

to submit reports within 10 months in at least 90 per cent. of bankruptcy cases, and at least 80 per cent. of company liquidation cases where there is evidence of criminality;

to submit disqualification reports within 15 months in at least 80 per cent. of cases where there is evidence of unfit conduct by directors; and

to check and action at least 97 per cent. of Insolvency Services Account payment requisitions within 4 days or by the due date.

The Service is also expected to action 100 per cent. of invoices for payment within 30 days of receipt and the Agency Chief Executive is expected to reply within 10 days to all letters from Members of Parliament delegated to him for reply.

Mortgages

Ms Moran: To ask the Secretary of State for Trade and Industry what plans he has to give the Office of Fair Trading a role in relation to mortgage deals. [77049]

Dr. Howells: My right hon. Friend the Secretary of State for Trade and Industry announced on 10 March 1998, *Official Report*, columns *263–64*, a package of measures to improve information for consumers on mortgages and on other credit marketing. These will give consumers a fairer deal and tackle confusion caused by lenders presenting information in different ways. The Office of Fair Trading would have enforcement responsibilities under the Consumer Credit Act 1974 in relation to these measures.

I have no further plans to extend the role of the Office of Fair Trading in relation to mortgage deals. My right hon. Friend the Chancellor of the Exchequer will be carrying out a review later this year on the regulation of mortgage advice.

Inward Investment (Sussex)

Mr. Waterson: To ask the Secretary of State for Trade and Industry if he will make a statement on the prospects for inward investment in Sussex. [77071]

Mr. Wills: The prospects are positive and better than they were a year ago. A number of significant inward investors are pursuing inquiries with the appropriate organisations in Sussex.

EDUCATION AND EMPLOYMENT

Cumbria County Council

Mr. Maclean: To ask the Secretary of State for Education and Employment, (1) pursuant to his answer of 8 March 1999, *Official Report*, column 77, if he will place in the Library a copy of his letter to the Leader of Cumbria county council; [76189]

(2) if his Department has received written communications from Cumbria county council informing it that they intend to spend their full standard spending assessment on education. [76190]

Ms Estelle Morris *[holding answer 12 March 1999]:* My right hon. Friend the Secretary of State wrote in January to the leader of the county council to urge Cumbria to use all of the cash increase in the education of SSA to support education and I repeated that message in February. Copies of all the letters which have been sent by Ministers to Cumbria county council on this issue have been placed in the Library.

The Department has received written communications from the county council indicating that the increase in the education directorate's budget will match the £9.4 million cash increase in Cumbria's education SSA. We will monitor Cumbria's formal budget returns to confirm that all of the cash increase has been used to support education services.

New Deal (Young People)

Mr. Maclean: To ask the Secretary of State for Education and Employment how many people who would fit the Government's target category for the new deal for young people left unemployment between January 1993 and May 1997. [77176]

Mr. Andrew Smith *[holding answer 16 March 1999]:* The information is provided in the following table, based on the monthly count of people claiming jobseeker's allowance or national insurance credits:

18–24 year old 6 month plus claimants of unemployed-related benefits	*January 1993 to May 1997*
Total offlows from the claimant count	1,654,434
Average monthly offlow from the claimant count	33,089
Total change in stock of claimants	200,960
Average monthly change in stock of claimants	−4,019
Total change in stock of claimants (%)	−54.2
Monthly percentage point change in stock of claimants	−1.1

Note:
All data are seasonally unadjusted

Civil Servants (Appraisal)

Mr. McDonnell: To ask the Secretary of State for Education and Employment what were the appraisal performance markings awarded to civil servants in 1998 for *(a)* each agency in his Department and *(b)* the Department broken down by (i) grade, (ii) gender, (iii) ethnicity, (iv) part-time/full-time working and (v) disability; and for (1) each agency and (2) the Department whether the Cabinet Office's four fifths rule for detecting potential adverse impact was applied to the appraisal markings of civil servants in the 1998 report round. [78151]

Mr. Mudie: The 1998 performance markings for the DfEE and for the Employment Service are shown in the following tables. At Senior Civil Service level (former Grade 5 and above) no distinction is made between staff in the DfEE and those in the Employment Service. Because of the small numbers involved at Senior Civil Service level, a breakdown of performance markings by grade, ethnicity, part-time/full-time working and disability would breach individual confidentiality and therefore cannot be provided.

The DfEE and the ES undertake tests that go further than the four fifths rule by proceeding directly to a full statistical analysis of the data to determine which differences observed are statistically significant.

Senior Civil Service by gender

Percentage

	Box 1	*Boxes 2+ or 2*	*Boxes 3+ or 3*	*Box 4*	*Box 5*
Women	9	32	59	0	0
Men	8	35	57	0	0
Total	8	35	57	0	0

DfEE staff to Grade 6

Percentage

	Box A	*Box B*	*Box C*	*Box D/E*
Grade level including equivalents				
Administrative Assistant (AA)	2	34	59	5
Administrative Officer (AO)	3	38	55	4
Executive Officer (EO)	2	35	59	3
Higher Executive Officer (HEO)	4	43	52	2
Senior Executive Officer (SEO)	4	44	51	1
Grades 7 and 6	5	41	53	1
Personal Secretary and Senior Personal Secretary	13	39	46	2
Total	4	39	55	3
Gender				
Women	4	39	54	2
Men	3	39	55	3
Ethnicity				
Non-white	3	27	66	5
White	4	41	54	2
Not known	4	37	55	4
Part-time/Full-time				
Full-time	4	40	54	3
Part-time	2	31	65	3
Disability				
Staff with a disclosed disability	2	34	59	6
Staff without a disability	4	39	55	2

Note:
Due to rounding some totals may not add up to 100 per cent.

Employment Service staff to Grade 6

Percentage

ES pay band	*DfEE equivalent*	*Box A*	*Box B*	*Box C*	*Box D*
Pay Band 9	AA	5.7	68.7	25.5	0.1
Pay Band 8	AO	6.9	79.5	13.6	0.1
Management Pay Band 7	EO	9.2	82.2	8.6	0.0
Management Pay Band 6	EO	12.5	80.1	7.4	0.0
Management Pay Band 5	EO	19.0	77.5	3.5	0.0
Management Pay Band 4	HEO	11.9	81.4	6.5	0.3
Management Pay Band 3	HEO	17.6	76.7	5.7	0.0
Management Pay Band 2	SEO	21.9	75.6	2.5	0.0
Management Pay Band 1	SEO	19.2	76.1	4.8	0.0
Senior Management Pay Band 3	Grade 7	22.2	69.4	8.3	0.0
Senior Management Pay Band 2	Grade 7	23.8	72.1	4.1	0.0
Senior Management Pay Band 1	Grade 6	36.8	57.9	5.3	0.0
Total		9.4	79.3	11.3	0.1

Note:
Due to rounding some totals may not add up to 100 per cent.

Employment Service staff to Grade 6

Percentage

	Box A	*Box B*	*Box C*	*Box D*
Gender				
Women	9.7	80.7	9.6	0.0
Men	8.5	76.2	15.1	0.1
Ethnicity				
Non-white	8.8	78.2	12.8	0.2
White	11.2	80.3	8.4	0.1
Not known	7.8	78.6	13.5	0.0
Part-tim/Full-time				
Full-time	10.5	78.3	11.1	0.1
Part-time	5.6	82.6	11.7	0.1
Disability				
Staff with a disclosed disability	7.4	78.9	13.5	0.2
Staff without a disability	9.5	79.5	11.0	0.1

Note:
Due to rounding some totals may not add up to 100 per cent.

Scientific Equipment Expenditure

Dr. Gibson: To ask the Secretary of State for Education and Employment (1) how much money has been allocated to scientific equipment excluding computers in schools in the last five years; [78233]

(2) what plans he has to allocate resources for expenditure on scientific equipment and laboratories in schools over the next two years. [78234]

Ms Estelle Morris: The returns we receive do not disaggregate local education authority expenditure on scientific equipment. Nor are earmarked resources allocated for this purpose in future spending.

School Records

Mr. Cox: To ask the Secretary of State for Education and Employment what right of access parents have to records concerning their child which are held by the school their child is attending; and if he will make a statement. [78537]

Mr. Charles Clarke: The Education (School Records) Regulations 1989 give parents the right of access to educational records concerning their child, held by his or her school, within 15 school days of making a written request.

Beacon School Status

Mr. Drew: To ask the Secretary of State for Education and Employment if he will publish the criteria on which beacon school status is awarded. [78345]

Ms Estelle Morris: The pilot group of Beacon schools was selected from those schools named in HMCI's annual report for 1996–97 as "best performing". Criteria for the selection of 125 new Beacon schools from September 1999 have been developed to enable a wider group of schools to apply this year. Full details of the criteria have been placed in the Library and are available on request or via the departmental internet site.

Class Sizes

Mr. Willis: To ask the Secretary of State for Education and Employment if he will list by local education authority the (i) amounts bid for and (ii) grants made by his Department for *(a)* 1998–99 and *(b)* 1999–2000 for revenue expenditure to meet his class size pledge. [78630]

Ms Estelle Morris: I refer the hon. Member to the answer I gave on 23 March 1999, *Official Report*, column *192*.

Mr. Willis: To ask the Secretary of State for Education and Employment if he will list the bids made by local education authorities for (i) 1998–99 and (ii) 1999–2000 for *(a)* extra teachers and *(b)* new classrooms to meet the Government's class size pledge. [78633]

Ms Estelle Morris: I refer the hon. Member to the answers I gave on 10 February 1999, *Official Report*, column *271*; 2 March 1999, *Official Report*, column *613*; and 23 March 1999, *Official Report*, column *192*.

Mr. Willis: To ask the Secretary of State for Education and Employment if he will list by local education authority his estimate of the impact of class size reduction grants made by his Department for (i) 1998–99 and (ii) 1999–2000 in terms of extra *(a)* teachers and *(b)* classrooms. [78631]

Ms Estelle Morris: The information requested is set out in the following table.

The impact of capital and revenue funding to reduce infant class sizes in 1998–99 and 1999–2000

LEA name	1998–99		1999–2000	
	Added classrooms	Extra teachers	Added classrooms	Extra teachers
Barking and Dagenham	2	—	—	3
Barnet	3	5	—	10
Barnsley	—	—	6	27
Bath and North East Somerset	2	—	2	12
Bedfordshire	10	—	15	53
Bexley	5	14	2	15
Birmingham	—	—	5	4
Blackburn	3	9	7	13
Blackpool	7	5	3	17
Bolton	3	—	7	60
Bournemouth	—	—	9	5
Bracknell	2	—	5	8
Bradford	2	46	—	66
Brent	—	—	1	—
Brighton and Hove	—	6	7	15
Bristol	3	—	3	14
Bromley	5	14	4	27
Buckinghamshire	2	7	20	83
Bury	16	44	3	49
Calderdale	1	13	—	16
Cambridgeshire	10	—	11	69
Camden	—	—	—	1
Cheshire	10	—	14	100
City of London	—	—	—	—
Cornwall	5	—	8	56
Coventry	3	50	4	42
Croydon	1	7	—	17
Cumbria	3	10	14	51
Darlington	3	—	4	14
Derby	14	75	2	59
Derbyshire	22	100	24	133
Devon	8	79	2	75
Doncaster	—	—	4	37
Dorset	3	31	10	61
Dudley	4	—	7	17
Durham	3	24	5	46
Ealing	4	20	5	17
East Riding of Yorkshire	1	16	14	39
East Sussex	6	8	4	58
Enfield	3	—	8	27
Essex	7	—	16	77
Gateshead	2	9	—	8
Gloucestershire	4	—	8	56
Greenwich	1	—	2	0
Hackney	—	—	—	6
Halton	2	—	—	23
Hammersmith and Fulham	—	—	—	—
Hampshire	12	—	10	108
Haringey	—	3	—	3
Harrow	—	—	—	7
Hartlepool	2	5	2	7
Havering	1	—	—	—
Herefordshire	—	10	12	16
Hertfordshire	4	35	5	102
Hillingdon	12	22	16	16
Hounslow	—	—	8	11
Isle of Wight	2	11	1	15
Isles of Scilly	—	—	—	—
Islington	—	—	—	—
Kensington and Chelsea	—	—	—	—
Kent	11	—	12	80
Kingston upon Hull	—	—	7	23
Kingston upon Thames	—	—	26	9
Kirklees	6	44	10	57
Knowsley	1	—	5	12
Lambeth	3	—	2	4
Lancashire	30	57	61	121
Leeds	3	33	9	111
Leicester City	4	35	11	17

The impact of capital and revenue funding to reduce infant class sizes in 1998–99 and 1999–2000

LEA name	1998–99		1999–2000	
	Added classrooms	Extra teachers	Added classrooms	Extra teachers
Leicestershire	10	26	6	57
Lewisham	—	—	—	—
Lincolnshire	3	6	9	31
Liverpool	1	—	3	9
Luton	1	—	10	10
Manchester	9	—	1	3
Medway	3	—	3	28
Merton	—	—	27	9
Middlesbrough	1	5	—	12
Milton Keynes	—	—	4	16
Newcastle upon Tyne	8	40	1	28
Newham	6	16	7	10
Norfolk	5	29	13	71
North East Lincolnshire	8	—	2	29
North Lincolnshire	5	39	2	41
North Somerset	3	—	1	19
North Tyneside	5	—	5	14
North Yorkshire	7	—	19	70
Northamptonshire	3	—	13	24
Northumberland	3	22	10	37
Nottingham City	6	8	2	23
Nottinghamshire	5	—	38	80
Oldham	13	—	14	43
Oxfordshire	12	37	17	57
Peterborough	—	10	6	31
Plymouth	—	36	—	33
Poole	5	—	4	12
Portsmouth	—	—	4	6
Reading	2	—	3	10
Redbridge	7	—	4	9
Redcar and Cleveland	4	—	4	5
Richmond upon Thames	9	—	10	8
Rochdale	4	—	9	32
Rotherham	1	16	13	23
Rutland	—	—	—	3
Salford	2	14	4	15
Sandwell	15	82	4	50
Sefton	5	5	7	23
Sheffield	—	22	3	45
Shropshire	7	—	3	40
Slough	—	5	8	16
Solihull	22	43	13	32
Somerset	5	—	9	58
South Gloucestershire	14	34	9	48
South Tyneside	—	6	—	6
Southampton	—	—	4	9
Southend on Sea	3	—	2	9
Southwark	—	—	2	—
St. Helens	4	—	7	8
Staffordshire	4	—	9	87
Stockport	9	14	11	44
Stockton on Tees	5	—	2	10
Stoke on Trent	2	—	19	24
Suffolk	—	—	11	22
Sunderland	1	—	1	6
Surrey	6	—	4	71
Sutton	6	11	4	12
Swindon	7	—	—	25
Tameside	—	27	9	28
Telford and Wrekin	4	13	1	19
Thurrock	1	—	5	6
Torbay	4	—	5	12
Tower Hamlets	—	—	—	—
Trafford	7	—	6	21
Wakefield	11	6	7	28
Walsall	6	5	6	18
Waltham Forest	—	—	3	—
Wandsworth	—	10	5	10

The impact of capital and revenue funding to reduce infant class sizes in 1998–99 and 1999–2000

LEA name	*1998–99*		*1999–2000*	
	Added classrooms	*Extra teachers*	*Added classrooms*	*Extra teachers*
Warrington	4	4	10	8
Warwickshire	3	39	4	52
West Berkshire	—	—	6	7
West Sussex	17	—	12	38
Westminster	—	—	—	—
Wigan	10	23	16	33
Wiltshire	6	21	16	50
Windsor and Maidenhead	2	—	2	15
Wirral	4	—	13	20
Wokingham	5	—	6	6
Wolverhampton	6	—	12	21
Worcestershire	—	—	14	40
York, City of	2	10	2	18
National totals	633	1,528	1,020	4,308

Gifted Pupils

Mr. Willis: To ask the Secretary of State for Education and Employment what is his Department's definition of a gifted pupil; what criteria schools will use to identify such pupils to qualify for support under the Excellence in Cities Initiative; if all schools will be entitled to resources attached to the scheme; and if schools will be expected to bid for the resources. [78715]

Ms Estelle Morris: The measures for gifted and talented pupils in "Excellence in Cities" are for the most able 5–10 per cent. of pupils in every secondary school within the specified areas, including those with particular talents such as music and sport. Schools will identify these pupils through a combination of measures, including test scores and teacher assessments, in accordance with best practice. Pupils at every secondary school within the specified areas will benefit from the initiative. The funding mechanisms for these measures will be discussed with LEAs and others.

Departmental Finances

Mr. Willis: To ask the Secretary of State for Education and Employment what are the total levels of unapplied *(a)* revenue and *(b)* capital reserves carried forward by his Department from 1997–98 to 1998–99; and what are the anticipated levels of reserves to be carried forward to 1999–2000. [78706]

Mr. Mudie: Running costs provision of £69,945,000, covering both the Department's headquarters and the Employment Service, was carried forward from 1997–98 into 1998–99, along with £958,000 of non-voted capital provision and £50,817,000 of welfare-to-work expenditure. It is too early to say with any precision what the carry over provision will be from 1998–99 to 1999–2000.

School Categories

Mr. Willis: To ask the Secretary of State for Education and Employment how many state primary and secondary schools in England and Wales he estimates to be *(a)* specialist schools, *(b)* city technology colleges, *(c)* education action zones, *(d)* foundation schools not in any other specific category, *(e)* aided schools and *(f)* community schools by 2002. [78708]

Ms Estelle Morris: The numbers of state primary and secondary schools in England by September 2002 in the categories listed is expected to be:

	Primary	*Secondary*
(a) Specialist schools	0	at least 700 (800 by September 2003)
(b) City technology colleges	0	15
(c) Schools in education action zones	1,000	150
(d) Foundation schools	300	600
(e) Voluntary schools	6,200	500
(f) Community schools	11,500	2,400

Notes:

1. Specialist schools may be foundation, voluntary or community schools and are double counted in this table. Similarly, schools in education action zones are double counted in this table.
2. The table covers England only. There are no plans for specialist schools, city technology colleges or education action zones in Wales.
3. Figures for specialist schools and education action zones are based on current targets.
4. Figures for foundation, voluntary and community schools are broad approximations based on current numbers in current categories, and include middle schools deemed secondary.

Music and Ballet Scheme

Mr. Keetch: To ask the Secretary of State for Education and Employment if he will extend the music and ballet scheme (England) to schools in the Midlands; and if he will make a statement. [78592]

Ms Estelle Morris: We have commissioned a review of the music and ballet scheme in England and are currently considering its interim report. The geographical location of schools and the provision available at regional level are among the factors being taken into account. We expect to receive the final report after Easter and to announce our future plans in the summer.

PRIME MINISTER

Cabinet Committees

Mrs. Curtis-Thomas: To ask the Prime Minister what progress he has made in establishing a Cabinet Committee on productivity and competitiveness. [77697]

The Prime Minister: I refer the hon. Member to the reply I gave my hon. Friend the Member for Birmingham, Erdington (Mr. Corbett) on 1 December 1998, *Official Report*, columns *118–19*.

Ministerial Visits

Mr. Canavan: To ask the Prime Minister when he will reply to the letter of 7 January from the hon. Member for Falkirk, West about ministerial visits to Falkirk, West. [78495]

The Prime Minister: I replied to the hon. Member's letter on 7 March.

NORTHERN IRELAND

Human Rights Commission

Rev. Ian Paisley: To ask the Secretary of State for Northern Ireland how many applicants for membership of the Northern Ireland Human Rights Commission, represented both shades of political opinion in Northern Ireland. [77983]

Mr. Paul Murphy: There are no applicants who declared themselves as representing more than one shade of political opinion. Of the 154 applicants, 23 recorded that they had had a political affiliation in the last ten years. The breakdown is as follows:

	Number
Alliance	6
Communist Party of Ireland	1
Labour	2
Liberal Democrat	1
PUP	1
SDLP	5
UDP	1
UUP	3
UK Unionist	1
Womens Coalition	2
Workers Party	1

Note:
One candidate indicated two parties.

Peace Process

Mr. Corbyn: To ask the Secretary of State for Northern Ireland if she will make a statement on the progress of the peace process. [76682]

Marjorie Mowlam: I refer my hon. Friend to the reply I gave to my hon. Friend the Member for Falkirk, East (Mr. Connarty) on 24 March 1999, *Official Report*, columns 379–82.

TREASURY

Co-operatives

Mr. Gapes: To ask the Chancellor of the Exchequer what plans he has to encourage the development of co-operatives. [77062]

Ms Hewitt: The Treasury consulted on proposals to update industrial and provident societies legislation last year, to prepare the way for a Bill when an opportunity arises.

Earnings

Mr. Field: To ask the Chancellor of the Exchequer what estimate he has made of the number of people in work who will have earnings above the lower earnings limit and below the threshold for paying national insurance contributions, in each year till 2001–2002. [76660]

Mr. Timms *[holding answer 15 March 1999]:* I have been asked to reply.

The Earnings Threshold for employees' primary Class 1 contributions will not be introduced until April 2000.

Estimated average weekly number of employees Great Britain with earnings above the lower earnings limit and below the earnings threshold paying National Insurance Contributions. The figures do not take account of the national minimum wage, which will be introduced on 1 April 1999

Thousand

Year	*All employees*
2000–01	430
2001–02	960

Notes:
1. Figures are rounded to the nearest 10,000
Source:
Government Actuary's Department

Mr. Field: To ask the Chancellor of the Exchequer how many people in work have earnings below the lower earnings limit for National Insurance; and if he will provide *(a)* figures on the same basis for each of the last 10 years and *(b)* estimates of the figures for the next three years. [76661]

Mr. Timms *[holding answer 15 March 1999]:* I have been asked to reply. The information is in the table.

Estimated average weekly number of employees in Great Britain with earnings above the lower earnings limit for National Insurance Contributions in each year in the period from 1988–89 to 2001–02. The figures do not take account of the national minimum wage, which will be introduced on 1 April 1999

Thousand

Year	*All employees*
1988–89	2,940
1989–90	3,020
1990–91	3,020
1991–92	3,250
1992–93	3,170
1993–94	3,040
1994–95	2,970
1995–96	2,990
1996–97	3,110
1997–98	3,100
1998–99	3,130
1999–2000	3,120
2000–01	3,050
2001–02	3,020

Note:
Figures are rounded to the nearest 10,000
Source:
Government Actuary's Department

Census Returns

Mr. John M. Taylor: To ask the Chancellor of the Exchequer what action has been taken to reduce the storage and maintenance costs for the United Kingdom 1841 to 1991 decennial census returns since Sir Peter Levine reported on them in 1997; and if any of the returns has been identified for early destruction. [78268]

Mr. Hoon: I have been asked by the Chancellor of the Exchequer to reply to this question.

Decennial census returns, whether held by the Public Record Office or the Office for National Statistics, are stored and maintained in the most cost effective manner possible while respecting their safe keeping and preservation and the occasional need for access to those which are open. No additional action has been taken to reduce costs since 1997.

No returns have been identified for early destruction.

HEALTH

Viagra

Mr. Dismore: To ask the Secretary of State for Health when he expects to publish the finalised Department of Health guidelines on the use of Viagra. [78591]

Mr. Denham: Following the close of the consultation on 25 March, we will consider the many responses received (approximately 800), before coming to a final decision on the availability of Viagra and other drug treatments for impotence on the National Health Service. An announcement will be made as soon as possible.

Human Vaccines

Mr. Baker: To ask the Secretary of State for Health (1) on which date it was decided to discontinue use of those human vaccines which in their early stage of manufacture had used bovine material prohibited for use in human food; [78595]

(2) what was the last date on which human vaccines, where bovine material prohibited for use in human food was used in the early stage of manufacture, were used on humans; [78594]

(3) how those human vaccines, which in their early stage of manufacture used bovine material prohibited for use in human food, were disposed of. [78596]

Ms Jowell: No vaccine has been disposed of or discontinued because of use in the early stage of manufacture of bovine material which is prohibited for use in human food. Bovine material prohibited from use in the human food chain is not prohibited from use in the manufacture of medicinal products, including vaccines, but manufacturers are required to apply stringent quality measures to these materials to ensure their quality and safety. These quality measures have been in place since 1989, and require manufacturers to source material from countries with no reported cases of bovine spongiform encephalopathy, to consider the potential infectivity of tissues used and to comply with rigorous provisions on processing and quality control.

NHS Expenditure (West Midlands)

Mr. Stevenson: To ask the Secretary of State for Health if he will list the estimated surplus or deficit of each *(a)* health authority and *(b)* hospital and other trust in the West Midlands for the last five years. [78223]

Mr. Denham: The information requested is in the table. Health authorities and family health service authorities merged after 1995–96, so health authority figures thereafter are not directly comparable.

£000

Trust name	*1993–94*	*1994–95*	*1995–96*	*1996–97*	*1997–98*
Trust surpluses/(deficits)					
Alexandra Healthcare NHS Trust	n/a	112	173	(1,844)	(893)
Birmingham Children's Hospital NHS Trust	n/a	n/a	1,028	27	202
Birmingham Heartlands NHS Trust	1,671	n/a	n/a	n/a	n/a
Birmingham Heartlands NHS Trust	n/a	2,718	557	n/a	n/a
Birmingham Heartlands and Solihull Trust	n/a	n/a	n/a	812	264
Birmingham Women's Healthcare NHS Trust	n/a	765	(346)	229	378
Black Country Mental Health NHS Trust	n/a	n/a	130	76	(8)
Burton Hospitals NHS Trust	2,299	718	1,042	631	13
City Hospital NHS Trust	n/a	2,183	1,026	(284)	9
Coventry Healthcare NHS Trust	n/a	769	19	39	55
Dudley Group of Hospitals NHS Trust	n/a	1,824	2,149	1,096	325
Dudley Priority Health NHS Trust	n/a	946	656	407	(261)
First Community NHS Trust	153	192	241	40	70
George Eliot Hospital NHS Trust	n/a	103	(141)	(1,783)	40
Good Hope Hospital NHS Trust	777	280	1,419	(101)	(1,574)
Hereford and Worcester Ambulance NHS Trust	n/a	164	195	89	44
Hereford Hospitals NHS Trust	n/a	492	(61)	(135)	61
Herefordshire Community Health NHS Trust	86	180	52	93	(150)
Kidderminster Healthcare NHS Trust	491	945	612	(83)	(549)
Mid Staffordshire General Hospitals Trust	2,941	325	300	529	(721)
North Birmingham Community Health NHS Trust	n/a	332	185	220	258
North East Worcestershire Community Healthcare Trust	481	360	263	n/a	n/a
North Staffordshire Hospital NHS Trust	4,173	1,396	437	(1,035)	(1,199)
North Staffordshire Combined Healthcare NHS Trust	n/a	1,713	1,385	276	(9)

£000

Trust name	1993–94	1994–95	1995–96	1996–97	1997–98
North Warwickshire Healthcare Trust	1,327	337	n/a	n/a	n/a
North Warwickshire NHS Trust	n/a	n/a	1,647	621	0
Northern Birmingham Mental Health Trust	n/a	987	340	317	(45)
Premier Health Trust	205	n/a	n/a	n/a	n/a
Premier Health NHS Trust	n/a	(413)	663	(594)	35
Rob Jones and A. Hunt Orthopaedic NHS Trust	n/a	112	285	307	(3)
Royal Orthopaedic Hospital NHS Trust	n/a	n/a	389	185	267
Royal Shrewsbury Hospitals NHS Trust	n/a	383	748	366	21
Royal Wolverhampton Hospital NHS Trust	n/a	1,154	689	(124)	(612)
Rugby NHS Trust	(151)	245	93	43	(1,557)
Sandwell Healthcare NHS Trust	n/a	1,237	764	58	235
Shropshire's Community Health Service Trust	n/a	496	262	339	144
Shropshire's Mental Health NHS Trust	574	379	173	263	165
Solihull Healthcare NHS Trust	n/a	131	272	95	(49)
South Birmingham Mental Health NHS Trust	n/a	2,210	232	260	150
South Warwickshire General Hospitals NHS Trust	(1,546)	(940)	327	(300)	97
South Warwickshire Healthcare NHS Trust	(64)	(120)	70	(35)	13
South Warwickshire Mental Health Service Trust	n/a	(304)	351	(37)	90
South Worcestershire Community NHS Trust	251	158	289	n/a	n/a
Southern Birmingham Community Health NHS Trust	n/a	719	1,082	829	(352)
Staffordshire Ambulance Service Trust	77	246	149	112	77
The Foundation NHS Trust	(1,840)	229	197	251	88
The Princess Royal Hospital NHS Trust	901	304	343	710	153
University Hospital Birmingham NHS Trust	n/a	n/a	1,474	158	10
Walsall Community Health NHS Trust	266	111	42	62	30
Walsall Hospitals NHS Trust	(223)	1,191	417	619	1,368
Walsgrave Hospitals NHS Trust	715	359	153	15	(476)
Warwickshire Ambulance Service NHS Trust	n/a	37	(172)	28	(111)
West Midlands Ambulance NHS Trust	321	358	672	423	(196)
Wolverley NHS Trust	275	(155)	n/a	n/a	n/a
Wolverhampton Healthcare NHS Trust	n/a	n/a	183	189	83
Worcester Royal Infirmary NHS Trust	n/a	(944)	576	327	16
Worcestershire Community Healthcare NHS Trust	n/a	n/a	n/a	419	(145)

£000

	1993–94	1994–95	1995–96
DHA/RHA surpluses/(deficits)			
HA name			
Coventry Health Authority	1,695	(188)	(3,142)
Dudley Health Authority	3,877	(4,257)	808
East Birmingham District Health Authority	220	n/a	n/a
Herefordshire Health Authority	946	(565)	110
Mid Staffordshire District Health Authority	920	n/a	n/a
North Birmingham District Health Authority	226	n/a	n/a
North Birmingham Health Authority	n/a	(3,025)	1,092
North Staffordshire Health Authority	2,727	(811)	(609)
North Worcestershire Health Authority	1,080	(1,897)	(2,218)
Sandwell Heath Authority	840	1,090	(1,180)
Shropshire Health Authority	1,269	(1,323)	(135)
Solihull Health	798	(3,324)	(1,423)
South Birmingham Health Authority	19,909	1,747	(5,321)
South East Staffordshire District Health Authority	(388)	n/a	n/a
South Staffordshire Health Authority	n/a	(196)	695
Walsall Health Authority	142	70	(493)
Warwickshire Health Authority	4,010	(848)	(3,654)
West Birmingham District Health Authority	718	n/a	n/a
West Midlands Regional Health Authority	(11,619)	9,667	(14,030)
Wolverhampton Health Authority	(652)	315	(425)
Worcester and District District Health Authority	582	14	(1,131)
FHSA surpluses/(deficits)			
FHSA name			
Birmingham FHSA	(1,141)	(1,761)	(46)
Coventry FHSA	(500)	724	(2,864)
Dudley FHSA	(606)	983	(1,087)
Hereford and Worcester FHSA	(196)	(923)	(1,016)
Sandwell FHSA	(566)	(93)	(545)
Shropshire FHSA	(553)	(1,039)	333
Solihull Health	481	(925)	(344)

£000

	1993–94	1994–95	1995–96
Staffordshire FHSA	1,495	1,020	(3,522)
Walsall FHSA	53	37	(1,676)
Warwickshire FHSA	(1,360)	(1,185)	(3,851)
Wolverhampton Health Executive	(162)	(13)	(606)

£000

HA name	1996–97	1997–98
HA surplus/(deficits)		
Birmingham Health Authority	2,701	(11,462)
Coventry Health Authority	(623)	(391)
Dudley Health Authority	(3,450)	(2,778)
Herefordshire Health Authority	(990)	(464)
North Staffordshire Health Authority	3,305	1,418
Sandwell Health Authority	2,847	(365)
Shropshire Health Authority	(4,326)	(3,472)
Solihull Health Authority	155	166
South Staffordshire Health Authority	(4,706)	(2,489)
Walsall Health Authority	(2,528)	1,221
Warwickshire Health Authority	783	2,181
Wolverhampton Health Authority	(3,336)	(684)
Worcestershire Health Authority	(3,239)	(4,396)

Note:
n/a = not applicable (Trust/HA did not exist)
Source:
For all tables—Summarised Accounts

NHS Trusts

Dr. Brand: To ask the Secretary of State for Health if he will place in the Library the forecast surpluses and deficits for NHS trusts in 1998–99 quarter 3. [78521]

Mr. Denham: The information requested has been placed in the Library.

Violence against Women

Mr. Cawsey: To ask the Secretary of State for Health if the planned Government paper on violence against women will address *(a)* rape and sexual assault, *(b)* the problems faced by adult survivors of child sexual abuse, *(c)* sexual harassment, *(d)* female genital mutilation, *(e)* violence and abuse of girls, *(f)* the law as it relates to those who wish to claim asylum on the ground of gender violence, *(g)* the law on homicide as it relates to victims of domestic violence who kill abusive partners and *(h)* funding for *(i)* rape crises centres, (ii) refuges and (iii) other services for women and girls who have suffered violence or abuse. [78486]

Ms Jowell: The Government's paper will highlight practical examples, from different organisations, agencies and local authorities, of how violence against women is being successfully tackled across the country. These good practice models will be supported by practical measures which are being developed across Government.

The publication will be based on the prevention of violence against women wherever possible and the provision of protection, services and justice for women where violence has occurred. Amongst other issues, it will address rape and sexual assault, domestic violence, sexual harassment, female genital mutilation, and funding for rape crisis centres, refuges and other support services for women and girls who have suffered violence or abuse.

Medicines Control Agency

Mr. Tredinnick: To ask the Secretary of State for Health if he will make a statement on the revised timetable for the consideration of responses to proposals contained in the Medicines Control Agency Consultation Document MLX249, and on the timetable for legislative action arising from those proposals. [78560]

Ms Jowell: The Medicines Control Agency is presently considering the responses to the proposals with a view to making recommendations to Ministers. In the light of those recommendations, we will consider whether or what legislation should be put before Parliament. As we have previously said, we are not tied to the April 1999 date suggested in the proposals.

Mr. Tredinnick: To ask the Secretary of State for Health if he will list the companies to which the Medicines Control Agency has written in the last 12 months indicating that it is considering classifying as a medicine, products which that company currently markets as a food, indicating in each case the ingredients concerned and the *(a)* scientific and *(b)* legal basis for the action. [78565]

Ms Jowell: No. The Medicines Control Agency has considered the classification of over 900 products in the last twelve months and the information requested could be provided only at disproportionate cost.

Mr. Tredinnick: To ask the Secretary of State for Health what is the estimated cost of providing scientific evidence to support an application for a product licence for the Medicines Control Agency; and what is the average time taken by the Agency to consider such applications. [78564]

Ms Jowell: The cost of providing scientific evidence to support an application for a product licence is met by the applicant and the Government have made no estimate of the average cost of application. The average time taken to consider such applications varies according to the type of application. These are detailed in the Medicines Control Agency's Annual Report, copies of which are available in the Library. The mean time for the assessment of new active substances in 1997–98 was 44 days.

Mr. Tredinnick: To ask the Secretary of State for Health how many *(a)* herbal products and *(b)* blends of herbs with vitamins that are sold as foods, the Medicines Control Agency is considering for assessment as medicines, indicating the ingredients concerned in each case. [78566]

Ms Jowell: The Medicines Control Agency is not considering for assessment as medicines any herbal products or blends of herbs with vitamins legitimately sold as foods.

Correspondence

Mr. Winnick: To ask the Secretary of State for Health when the hon. Member for Walsall, North will receive a reply to his letter of 10 February regarding a constituent and to his letter of 24 February regarding a constitutent (ref. POH(2)5608/20). [78488]

Mr. Denham: My right hon. Friend the Secretary of State replied to my hon. Friend's letter of 24 February on 23 March. I replied to my hon. Friend's letter of 10 February on 24 March.

HOME DEPARTMENT

Immigration and Nationality Directorate

Mr. Coleman: To ask the Secretary of State for the Home Department if he will make a statement on progress in implementing the changes at the Immigration and Nationality Directorate offices in Croydon. [77834]

Mr. Mike O'Brien: I refer my hon. Friend to the reply I gave to the hon. Member for Hertsmere (Mr. Clappison) on 24 March 1999, *Official Report,* column *227.*

Mr. Wigley: To ask the Secretary of State for the Home Department if he will set up an Immigration and Nationality Directorate office in Cardiff. [78230]

Mr. Mike O'Brien: The Immigration and Nationality Directorate has an office in Cardiff operated by 13 staff from the Immigration Service Ports Directorate. They have responsibility for processing arriving passengers and immigration law enforcement work. There are no current plans for additional offices.

Mr. Mullin: To ask the Secretary of State for the Home Department if he will list the companies who applied for the contract for the computerisation of the Immigration and Nationality Directorate; and if he will make a statement. [78632]

Mr. Mike O'Brien: Seven companies responded to the notice advertising the competition. They were Amdahl UK, Andersen Consulting, Computer Science (CSC), EDS, IBM UK, Siemens Business Services and Unisys. The National Audit Office report on the Casework Programme, published on 24 March, concluded that the Immigration and Nationality Directorate managed the procurement in a business-like way.

Road Traffic Accidents (Horseriders)

Mr. Paul Marsden: To ask the Secretary of State for the Home Department if he will revise police recording methods so that statistics on road traffic accidents involving horseriders and horses are separately collated; and if he will make a statement. [78224]

Ms Glenda Jackson: I have been asked to reply.

Following a review of data requirements in 1997–98, it was agreed that details of horseriders would be separately identified in the information which is recorded by the police on road injury accidents from 1999. Unridden horses and horse drawn vehicles will not be separately identified.

Corporate Manslaughter

Mr. Hepburn: To ask the Secretary of State for the Home Department what plans he has to seek to introduce a new crime of corporate manslaughter. [78238]

Mr. Boateng: An inter-departmental working group of officials, which includes a member of the Law Commission, is currently considering the recommendations made in the Law Commission's report no. 237, "Legislating the Criminal Code: Involuntary Manslaughter", which includes the creation of a new offence of corporate manslaughter.

Once we have the group's conclusions we will consider how to take forward the recommendation on corporate manslaughter.

Convention on Mutual Legal Assistance

Mr. Maclean: To ask the Secretary of State for the Home Department when he expects the working group operating under the European Union Justice and Home Affairs Council to finalise the draft Convention on Mutual Legal Assistance containing proposals for cooperation on the interception of telecommunications. [78392]

Mr. Straw: The German Presidency hopes to conclude the draft Convention at the Justice and Home Affairs Council on 27–28 May 1999.

Criminal Injuries Compensation Scheme

Judy Mallaber: To ask the Secretary of State for the Home Department what plans he has to amend the Criminal Injuries Compensation Scheme; and if he will make a statement. [79154]

Mr. Straw: We looked afresh at the scheme as part of the Comprehensive Spending Review. The review recommended no changes to the basic structure of the scheme. In the financial settlement following the review, more money was made available for the scheme, with the aim of ensuring that the number of cases settled equalled or exceeded the number of new applications received so that the number of cases outstanding remained broadly constant or fell. We want to see the resources now available are used as effectively as possible for the benefit of victims and taxpayers alike.

We are accordingly undertaking a public consultation exercise inviting views on whether and, if so, how the scheme might be refined or improved within the parameters of the present tariff-based arrangements and the financial provision set for the next three years. A consultation document entitled, "Compensation for Victims of Violent Crime—Possible Changes to the Criminal Injuries Compensation Scheme", is accordingly being sent to a wide range of practitioners, interested organisations and the media. The document will be made available to other inquirers on request. Copies have been placed in the Library.

The consultation document sets out the background to, and rationale for, the scheme. It summarises historical details of applications received and awards paid, and sets out performance plans for the coming three-year financial cycle. It offers suggestions on how the tariff or injuries might be changed to improve internal consistency and to make it more comprehensive, and summarises a number of other suggestions put forward at various times on what

other changes might be made. It also identifies ways in which scheme resources could be released to pay for changes considered desirable if the cost of those changes exceeded the provision available.

The consultation document invites comment by mid-June. After that, we will analyse carefully the responses received and consider how best to take matters forward.

In the interim, I have today laid before Parliament a draft of alterations to the scheme, seeking to add additional injury descriptions to the tariff of awards. This is without prejudice to the consultation exercise. The purpose is the limited one of enabling the Criminal Injuries Compensation Authority to settle outstanding claims from applicants whose injuries are not currently listed in the tariff but which are considered sufficiently serious to qualify for at least the minimum award of £1,000. The proposed changes require approval by the affirmative resolution procedure before they can take effect.

Private Security Industry

Judy Mallaber: To ask the Secretary of State for the Home Department when he plans to announce proposals on regulation of the private security industry. [79155]

Mr. Boateng: I intend to publish a White Paper containing the Government's proposals for a framework for comprehensive regulation of the private security industry tomorrow. Copies will be placed in the Library.

Interception of Communications

Mr. Brady: To ask the Secretary of State for the Home Department how many residents of Altrincham and Sale, West have been subject to approved *(a)* interception of mail and *(b)* telephone tapping since 1 May 1997. [78524]

Mr. Straw: In accordance with long-established policy and consistently with the statutory provisions of the Interception of Communications Act 1985, it is not the practice of Government to confirm or deny, either that a warrant of interception has been issued, or that interception has taken place in any particular case. This policy, by extension, is applied to revealing figures for specific areas of the country, as this may assist the people who, because they represent a threat to national security or because they are suspected of involvement in very serious crime, are subject to interception measures.

Helen Jones: To ask the Secretary of State for the Home Department what plans he has to amend the Interception of Communications Act 1985 to make the monitoring of internal telephone calls in the workplace an offence if done without the employee's consent. [78493]

Mr. Straw: During the Criminal Justice (Terrorism and Conspiracy) Bill debate in this House on 2 September 1998, *Official Report*, column 749, I announced that I had put in hand a comprehensive review of the interception regime, and that a consultation document on this would be published in due course. The consultation document will address the issue of interception on private telephone networks which was the subject of a judgment of the European Court of Human Rights in the case of Halford *v* United Kingdom. Legislation will be introduced at the earliest available opportunity. In the meantime, the Government will shortly issue guidance, explaining to operators of non-public networks, the steps that they should take in order to give effect to the judgment and to ensure, as far as possible, that such a breach does not recur. I shall place a copy of these guidelines in the Library.

CCTV Surveillance

Helen Jones: To ask the Secretary of State for the Home Department what representations he has received on the possible registration of CCTV surveillance systems with the police; and if he will make a statement. [78489]

Mr. Boateng: We have no plans to require public space Closed Circuit Television (CCTV) systems to be registered with the police.

The Data Protection Act 1998 will provide a framework for the statutory regulation of public space CCTV systems. Controllers of such systems will have to notify details of their processing to the Data Protection Commissioner and comply with a set of enforceable principles of good information handling practice, including the need for personal data to be processed fairly and lawfully.

SOCIAL SECURITY

Pensions

Mr. Field: To ask the Secretary of State for Social Security what the cost would have been of increasing basic pension in line with earnings since 1 May 1997; what the value of such an increase would have been to a single pensioner; what the actual increase in basic pension has been since 1 May 1997, and what the cost has been; and what the cost of the winter payments to pensioners have been in each year since 1 May 1997. [76658]

Mr. Timms *[holding answer 15 March 1999]:* The information is in the tables.

Estimated cost (net of means-tested benefits) of uprating basic state pension by prices from April 1997 level

£ million

	Excluding linked benefits	*Including linked benefits*
1998–99	770	920
1999–2000	1,520	1,790

Estimated additional cost (net of means-tested benefits) of uprating basic state pension by earnings from April 1998 onwards

£ million

	Excluding linked benefits	*Including linked benefits*
1998–99	100	120
1999–2000	510	600

Value of category A pension (100 per cent. rate for a single person under 80)

£

	Actual rate	Rate if uprated by earnings from April 1998 onwards
1997–98	62.45	62.45
1998–99	64.70	65.00
1999–2000	66.75	68.20

Estimated cost of winter fuel payments

£ million

	Cost
1997–98	200
1998–99	200

Notes:

1. Table 1 shows the estimated cost of uprating the basic State pension by prices compared with a situation where no uprating takes place after April 1997. Table 2 shows the extra cost, over and above uprating by prices of uprating by earnings from April 1998 onwards.
2. Estimates of total costs in first two tables are rounded to nearest £10 million and are cash figures.
3. Contributory benefit effects have been provided by the Government Actuary's Department
4. Means-tested benefit offsets were estimated using the 1995–96 and 1996–97 Family Resources Survey and the May 1997 Income Support Quarterly Statistical Inquiry.

Pensioner Incomes

Mr. Coleman: To ask the Secretary of State for Social Security how many pensioners in Hammersmith and Fulham currently have incomes above the minimum income guarantee but below the income tax threshold. [77836]

Mr. Dismore: To ask the Secretary of State for Social Security how many pensioners in Hendon are above the level of the minimum income guarantee and below the income tax threshold. [77576]

Mr. Timms: The information requested is not available.

Benefits (Hendon)

Mr. Dismore: To ask the Secretary of State for Social Security (1) how many people in Hendon are in receipt of *(a)* disability living allowance and *(b)* incapacity benefit; [77573]

(2) how many people aged over 50 years in Hendon are in receipt of incapacity benefit; [77574]

(3) how many people aged over 50 years in Hendon are in receipt of jobseeker's allowance. [77575]

Mr. Bayley: The administration of Social Security benefits is a matter for the Chief Executive of the Benefits Agency, Mr. Peter Mathison. He will write to my hon. Friend.

Letter from Peter Mathison to Mr. Andrew Dismore, dated 25 March 1999:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Questions asking, how many people in Hendon are in receipt of, (a) Disability Living Allowance, (b) Incapacity Benefit, and how many people aged over 50 years in Hendon are in receipt of Incapacity Benefit and Jobseeker's Allowance.

The information that is available is in the attached table. I am afraid it is not all in the format requested. This is because normally the Benefits Agency (BA) collates statistics by BA District. These Districts do not necessarily correspond with Local Authority boundaries or Parliamentary constituencies. The BA Edgware District is one such District with offices at Barnet Hill, Hendon, and Edgware. The information about Incapacity Benefit is for this District. The information for Jobseeker's Allowance closely reflect the 1991 wards of Burnt Oaks, Colindale, Edgware, Hale, Hendon, Mill Hill, and West Hendon. The figures for Disability Living Allowance are for the postal area of the Parliamentary Constituency of Hendon.

I hope you find this helpful.

Recipients of Jobseeker's Allowance, Incapacity Benefit, and Disability Living Allowance for Hendon and the surrounding area

Benefit	No. all ages	No. over 50 years of age
Jobseeker's Allowance	—	433
Incapacity Benefit	5,740	3,320
Disability Living Allowance	2,337	—

Notes:

1. Figures for Jobseeker's Allowance are as at 14 January 1999 and include credits only claims (National Insurance Contributions), and reflect the 1991 wards of Burnt Oaks, Colindale, Edgware, Hale, Hendon, Mill Hill, and West Hendon.[1]
2. Figures for Incapacity Benefit are as at 31 May 1998 and are from a 5 per cent. sample that excludes a small number or clerical cases, and are for the BA Edgware District which includes the BA offices at Barnet Hill, Hendon, and Edgware.[2]
3. Figures for Disability Living Allowance are as at 31 May 1998 and are from a 100 per cent. count, and are for the postal district of the Parliamentary Constituency of Hendon.[2]
4. Figures are provisional and subject to change.

Sources:

[1] The Office of National Statistics
[2] Analytical Services Division

Benefits Agency/POCL System

Mr. Field: To ask the Secretary of State for Social Security what are the projected savings to public funds of *(a)* the piloting of and *(b)* each of the first five years of the operation of the Benefits Agency/POCL system. [78314]

Angela Eagle: It is estimated that, on current plans, the trial of the Payment Card will result in savings of £17 million during the period of the trial. A further £64 million will be saved by the Order Book Control Service over the same period.

The estimated savings in each of the first five tax years following national roll-out of the systems

£ million

	Savings
2000–01	188
2001–02	189
2002–03	189
2003–04	189
2004–05	189

Note:

Includes savings from other measures including Order Book Control Service that are gradually superseded by the Payment Card during national roll-out.

Benefit Claimants (Bank Accounts)

Mr. Field: To ask the Secretary of State for Social Security if he will estimate the percentage of benefit (i) claimants and (ii) recipients of state pensions who have neither a bank account nor a National Savings Account. [78231]

Mr. Timms: Estimates of total number of benefit claimants who have neither a bank account nor a National Savings Account vary. The various sources of information available suggest the proportion to be in the region of 10–20 per cent.

The information available suggests that the proportion of recipients of state pensions who have neither a bank account nor a National Savings Account is in the region of 5 per cent.

Benefit Integrity Project

Mrs. Fyfe: To ask the Secretary of State for Social Security what estimate he has made of the final out-turn figure for the Benefit Integrity Project in terms of net expenditure; and if he will estimate the amounts of *(a)* under and *(b)* over payments identified. [78324]

Mr. Bayley: Administrative costs for the year 1997–98 were £8.267 million. Current estimates of the costs for the year 1998–99 are £12.6 million. For the latest estimate of net programme savings, I refer my hon. Friend to my oral answer to the hon. Member for Winchester (Mr. Oaten) on 8 March 1999, *Official Report*, columns 16–17. A breakdown of this estimate into underpayments and overpayments is not currently available, although underlying information on the amount of weekly Disability Living Allowance that groups of claimants on different rates of benefit have either gained or lost is provided in the monthly statistical summaries held in the Library.

Final estimates for administrative and programme costs and savings associated with the Benefit Integrity Project will be calculated after the Project ends on 31 March 1999 and will be published in due course.

Pregnant and Lactating Mothers (Benefits)

Mr. Kirkwood: To ask the Secretary of State for Social Security if he will estimate the number of *(a)* pregnant and *(b)* lactating mothers receiving (i) income support and (ii) family credit. [78278]

Angela Eagle: The information is not available in the format requested. Such information as is available is as follows:

The number of pregnant women receiving milk tokens in receipt of Income Support was 45,000 as at August 1998. At the same date 570,000 recipients of Income Support received milk tokens for children aged five years or less.

No information is available in respect of Family Credit.

Notes:

1. Figures are rounded to the nearest thousand.
2. Figures are based on a 5 per cent. sample of all Income Support claimants and are subject to a degree of sampling error.
3. The figures cover those women who are provided with milk tokens during pregnancy up to the birth of the child and those claimants who are provided with milk tokens for children up to the age of five.

Source:

Income Support Statistics Quarterly Enquiry, August 1998.

Dependent Children (Benefits)

Mr. Kirkwood: To ask the Secretary of State for Social Security, pursuant to his answers of 3 February 1999, *Official Report*, columns 674–76, on income support and family credit, if he will publish further figures showing how many *(a)* two-parent and *(b)* one-parent families have dependent children aged (i) under 12 months, (ii) one to two years, (iii) three to four years, (iv) five to 10 years, (v) 11 to 15 years and (vi) 16 to 18 years; and if these figures and those in his earlier answers relate to the whole of the United Kingdom. [78332]

Angela Eagle: The information for my previous answer relates to Great Britain only.

The additional information requested is not currently available. Once the estimates have been made, I will write to the hon. Member with a full reply.

Incapacity Benefit

Mr. Steinberg: To ask the Secretary of State for Social Security how many successful appeals there have been against a refusal of incapacity benefit for the years 1996 to date. [78281]

Angela Eagle: The information is in the table.

	Appeals heard and decided	*Appeals decided in appellant's favour*	*(Percentage of appeals heard and decided)*	*Lapsed on review/superseded*
Incapacity benefit: all work test				
1996	38,474	18,026	(47)	269
1997	51,896	22,453	(43)	1,742
1998	48,031	19,361	(40)	2,533
Incapacity benefit other than all work test				
1996	3,120	1,035	(33)	49
1997	4,682	1,299	(28)	833
1998	5,302	1,343	(25)	1,347

Note:

Lapsed on review and superseded includes cases that could have been due to a re-instatement of benefit, but can include other causes.

Source:

100 per cent. computer extract from Independent Tribunal Service (ITS) systems.

Correspondence

Mr. Winnick: To ask the Secretary of State for Social Security when the hon. Member for Walsall, North will receive a reply to his letter of 10 February (ref. 2/3644/41) regarding a constituent. [78487]

Mr. Timms: A reply was sent on 23 March 1999.

Basis Southern Command

Mr. Duncan Smith: To ask the Secretary of State for Social Security (1) how many arrests have been made in January by Benefits Agency Security Investigation Service Southern Command; [74345]

(2) what is the current budget for Benefits Agency Security Investigation Service; and of this, what proportion is allocated to the *(a)* Northern and *(b)* Southern Commands; [74347]

(3) how many arrests made by BASIS Southern Command have led to *(a)* prosecutions and *(b)* successful convictions since its establishment. [74346]

Mr. Timms *[pursuant to his reply, 3 March 1999, c. 886–87]:* Questions on Benefits Agency operational matters are the responsibility of the Chief Executive, Peter Mathison, and I have asked him to send a further letter to the hon. Member.

Letter from Peter Mathison to Mr. Iain Duncan Smith, dated 25 March 1999:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Questions asking how many arrests have been made in January by BASIS Southern Command; what is the budget for BASIS; and of this, what proportion is allocated to Northern and Southern Commands respectively; how many arrests made by BASIS Southern Command have led to a) prosecutions and b) successful convictions since its establishment.

During January 1999 the BASIS Southern Command made twenty-five arrests.

The budget for BASIS is managed centrally and not split into two commands. It covers not only the Investigation Staff but also Support Staff and Goods and Services. The budget for this financial year is £8.2m of which £6.34m has been spent to date.

BASIS was formed in April 1998. Since that date the police have made 375 arrests based on information supplied by BASIS Southern Command. One hundred and forty-eight of these have been submitted for prosecution of which ninety-four have to date been successful.

I hope that this is helpful.

SCOTLAND

Agrimonetary Compensation

Mrs. Laing: To ask the Secretary of State for Scotland how much agrimonetary compensation was paid in Scotland in each year since 1992 in *(a)* cash terms and *(b)* 1998–99 prices. [77751]

Mr. Macdonald: No agrimonetary compensation was paid by the UK Government until 1997–98. £23.36 million (£23.94 million at 1998–99 prices) was paid in 1997–98.

Tuition Fees

Mrs. Laing: To ask the Secretary of State for Scotland if he will make a statement on the distribution of the funds raised from the £1,000 tuition fee paid by university students. [77740]

Mrs. Liddell: The information requested is not available. Whether a contribution from a student or some or all of the fee paid on their behalf by the Student Awards Agency for Scotland, tuition fees are paid direct to institutions. Institutions distribute the funds as they see fit.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Bankruptcy

Mrs. Laing: To ask the Secretary of State for Scotland how many farmers were made bankrupt in each year since 1992. [77797]

Mr. Macdonald: Information on bankruptcies by occupation is not available. The figures in the table come from the Office of the Accountant in Bankruptcy and shows the number of sequestrations of people employed in the agriculture and horticulture industries in Scotland in each year since 1992. The figures cover employees as well as the self employed, and so many include people other than farmers. From 1 July 1999, this will be a matter for the Scottish Parliament.

Number of sequestrations in the agriculture and horticulture industries in Scotland, 1992–1998

Year	*Number of sequestrations*
1992	35
1993	19
1994	12
1995	13
1996	14
1997	7
1998	11

Mrs. Laing: To ask the Secretary of State for Scotland how many individuals were made bankrupt in Scotland in each year since 1992. [77767]

Mr. McLeish: The number of sequestrations in Scotland under the Bankruptcy (Scotland) Act 1985 between 1991–92 and 1997–98 is as follows:

Year	*Number of sequestrations*
1991–92	8,587
1992–93	11,970
1993–94	4,022
1994–95	2,340
1995–96	2,380
1996–97	2,534
1997–98	2,701

Land Reform

Mrs. Laing: To ask the Secretary of State for Scotland what estimate he has made of the costs of the introduction of his land reform proposals. [77750]

Mr. Macdonald: I am satisfied that the overall package of proposals for land reform which we launched on 5 January will benefit the people of Scotland.

The cost of introducing our land reform recommendations will depend on the result of further technical development of the proposals, which is ongoing.

From 1 July 1999 this will be a matter for the Scottish Parliament.

Road Projects

Mrs. Laing: To ask the Secretary of State for Scotland if he will list the *(a)* road building and *(b)* motorway and trunk road improvement proposals and their total cost for each year from 1997 to 2001. [77764]

Mr. Macdonald: Local roads are the responsibility of the local authorities. Details of schemes and expenditure are not held centrally. Total net expenditure for the motorway and trunk road programme in Scotland was £203 million in 1996–97 and £170 million in 1997–98. The estimated expenditure for 1998–99 is £155 million. Planned net expenditure for 1999–2000 and 2000–01 is £163 million and £176 million respectively. Major new schemes completed or due to be completed between 1 January 1997 and 31 December 2001 are:

M8/M9 Newbridge Interchange, October 1997;

A1 Oswald Dean to East of Innerwick, January 1998;

A92 Halbeath Interchange, March 1998;

A96 Blackburn to Kintore, September 1998;

A830 Polnish to Loch Nan Uamh, October 1998;

A75 The Glen Improvement, May/June 1999;

A74(M) DBFO, Spring 1999;

A828 Creagan Bridge, Summer 1999;

A86 Rubha Na Magach to Aberarder, Summer 1999;

A1 Spott to Oswald Dean, Winter 1999; and,

A7 Hawick Relief Road, Winter 2000–01.

From 1 July 1999 this will be a matter for the Scottish Parliament.

Mrs. Laing: To ask the Secretary of State for Scotland how many road *(a)* building and *(b)* improvement projects were cancelled in 1997. [77763]

Mr. Macdonald: No trunk road schemes were cancelled by my right hon. Friend in 1997. On taking office, we announced a review of the Scottish trunk roads programme and imposed a moratorium on major schemes in the inherited programme with the exception of the A828 (Creagan Bridge) and the A75 (The Glen). Minor schemes and other items of trunk road expenditure were unaffected by the review.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Full-time Education

Mrs. Laing: To ask the Secretary of State for Scotland how many and what percentage of young people aged 15 to 25 years were in full-time education in each year since 1992. [77742]

Mrs. Liddell: The number of young people aged greater than or equal to 15 but under 25[1] in full-time education[2] in Scotland from 1991–92 until 1996–97 (the last academic year for which full figures are available) was as follows:

Academic year	*Number (000s)*	*Percentage*[3]
1991–92	226.9	31
1992–93	236.0	33
1993–94	248.7	36
1994–95	258.7	38
1995–96	265.9	40
1996–97	279.3	43

[1] Age as at 31 December of the relevant academic year. Information on the numbers of people aged 25 is not readily available.

[2] Excludes students on non-vocational courses in further education colleges and those on non-credit bearing courses at higher education institutions.

[3] As a percentage of an estimated population of people aged greater than or equal to 15 but under 25 as at 31 December. Derived from mid-year population estimates provided by the General Register Office for Scotland.

From 1 July 1999 this will be a matter for the Scottish Parliament.

Prescription Charges

Mr. David Stewart: To ask the Secretary of State for Scotland what representations he has received from the medical profession on exempt categories relating to prescription charges in Scotland. [77596]

Mr. Galbraith: Since 1 April 1998, six representations have been received from the medical profession in Scotland on exempt categories of prescription charges. All the representations related to exemption from charges on medical grounds.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Mr. David Stewart: To ask the Secretary of State for Scotland if the next prescription charge review in Scotland will include a review of exempt categories. [77597]

Mr. Galbraith: There are no plans at present to conduct a review of prescription charge exempt categories in Scotland.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Mr. David Stewart: To ask the Secretary of State for Scotland when he will next review prescription charges in Scotland. [77598]

Mr. Galbraith: There are no plans at present to review prescription charges in Scotland.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Further and Higher Education

Mrs. Laing: To ask the Secretary of State for Scotland how many and what percentage of young people aged 15 to 25 years attended *(a)* a further and *(b)* a higher education course in each year since 1992. [77741]

Mrs. Liddell: The number of young people aged greater than or equal to 15 but under 25[1] attending a further education course or a higher education course in Scotland[2] from 1991–92 until 1996–97 (the academic year for which full figures are available) was as follows:

Academic year	Further education Number (thousand)	Further education Percentage[3]	Higher education Number (thousand)	Higher education Percentage[3]
1991–92	75.8	10	102.7	14
1992–93	66.4	9	112.4	16
1993–94	62.1	9	118.4	17
1994–95	55.5	8	123.9	18
1995–96	70.4	11	124.9	19
1996–97	79.1	12	133.2	20

[1] Age as at 31 December of the relevant academic year. Information on the numbers of people aged 25 is not readily available.
[2] Excludes students on non-vocational courses in further education colleges and those on non-credit bearing courses at higher education institutions.
[3] As a percentage of an estimated population of people aged greater than or equal to 15 but under 25 at 31 December. Derived from mid-year population estimates provided by the General Register Office for Scotland.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Business Insolvencies and Starts

Mrs. Laing: To ask the Secretary of State for Scotland how many business *(a)* insolvencies and *(b)* starts there were in Scotland in each year since 1992. [77768]

Mr. Dewar: The information is as follows.

(a) Statistics on insolvencies are produced by statisticians in the Department of Trade and Industry. The information is shown in the following table:

Year	Individuals Sequestrations	Companies Total	Companies Compulsory liquidations	Companies Creditors' voluntary liquidations
1992	10,845	670	310	360
1993	6,828	551	286	265
1994	2,182	444	242	202
1995	2,188	441	252	189
1996	2,503	441	266	175
1997	2,502	477	254	223
1998	3,016	566	338	228

Note:
Insolvent individuals in Scotland are subject to sequestration under the Bankruptcy (Scotland) Act 1985. The Bankruptcy (Scotland) Act 1993 amending the 1985 Act came into force on 1 April 1993, and will have affected the number of sequestrations in the Scottish courts.
Source:
DTI

(b) The best official source of information relating to business starts is the VAT registration data. The information requested is shown in the following table:

Business start-ups: enterprises registering for VAT in Scotland

Year	Number
1992	12,665
1993	12,600
1994	11,345
1995	11,195
1996	11,275
1997	12,280

Note:
Pre-1994 figures are not entirely comparable with later figures because they counted VAT units rather than whole enterprises, and also because of an unusually large increase in the threshold for VAT registration in 1993.
Source:
DTI SME Statistics Unit

Legal Aid

Mrs. Laing: To ask the Secretary of State for Scotland if he will list the number of people claiming legal aid for each year since 1992. [77830]

Mr. McLeish: The total number of people claiming legal aid from the Scottish Legal Aid Board in each year was as follows:

Year	Number
1992–93	403,749
1993–94	390,914
1994–95	407,375
1995–96	419,186
1996–97	406,741
1997–98	419,172

Applications for legal aid for children, contempt of court and solemn criminal legal aid are made to the court. The numbers of applications refused by the court are not kept centrally but the following shows the number of grants by the courts:

Year	Number
1992–93	15,248
1993–94	15,065
1994–95	14,982
1995–96	14,355
1996–97	14,028
1997–98	14,347

From 1 July 1999, this will be a matter for the Scottish Parliament.

New Deal

Mrs. Laing: To ask the Secretary of State for Scotland what the cost of the New Deal in Scotland has been *(a)* per job created and *(b)* per person completing the scheme to date. [77827]

Mr. Dewar: The New Deal is a rolling programme and total expenditure so far covers some who have left the programme and some who are still participating. It is too early to assess precisely the cost per job or per person completing the programme to date.

Lottery Funding

Mrs. Laing: To ask the Secretary of State for Scotland if he will list *(a)* the recipients, *(b)* the project and *(c)* the amount of lottery funding awarded in Scotland since May 1997 for projects costing more than £50,000. [77748]

Mr. Galbraith: Awards totalling £370,424,087 for projects in Scotland costing more than £50,000 have been distributed by the 5 Good Causes since May 1997. However, as the list of awards is rather lengthy, I am placing tables containing the information requested in the House Library.

Gas-Fired Power Stations

Mr. Whittingdale: To ask the Secretary of State for Scotland if he will *(a)* list the consents he has refused for gas-fired power stations and *(b)* estimate the proposed investments in each station by those applying for consents. [78012]

Mr. Dewar: I recently announced my decision to refuse consent to PowerGen's application for a new natural gas-fired power station at Gartcosh, North Lanarkshire. My decision followed the recommendation by the Reporter to the public inquiry into the application that consent be refused. I have not refused consent to any other gas-fired power stations.

The level of investment Gartcosh would have involved is a commercial matter for the company.

Departmental Budget

Mrs. Ewing: To ask the Secretary of State for Scotland what was his Department's budget for *(a)* agriculture, *(b)* the fishing industry and *(c)* transport and roads in cash terms and at 1998–99 prices for each year between 1995–96 and 1998–99 and what estimate he has made in each case for each year from 1999–2000 to 2001–02. [77330]

Mr. Dewar *[holding answer 22 March 1999]:* The information requested is as follows:

£ million

	1995–96	*1996–97*	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*
1. Cash							
Agriculture	514	535	525	486	470	524	557
Fisheries	31	30	39	31	30	29	30
Roads and Transport	319	252	304	312	364	361	367
2. 1998–99 prices							
Agriculture	557	562	538	486	459	499	517
Fisheries	34	32	40	31	29	28	28
Roads and Transport	345	265	312	312	355	344	341

Agriculture figures are for spending by my Department only and do not include spending in Scotland under schemes operated, on a UK basis, by the Intervention Board Executive Agency.

By far the main component of Agriculture spending by my Department is in relation to CAP on-farm payments. Support under such measures is determined by the EU and the value of payments in Member States is sensitive to currency movements. Planned Agriculture spending figures for the three years beginning 1999–2000 reflect assumptions at the end of the Comprehensive Spending Review on the likely Sterling value of CAP on-farm payments. The actual level of spending on such schemes will be determined largely by changes flowing from the EU Agenda 2000 discussions. CAP provision is classed as Annually Managed expenditure and future spending needs will be decided on an annual basis.

The figures for Roads and Transport include the external finance limits for Caledonian MacBrayne and Highlands and Islands Airports Ltd., but exclude provision for local authority capital expenditure which since 1996–97 has been included in the single allocation for local authority non-housing capital expenditure. From 1997–98, the Roads and Transport programme includes provision for the Strathclyde Passenger Transport Authority transferred from the Department of Transport to The Scottish Office. From 1998–99, it also includes provision for Bus Fuel Duty Rebate in Scotland.

From 1 July, this will be a matter for the Scottish Parliament.

Repossessions

Mr. Wallace: To ask the Secretary of State for Scotland how many decrees were granted by Sheriff courts for the repossession of owner-occupied homes for each quarter of 1998. [78216]

Mr. McLeish: Figures in relation to repossession of owner occupied homes have been collected by the courts since a revised system of collecting Civil Judicial Statistics was instituted on 1 January 1994. The figures for decrees granted by the sheriff courts for each quarter of 1998 are as follows:

1st Quarter: 1,158

2nd Quarter: 1,155

3rd Quarter: 1,373

4th Quarter: 1,247.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Special Transitional Grant

Mr. Moore: To ask the Secretary of State for Scotland what percentage of their special transitional grant was spent by each local authority *(a)* in the independent sector and *(b)* on home care in each of the last five years. [77145]

Mr. Galbraith *[holding answer 22 March 1999]:* The special transitional grant did not apply in Scotland.

From 1 July 1999, this will be a matter for the Scottish Parliament.

FE Colleges

Mrs. Fyfe: To ask the Secretary of State for Scotland if he will announce the detailed remit of the intended review of the management of further education colleges in Scotland. [78992]

Mrs. Liddell: The new Scottish Further Education Funding Council is being asked by the Government:

> to review the quality of management of Scotland's FE colleges, taking account of recent reports on aspects of management within the sector, and in particular to:
>
> assess the effectiveness of current management of colleges;
>
> identify what range and mix of management skills, structures, systems and processes would best serve colleges;
>
> suggest how the management performance of colleges might be measured and monitored;
>
> make recommendations as to how best management practice can become the norm and how shortcomings can be identified early and addressed;
>
> and to report to Scottish Ministers by end 1999.

CULTURE, MEDIA AND SPORT

Darts

Mr. Bob Russell: To ask the Secretary of State for Culture, Media and Sport what representations he has received of the recognising of darts as a sport by the Sports Council; what action he has taken to have darts so recognised; and if he will make a statement. [77442]

Mr. Banks: I am personally very supportive of Darts and the outstanding achievements by British Darts players over many years. I have received a number of representations about the recognition of Darts, including one recently received from the British Darts Organisation (BDO). The Sports Councils keep their recognition criteria under review and I have assured the BDO that this is something in which I shall continue to keep a close interest. I am doing all I can to keep the issue near the top of the Council's agendas.

Football Clubs

Mr. Coleman: To ask the Secretary of State for Culture, Media and Sport what plans he has to introduce a regulator to oversee the activities of professional football clubs in the United Kingdom; and if he will make a statement. [77795]

Mr. Banks: I expect the football authorities to address issues relating to the administration of professional football, and I know they are currently reviewing structures and procedures.

The Government have recognised the special role football plays in this country by establishing the Football Task Force to investigate issues of concern to all those involved with the game. The Task Force is currently considering the complex issues associated with the commercial aspects of the game, which may include whether some kind of football regulator is required. I will give careful consideration to any recommendations which the Task Force's forthcoming commercial report may make in this area.

Sports Council (Recognised Sports)

Mr. Bob Russell: To ask the Secretary of State for Culture, Media and Sport what representations he has received from organisations which have been refused recognition by the Sports Council; and if he will list the activities involved. [77880]

Mr. Banks: I have received a number of representations from organisations and activities which have not been recognised by the Sports Councils. In the last two years, two activities have been rejected for recognition by the Sports Councils. These were Greyhound Racing and Darts. However, the Sports Councils keep their recognition criteria under review and I am currently doing all I can to keep this issue near the top of the Councils' agendas. I will continue to pursue the recognition issue as a matter of priority.

Mr. Bob Russell: To ask the Secretary of State for Culture, Media and Sport if he will list the sports recognised by the Sports Council. [77879]

Mr. Banks: The following activities have been recognised:

Aikido
American Football
Angling
Archery
Arm Wrestling
Association Football
Athletics
Australian Rules Football
Badminton
Ballooning
Baseball
Basketball
Baton Twirling
Bicycle Polo
Billiards and Snooker
Bobsleigh
Boccia
Bowls
Boxing
Camogie
Canoeing
Caving
Chinese Martial Arts
Cricket
Croquet
Crossbow
Curling
Cycling
Disability Sports
Dragon Boat Racing
Equestrian
Exercise and Fitness
Fencing
Fives
Flying
Gaelic Football
Gliding
Golf

Gymnastics
Handball
Hang-Gliding and Paragliding
Highland Games
Hockey
Horse Racing
Hovering
Hurling
Ice Hockey
Ice Skating
Jet Skiing
Ju Jitsu
Judo
Kabaddi
Karate
Kendo
Korfball
Lacrosse
Lawn Tennis
Life Saving
Luge
Modern Pentathlon
Motor Cycling
Motor Sports
Mountaineering
Movement and Dance
Netball
Orienteering
Parachuting
Petanque
Polo
Pony Trekking
Pool
Quoits
Racketball
Rackets
Racquetball
Rambling
Real Tennis
Roller Hockey
Roller Skating
Rounders
Rowing
Rugby League
Rugby Union
Sailing/Yachting
Sand/Land Yachting
Shinty
Shooting
Skateboarding
Skiing
Skipping
Snowboarding
Softball
Sombo Wrestling
Squash
Street/Skater Hockey
Sub-aqua
Surf-Life Saving
Surfing
Swimming and Diving
Table Tennis
Taekwondo
Tang Soo Do
Tenpin Bowling
Trampolining
Triathlon
Tug of War
Unihoc
Volleyball
Water Skiing
Weightlifting
Wrestling
Yoga.

Millennium Compliance

Mr. Chope: To ask the Secretary of State for Culture, Media and Sport for what reason no external assessment has been made of the plans of his Department for millennium compliance. [78465]

Mr. Chris Smith *[holding answer 24 March 1999]:* The DCMS Year 2000 compliance programme has been audited by the Department's Internal Audit team as part of its oversight duties for the Department's processes and procedures. Internal Audit revisit the compliance work on a regular basis and review the regular returns which the Department provides to the centre. Internal Audit provides a robust and independent review of the Department's compliance programme and I do not feel that, in this case, an external assessment would add value to the process. It would also be costly.

Information on the Department's compliance programme is provided to the centre on a regular basis and is then placed in the public domain, most recently as of the publication of departmental returns and tables summarising department's progress on 16 March.

WALES

Eye Checks

Mr. Öpik: To ask the Secretary of State for Wales what estimate he has made of *(a)* the annual cost of abolishing all charges for eye checks and *(b)* the annual number of people who currently make some payment for such checks. [78530]

Mr. Jon Owen Jones: 477,000 NHS sight tests were undertaken in 1997–98 at a cost to the NHS of some £6.7 million.

Following the transfer of functions, this issue will be a matter for the National Assembly.

Dental Checks

Mr. Öpik: To ask the Secretary of State for Wales what estimate he has made of *(a)* the annual cost of abolishing all charges for dental checks and *(b)* the annual number of people who currently make some payment for such checks. [78529]

Mr. Jon Owen Jones: All children are entitled to free dental examinations and in Wales around 30 per cent. of adults are either entitled to free NHS dental care or receive partial help with its cost.

In 1997–98, 1.1million NHS dental examinations were carried out for adults in Wales. On the assumption that 70 per cent. of those were for patients who had to pay full NHS charges, around 770,000 of those examinations would have contributed some £3.5m in NHS patient charges.

Following the transfer of functions, this issue will be a matter for the National Assembly.

Legal Services

Mr. Ruffley: To ask the Secretary of State for Wales if he will list *(a)* the London barristers' chambers and *(b)* the London solicitors' firms that have performed services for his Department (i) since 1 May 1997 and (ii) in the equivalent period preceding that date, indicating the remuneration paid in each particular case. [70039]

Mr. Hain *[pursuant to the reply, 23 February 1999, c. 255]:* I regret that there were a number of inaccuracies in the reply.

The following barristers' chambers have also been instructed directly by the Welsh Office or via Treasury Solicitor's Office:

(i) Atkin Chambers, Gray's Inn,
4–5 Grays Inn Square,
3 Serjeants Inn.

(ii) In the list of barristers' chambers "Monkton Court" should have read "Monckton Chambers".

In addition the statement that no London solicitors firms had been instructed was incorrect. Instructions have been given in both periods to the firms Wilde Sapte, and Bird and Bird.Please accept my apologies for these inaccuracies.

LORD CHANCELLOR'S DEPARTMENT

Law Society's Accounts Rules

Mr. Love: To ask the Minister of State, Lord Chancellor's Department what plans he has to amend Part II of the Solicitors Act 1974 to include amongst those Law Society rule changes which require his consent, the Law Society's Accounts Rules; and if he will make a statement. [78120]

Mr. Hoon *[holding answer 24 March 1999]:* The Lord Chancellor has no plans to alter the current arrangements for approving changes to the Law Society's Accounts Rules. Such changes are already subject to approval by the Master of the Rolls.

Kent Magistrates' Court Committee

Mr. Marshall-Andrews: To ask the Minister of State, Lord Chancellor's Department, pursuant to his answer of 26 February 1999, *Official Report*, columns *479–80*, on Kent Magistrates' Court Committee, if he will set out the circumstances of the one potential incident; and if he will list *(a)* the official or officials involved, *(b)* the nature of the fraud or mismanagement and *(c)* what advice or recommendations have been made by his Department. [78309]

Mr. Hoon: The potential incident report in respect of the Kent MCC has not yet been resolved. The Magistrates' Courts Committee and the Kent County Council are taking further legal advice. In the circumstances, it would not be appropriate to release details at this stage.

Serious Fraud Office

Mr. Marshall-Andrews: To ask the Minister of State, Lord Chancellor's Department (1) what was the cost to the Legal Aid Budget of cases brought by the Serious Fraud Office in each year since 1995–96; [78219]

(2) what proportion of the Legal Aid Budget was spent on cases prosecuted by the Serious Fraud Office, broken down into (i) contested cases and (ii) pleas of guilty, in the last year for which figures are available. [78218]

Mr. Hoon: The name of the prosecuting agency is not recorded on the Department's Legal Aid Management Information database. It is not possible therefore to provide the information requested. However, for fraud and fraud related trials of 25 days and over in duration, which will mainly comprise cases brought by the Serious Fraud Office, expenditure in each year was as follows:

£

Year	*Expenditure*
1995–96	15,106,215
1996–97	17,297,813
1997–98	20,662,712

This expenditure is in respect of closed cases; that is where the case has been disposed of and all bills determined and will include expenditure incurred in previous years. It will not include interim payments made in respect of cases still current. It is not possible to estimate expenditure on guilty pleas and cases prepared for trial but which did not proceed to trial.

Census

Mr. John M. Taylor: To ask the Minister of State, Lord Chancellor's Department how many *(a)* United Kingdom and *(b)* non-United Kingdom organisations have purchased, since 1991, micro-film or other copies of 1891 census enumerators' books for England and Wales, Scotland or Northern Ireland. [78276]

Mr. Hoon: The Public Record Office's records of purchases are not arranged by the categories specified by the hon. Member and, therefore, the information requested by the hon. Member could be provided only at disproportionate cost.

Mr. John M. Taylor: To ask the Minister of State, Lord Chancellor's Department what are the total annual storage and maintenance costs for all 1841/51 to 1991 decennial census returns. [78317]

Mr. Hoon: The Public Record Office holds the decennial census records for 1841 to 1911. The total annual storage and maintenance costs for these records are currently estimated at £225,000. The decennial census records for 1921 to 1991 are held by the Office for National Statistics at an estimated annual storage and maintenance cost of £350,000.

Legal Aid Board Administration Account

Mr. Alan Simpson: To ask the Minister of State, Lord Chancellor's Department what was the deficit on the Legal Aid Board administration account for *(a)* 1996–97 and *(b)* 1997–98; and what is the estimated deficit for 1998–99. [78353]

Mr. Hoon: The Legal Aid Board is entitled to carry forward unspent annual provision for its administration costs held at the end of each financial year. The Board's administration did not exceed the amount which was made available, by way of grant-in-aid and cash carried forward, in 1996–97 or 1997–98, and is not expected to do so in 1998–99.

AGRICULTURE, FISHERIES AND FOOD

Genetically Modified Crops

Mr. Mitchell: To ask the Minister of Agriculture, Fisheries and Food if he will list *(a)* under which Sections of the (i) Environmental Protection Act 1990 and (ii) any other Act he has issued regulations concerning conditions to be met by applicants for cultivation of genetically modified crops for (1) research and (2) sale, *(b)* the (A) dates, (B) numbers, (C) titles of any such regulations and (D) those which require approval by resolution of either House of Parliament and *(c)* what general exemptions from any part of any such regulations he has given to (x) which persons and (y) bodies and (z) for what reason. [72560]

Mr. Rooker: I refer my hon. Friend to the reply given by my right hon. Friend the Minister for the Environment on 22 March 1999, *Official Report*, column *41*.

Public Analysts

Mr. Martyn Jones: To ask the Minister of Agriculture, Fisheries and Food (1) if he will give for each year since 1989 the number of *(a)* public analysts and *(b)* Public Analyst laboratories; [77524]

(2) if all Public Analyst laboratories were accredited by 1 November 1998 under the terms of the Additional Food Control Measures Directive 93/99/EEC; [77516]

(3) what steps he has taken to ensure that local authorities make full use of the facilities provided by public analysts. [77509]

Mr. Rooker: Each local authority must appoint one or more Public Analysts. A list of Public Analysts is not centrally held.

Under the Additional Food Control Measures 93/99, the UK is required to submit to the Commission a list of food control laboratories nominated to carry out analyses and/or examinations of foodstuffs. The list contains those Laboratories who have met the Standards for Official Food Control Laboratories which have been agreed between Government and the United Kingdom Accreditation Service (UKAS). I am not aware of any currently appointed Public Analyst Laboratory not covered by this accreditation.

A copy of the submitted list is available from the Library of the House. Arrangements are also being made to make it publicly available on the Ministry's website and to publish changes to it by that means.

Live Animal Transport

Mr. Prosser: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the adequacy of his powers in relation to animal welfare to prevent livestock vessels from sailing in rough weather conditions; and if he will make a statement. [77946]

Mr. Morley: The provisions of the Welfare of Animals (Transport) Order 1997 (which implements, in Great Britain, Directive 91/628/EEC, as amended) provide extensive protection for animals in transit. In the case of bad weather at sea, a master of a vessel must not, under Article 4, transport animals if, in his judgment, they are likely to be caused injury or unnecessary suffering due to adverse weather or sea conditions likely to be encountered during the voyage. Under Article 18, if a MAFF or Local Authority Inspector considers that animals are being transported or are about to be transported in a way likely to cause injury or unnecessary suffering, he or she may prohibit that transport. MAFF officials have on occasion accompanied livestock when they are transported from Dover in rougher weather conditions, in order to gather information on how the animals travel: these trips have not to date revealed any evidence to indicate that animals' welfare has been adversely affected.

Quarantine Kennels

Mr. Prosser: To ask the Minister of Agriculture, Fisheries and Food what advice has been given since 1991 by his Department to quarantine kennel owners who submitted plans for expansion and improvement to their facilities. [77950]

Mr. Rooker: All plans for expansion and improvements submitted by quarantine kennel owners have been considered by the Department to ensure that they comply with the standard requirements for the design, construction, operation and management of such premises. Those plans which complied with the requirements have been approved. In cases where the submitted plan has not complied with the standard requirements, this has been explained and the kennel owner invited to submit amended plans.

Freezer Trawlers

Mr. Mitchell: To ask the Minister of Agriculture, Fisheries and Food how many fishing vessel owners have notified his Department that they intend to convert to freezer trawlers. [78330]

Mr. Morley: Fisheries Departments have received notice of the intention to introduce or replace up to six pelagic freezer trawlers under the time limited arrangements announced on 1 December 1998.

Fishing Vessels (Engine Capacity)

Mr. Mitchell: To ask the Minister of Agriculture, Fisheries and Food how many fishing vessels were found to have underdeclared their engine capacity in the last year for which figures are available. [78329]

Mr. Morley: As I explained in the written reply given to my hon. Friend the Member for Scarborough and Whitby (Mr. Quinn) on 1 December 1989, *Official Report*, column *119*, checks to ensure that the engine power of fishing vessels is consistent with that registered and licensed are due to commence from 1 January 2000.

Regional Development Funding

Mrs. Browning: To ask the Minister of Agriculture, Fisheries and Food what happens to unspent balances in respect of European Funds for South West Objective 5B at the end of the five year programme. [78374]

Mr. Morley *[holding answer 24 March 1999]:* The Government's aim is to ensure that, by the end of 1999, all of the European Structural Funds allocated to the South West Objective 5b programme (and elsewhere) are committed to projects. Funds not committed by the end of 1999 would be lost to the programme. Projects will be monitored closely throughout the year to enable funds to be recycled to approved projects on a reserve list if there is a possibility that on-going projects will not use up their full allocation.

After 1999, project managers will have two years in which to complete projects and claim grant. Provided that this is done on time and that claims fully match commitments, funds should have been spent at the end of the current programme period. Any unspent EU Structural Funds remaining at the end of the programme would be lost to the UK.

New Forest Hounds

Mr. Swayne: To ask the Minister of Agriculture, Fisheries and Food what *(a)* advice and *(b)* instructions, Ministers gave to the Forestry Commission before it reached a decision to suspend the licence of the New Forest Hounds. [78475]

Mr. Morley *[holding answer 24 March 1999]:* Neither my right hon. Friend the Minister nor I gave the Forestry Commission any advice or instructions before it decided to suspend the New Forest Foxhounds' licence last week. Action was taken under the terms of their licence following a previous written warning. The suspension was carried out after listening to all representations and is a matter for the Forestry Commission to decide. I have already made it clear that the Commission has my full support in the operation of the conditions of licence to hunt. This applies to all Forestry Commission land.

Millennium Compliance

Mr. Chope: To ask the Minister of Agriculture, Fisheries and Food for what reason no external assessment has been made of the plans of his Department for millennium compliance; and if he will make a statement. [78467]

Mr. Morley *[holding answer 24 March 1999]:* My Department's millennium programme comprises several parallel projects, co-ordinated by a central programme management team in the IT Directorate. Several projects, and the central team, have employed external consultants to review plans and progress. Currently, external consultants are reviewing MAFF's business continuity planning arrangements (in case some problems still occur, despite all our preparatory activity), and an independent review is being conducted by MAFF's Audit, Consultancy and Management Services division. I am satisfied that these arrangements provide for adequate external and independent review of plans.

Organic Farming Scheme

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food what is the total budget allocation for the first year of the Organic Farming Scheme. [78559]

Mr. Nick Brown: Current provision for the Organic Farming Scheme for 1999–2000 is £6.2 million.

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food what is the procedure for coping with an excess of demand from farmers applying for grants under the Organic Farming Scheme over supply of available funds. [78558]

Mr. Nick Brown: If demand for aid under the Organic Farming Scheme exceeds financial provision in any year, the Organic Farming Regulations 1999 provide a mechanism for holding over applications until further provision becomes available. We will keep the position under review.

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food what is the total acreage that will be covered by grants from the Organic Farming Scheme in its first year. [78557]

Mr. Nick Brown: The Scheme has not yet opened. The total acreage covered in the first year of the Organic Farming Scheme will depend on the number of applications and on the type of land covered.

Lindane

Mr. Paice: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the recent EC proposals on the use of Lindane in agriculture and horticulture. [78527]

Mr. Rooker: The EU has established a programme to review the safety of all pesticides which were authorised (by at least one Member State) for use in agriculture and horticulture on 25 July 1993. Lindane is included in the first round of this programme.

The EU review process begins with an evaluation by a "rapporteur" Member State. This evaluation is subject to peer review by experts from all Member States and consultation with the EU Commission's Scientific Committee on Plants before a decision is put to the Standing Committee on Plant Health and finally adopted by the Commission. In March 1995, Austria was appointed rapporteur for lindane and finally delivered its assessment to the Commission last December. The peer review process has just begun. In the normal course of events, there would not be a decision until well into 2000.

We have carried out a preliminary assessment of the Austrian evaluation and the independent Advisory Committee on Pesticides will consider it at its next meeting. We shall be guided by the Committee's advice.

It is our policy to approve only those pesticides for which it is established scientifically that there is a level of exposure at which no adverse effect occurs and that any exposure arising from the approved use would be well

below this level. If this new review indicates that lindane no longer meets this rigorous standard we will take prompt and appropriate action.

GM Organisms

Mr. Drew: To ask the Minister of Agriculture, Fisheries and Food if he will publish the advice he has offered supermarkets on the labelling and segregation of genetically modified organisms. [78366]

Mr. Rooker: Supermarkets were informed of the Government's policy that all foods containing GM material should be clearly labelled back in June 1997, when they received copies of the MAFF News Release 147/97 announcing this. Since then, all supermarkets, along with other interested parties, have been kept informed of the emerging legal requirements for the labelling of GM foods and were included in the two consultation exercises on the Food Labelling (Amendment) Regulation 1999 which took place in July 1998 and February 1999. The following MAFF News Releases were issued at key stages in the development of EC and domestic legislation on GM labelling: 211/98 issued on 21 May 1998; 315/98 issued on 29 July 1998; 95/99 issued on 18 March 1999; and 99/99 issued on 19 March 1999. They are also aware of the list of some 60 non-GM suppliers which the Department produced last year (News Release 123/98 issued on 30 March 1998). Copies of all these News Releases are available in the Library of the House.

Mr. Drew: To ask the Minister of Agriculture, Fisheries and Food what recent meetings his Department has held with supermarkets to discuss genetically modified organisms. [78365]

Mr. Rooker: During the last year, supermarkets were represented, as indicated, at the following meetings on GM foods:

ACNFP monitoring sub-group—Sainsbury (March 1998)

Parliamentary Secretary (Lords)—Iceland (April 1998)

Officials—Safeway (May 1998)

Officials—Sainsbury (June 1998)

Officials—Tesco (September 1998)

ACNFP monitoring sub-group—Safeway and Sainsbury (December 1998)

Officials—Safeway (March 1999)

Minister of State—Safeway and Tesco (March 1999).

Professor Frank Woods

Mr. Tredinnick: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the position held by Professor Frank Woods with the Food Advisory Committee. [78562]

Mr. Rooker: Since the Food Advisory Committee (FAC) was formed in 1983, it has been standard practice for the Chairman of the Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment to be included in the membership. Under this arrangement, Professor Woods has been a member of the FAC since 1992.

Advisory Group on Vitamins and Minerals

Mr. Tredinnick: To ask the Minister of Agriculture, Fisheries and Food when the Ad Hoc Expert Advisory Group on Vitamins and Minerals will next meet; with what agenda; and when he expects the group to conclude its work. [78563]

Mr. Rooker: The next meeting of the Expert Group on Vitamins and Minerals is scheduled for 7 May 1999. In accordance with normal practice the agenda for the meeting will be published in advance of the meeting once it has been cleared with the Chairman of the Group. The Group is expected to conclude its work around the end of the year 2000.

Mr. Tredinnick: To ask the Minister of Agriculture, Fisheries and Food who was the first chairman of the Ad Hoc Expert Advisory Group on Vitamins and Minerals; and when and for what reasons the chairman ceased to serve in that capacity. [78568]

Mr. Rooker: Professor Frank Woods was the first Chairman of the Expert Group. He decided in July 1998 to stand down for personal reasons.

Vitamin B6

Mr. Tredinnick: To ask the Minister of Agriculture, Fisheries and Food for what reason the forthcoming report of the Ad Hoc Expert Advisory Group in relation to the safety of vitamin B6 and other supplements is to be considered by the Food Advisory Committee; and if he will make a statement on the role of Professor Frank Woods in the process. [78561]

Mr. Rooker: The Expert Group on Vitamins and Minerals is primarily concerned with risk assessment and will be considering the scientific data on the safety of vitamins and minerals. Its membership reflects this role. The Food Advisory Committee (FAC) is a broader-based Committee which, among other things, is concerned with risk management. It will therefore take account of factors outside the remit of the Expert Group when considering what, if any, recommendations should be made to the Government in the light of the Expert Group's report. It will be the role of all the FAC members collectively to consider the report from the Expert Group and to offer advice to Ministers on whatever action the Committee considers ought to be taken in the light of the Expert Group's conclusions. Professor Woods is a member of FAC in his capacity as chairman of the Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment.

Mr. Tredinnick: To ask the Minister of Agriculture, Fisheries and Food who was the Chairman of the Committee on Toxicity at the time of its most recent assessment of the safety of vitamin B6. [78569]

Mr. Rooker: The Chairman of the Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment at the time of its most recent assessment of the safety of Vitamin B6 was Professor Frank Woods.

Commercial Whaling

Mr. Cawsey: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the meeting of commissioners to the International Whaling Commission of 5 February; and what discussion took place on the resumption of commercial whaling in relation to *(a)* species of whale and *(b)* countries eligible to resume whaling. [78485]

Mr. Morley: The meeting to which the hon. Member refers was an informal meeting attended by a number of countries generally opposed to whaling; its principal purpose was to discuss how the countries concerned could best co-operate at the forthcoming International Whaling Commission annual meeting in Grenada in May. There was some discussion of the proposals put forward by Ireland for a complete and permanent ban on all high seas whaling, including scientific whaling, with some limited whaling permitted in individual country's coastal waters; it was generally agreed that these were unlikely to make any progress unless Japan was ready to consider ending its scientific whaling programme. The UK made it clear that, while we supported efforts to improve whale conservation, we continued to have serious reservations about some aspects of the Irish proposals, in particular those concerning coastal whaling.

Written Answers to Questions

Friday 26 March 1999

HOME DEPARTMENT

Prisons (Health Care)

Angela Smith: To ask the Secretary of State for the Home Department when the report of the Joint Prison Service and the NHS Executive Working Group on the future organisation of prison health care will be published. [79406]

Mr. Straw: The Government are intending to make an announcement and publish the Report on Monday 29 March 1999.

ATTORNEY-GENERAL

Serious Fraud Office

Mr. Marshall-Andrews: To ask the Attorney-General how many cases were presented by the Serious Fraud Office as *(a)* contested cases and *(b)* pleas of guilty in (i) 1996–97, (ii) 1997–98 and (iii) 1998–99. [78217]

The Attorney-General: The statistics requested by the hon. and learned Gentleman are set out in the table.

Contested trials/pleas

						Convictions/acquittals			
Financial year	*Total number of cases brought to trial*	*Total number of defendants*	*Number of cases where all defendants pleaded guilty*	*Number of cases where at least one defendant went to trial*	*Number of defendants who pleaded guilty*	*Convicted by jury*	*Acquitted by jury*	*Acquitted (NEO)*	*Total*
1996–97	8	14	1	7	3	9	1	1	11
1997–98	14	39	8	6	29	[1]8	1	1	10
1998–99 to date (19 March 1999)	17	35	8	9	16	13	5	1	19

[1] This includes one person who was convicted by a magistrate (Section 2 offence)
[2] This includes one case with a single defendant against whom no evidence was offered

CABINET OFFICE

Crown Copyright

Mr. Hope: To ask the Minister for the Cabinet Office when he expects to set out the Government's proposals on the future management of Crown Copyright. [79330]

Dr. Jack Cunningham: A Government White Paper, "The Future Management of Crown Copyright", has been published today (Cm 4300). This document provides a blueprint which sets out the underlying principles which will be at the heart of future licensing of official material. This marks the culmination of a wide ranging consultation exercise initiated by the Government's Green Paper, "Crown Copyright in the Information Age" (Cm 3819), which was published in January 1998.

The challenge for the Government has been to establish a licensing regime for official material which is responsive to the needs of the citizen and the information industry. It is also important that we embrace the opportunities offered by new technology to encourage access to Government information as we approach the 21st Century. Our aim, therefore, has been to deliver a licensing policy which preserves the integrity and authority of official information, yet at the same time is also flexible, streamlined and transparent for users.

Regulatory Impact Assessments

Mr. Rooney: To ask the Minister for the Cabinet Office if he will list those regulatory impact assessments published during the latest six month period. [79331]

Dr. Jack Cunningham: The Government are committed to ensuring that regulations are necessary, give effective protection, balance cost and risk, are fair and command public confidence. In accordance with this, we require Departments to produce and publish RIAs for all regulatory proposals likely to have an impact on business.

I have presented to Parliament today a Command Paper listing 40 RIAs published between 1 July and 31 December 1998. Also listed are 38 Compliance Cost Assessments. Copies of those listed have been placed in the House Libraries. Please note that this Command Paper entitled "Regulatory Impact Appraisals" has replaced the previous series entitled "Compliance Cost Assessments". This is the tenth such Command Paper.

LORD CHANCELLOR'S DEPARTMENT

Jerome Charles

Mr. Lidington: To ask the Minister of State, Lord Chancellor's Department if he will place in the Library a transcript of the reasons given in court by His Honour Judge Catlin to explain his decision to give bail to defendant Jerome Charles in Aylesbury Crown Court on 26 June 1998. [78428]

Mr. Hoon: A copy of the transcript will be placed in the Library within the next three weeks.

Census Returns

Mr. John M. Taylor: To ask the Minister of State, Lord Chancellor's Department if he will list all Public Records Act 1958 instruments that have prescribed periods of extended closure of decennial census returns for England and Wales; and if he will list the class numbers, census years and periods mentioned in the schedules. [78445]

Mr. Hoon: Only Lord Chancellor's Instrument (Access to Public Records) No. 12, 1966, has prescribed a period of extended closure of decennial census returns for England and Wales. The schedule does not mention class numbers and census years; it prescribes a period of 100 years.

INTERNATIONAL DEVELOPMENT

Montserrat

Mrs. Mahon: To ask the Secretary of State for International Development when she will introduce a return air fare scheme for Montserratian evacuees. [79483]

Mr. Foulkes: Conditions on the island now allow for the introduction of a scheme to fulfil the promise I made in September 1997 that the Department for International Development (DFID) would pay the return air fares of those Montserratians who had relocated to the UK or within the Caribbean because of the volcanic activity, who were in need and wished to return to Montserrat, when conditions allowed. The latest volcanic assessment concludes that there has been no resumption of magmatic eruption since March 1998 and that risk levels of a major volcanic eruption are now similar to those in other Caribbean volcanic islands. Projects are underway to encourage small enterprise development and to provide adequate housing for those people who relocated from the south of the island and are now living in a shelter or unsuitable shared accommodation in the north.

Eligible applicants will be provided with a one-way non-transferable economy class ticket from their current place of residence to Montserrat, plus an additional air freight allowance, travel costs to the airport of embarkation in the UK and overnight subsistence costs in Antigua, where required.

In order to qualify for the scheme, applicants will need to:

(a) demonstrate that they were resident on the island on 18 July 1995;

(b) provide an address on the island where they will be able to live upon their return;

(c) show that they have been relocated for a period of at least six months; and

(d) provide written certification that they do not possess savings equivalent to more than EC$44,000 (approximately £10,000).

The scheme will operate for an initial period of 2 years and be administered by the DFID office in Antigua and by the Montserrat Community Support Trust (MCST) in the UK. Applicants in the Caribbean will be invited to register with the DFID office in Antigua or the British Representative in the island where they are living after 1 May whilst those in the UK can register with MCST after 1 June. Further details will be announced nearer the date of commencement.

Travel costs incurred by evacuees returning to Montserrat prior to the commencement of the scheme will not be reimbursed.

With the introduction of ERAFS, HMG are to bring to an end the Assisted Passage Scheme and the Regional Relocation Scheme which enable Montserratians to relocate to the UK or within the region respectively. The Regional Relocation Scheme will end on 30 April whilst the Assisted Passage Scheme will finish on 31 May. Applications received after 1 May 1999 will not be considered. People applying for the schemes must travel by 30 April and 31 May 1999 respectively.

Tanzania

Mr. Streeter: To ask the Secretary of State for International Development if she will make a statement about the famine in Tanzania and her Department's response to it. [78772]

Mr. Foulkes: Parts of Tanzania suffered from severe drought in late 1997. The effects of this on Tanzanian agriculture were exacerbated by El Nino-related flooding in early 1998. So far this year there has been a lack of rain in many areas. The cumulative effect has been an increase in vulnerability of already poor people. The Government of Tanzania are planning to distribute food to some 1.2 million people living in the worst affected regions. The Department for International Development (DFID) provided about £1 million of support in late 1997/early 1998. The World Food Programme is coordinating a relief programme, recently extended until June, in the Dodoma and Singida Regions: DFID support since October 1998 has amounted to £400,000. The main rains are now due to begin in Tanzania. This will be a critical period. DFID staff will continue to monitor events very closely over the next few months.

Global Environment Assistance

Mr. Streeter: To ask the Secretary of State for International Development if she will state her Department's budget for *(a)* 1997–98, *(b)* 1998–99 and *(c)* 1999–2000 for global environment assistance. [78770]

Mr. Foulkes: In 1997–98 the Department spent £18.7 million on global environmental assistance. In 1998–99 the budget is £19.5 million and in 1999–2000 the budget will be £18.4 million.

Know How Fund

Mr. Oaten: To ask the Secretary of State for International Development how much money from the Know How Fund has been allocated to Russia in each of the last four years. [78911]

Mr. Foulkes: Bilateral assistance to Russia has been allocated by financial year as follows:

Year	*£ million*
1995–96	28.5
1996–97	28.0
1997–98	28.0
1998–99	29.0

The Department for International Development also contributed approximately 15 per cent. of the cost of the European Union's Tacis programme.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Ministerial Meetings (US)

Mr. Matthew Taylor: To ask the Secretary of State for the Environment, Transport and the Regions how many times Ministers in his Department have met their counterparts in the US Government since 1 June 1998; and if he will list the dates and locations of each meeting, the Ministers involved on each occasion, and the name of the US counterpart at each meeting. [77117]

Mr. Prescott: The information for DETR is as follows:

Date	*Location*	*DETR minister*	*US counterpart*
7 July 1998	Washington	Richard Caborn	Saul Ramirez (Assistant Secretary for Community Planning and Development)
16–18 September 1998	Japan	John Prescott	Stu Eizenstat (Under Secretary of State for Economic, Business and Agricultural Affairs)
10–13 November 1998	Buenos Aires	John Prescott, Michael Meacher	Stu Eizenstat (Under Secretary of State for Economic, Business and Agricultural Affairs)
25 January 1999	London	John Prescott	Frank Loy (Under Secretary of State for Global Affairs)
30 January 1999	London	John Prescott	Al Gore, Vice President

Community Transport (Fuel Rebate)

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions if he will make it his policy to extend fuel duty rebate to community transport services. [76512]

Ms Glenda Jackson *[holding answer 16 March 1999]:* Fuel duty rebate is an important element in Government financial support for local bus services. Possible changes to its scope will be considered as part of the study we will be asking the new Commission for Integrated Transport to undertake on all aspects of public funding for bus services. We will also be considering carefully all the recommendations of the review of voluntary and community transport commissioned by my Department, the report of which will be published shortly.

Road Haulage

Mr. Pickles: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the change in the number of British-owned road haulage firms over the next year. [77286]

Ms Glenda Jackson: My Department does not hold information on the numbers of British owned road haulage firms. Road haulage companies based in Great Britain are required to hold a goods vehicle operator's licence, issued by the local Traffic Commissioner, for each traffic area in which they have an operating centre: so many of the larger companies will hold more than one licence. Figures for the number of licences in issue each year from 1993–97 show a cumulative decline of some 9 per cent. over the period. Figures for 1997–98 show a slight increase, 0.5 per cent., over the previous year. I estimate that figures for the current year, ending 31 March, will be similar to those for last year. It is too soon to make any estimates for next year.

Transport Infrastructure Investment

Mr. Fearn: To ask the Secretary of State for the Environment, Transport and the Regions how much his Department spent per capita of population on transport infrastructure investment in *(a)* Greater London, *(b)* Docklands and *(c)* the North West of England during the most recent five years for which figures are available. [77666]

Ms Glenda Jackson: Comprehensive information is not available in the form requested. In the last five years, the Department of the Environment, Transport and the Regions directly invested in transport infrastructure in *(a)* Greater London, *(b)* Docklands and *(c)* the North West of England through a number of different programmes. Local authorities may also have invested in transport infrastructure through Revenue Support Grant, although detailed records of this are not kept by the Department.

The directly supported capital expenditure in the five year period to April 1998 was:

	(a) Greater London	*(b) Docklands*	*(c) North West of England*
Trunk roads (£ million)	[1]1,256		1,051
Local Transport Capital (£ million)	[1]449.4		457.1
Capital Challenge (£ million)	0	0	[2]39
Freight grants (£ million)	4.37	0	4.38
Local authority airports (£ million)	0.01	0	5.56
London Docklands Development Corporation (LDDC) (£ million)	—	[3]123.016	—
Docklands Light Railway (£ million)	—	84.035	—
London Transport/Traffic Director for London (£ million)	[1]3,768		—
Woolwich Ferry (£ million)	—	1.967	—
Total (5 years) (£ million)	[1]5,686.8		1,557.5
Population (million)	7.122		6.89
Spend per Capita	[1]£798		£226

[1] Combined figure for Greater London and for Docklands—not separately identifiable
[2] Capital Challenge was a new programme introduced in 1996–97
[3] LDDC closed in April 1998

Millennium Transport Insurance

Miss McIntosh: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received on the availability of insurance for transport providers on 1 January 2000; and if he will arrange to meet transport providers to discuss this issue. [77894]

Ms Glenda Jackson: Members of my Department are in frequent discussion with transport providers about their plans to maintain services on 1 January 2000. In general, the matter of insurance is between the transport providers and their insurers.

As regards aviation, the Civil Aviation Authority is requiring all UK licensed operators to provide confirmation that their insurance specifically includes cover for possible computer date recognition problems. Failure to provide satisfactory confirmation will lead to the CAA taking action to suspend operating licences.

Rail operators are required as a condition of their licence, to have adequate insurance cover. The Rail Regulator has made it clear that he does not expect exclusions relating to the millennium date change problem to be a part of such insurance cover.

Driving Licences

Ms Perham: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to end the charging of the over-70s for renewing their driving licences. [78301]

Ms Glenda Jackson: There are no plans to end the charging of drivers aged 70 or over for renewing their driving licences.

Canary Wharf

Ms Perham: To ask the Secretary of State for the Environment, Transport and the Regions if he will estimate the costs to public funds of the subsidies and other financial incentives provided to the Canary Wharf development and associated Enterprise Zone since its establishment. [78302]

Mr. Meale: Information as requested on an individual development within an Enterprise Zone is not readily available.

There are two main tax incentives offered to businesses in Enterprise Zones:

(a) 100 per cent. allowances for corporation and income tax purposes for capital expenditure on industrial and commercial buildings (including hotels); and

(b) exemption from local authority business rates for industrial and commercial property, for the duration of Enterprise Zones status.

According to a Report by Cambridge Policy Consultants on 'An Evaluation of the Isle of Dogs Enterprise Zone', which was commissioned by the then Department of the Environment, estimates of the public costs associated with the Isle of Dogs Enterprise Zone as a whole, (over the end of the ten year life of the Zone), which would include the Canary Wharf development, are as follows:

	£ million (1997–98 prices)
Cost to the Exchequer of the Capital Allowances	736.0
Rate Relief	66.8

Leaded Petrol

Mr. Todd: To ask the Secretary of State for the Environment, Transport and the Regions what arrangements there will be to allow owners of classic cars to obtain leaded petrol from 1 January 2000. [78305]

Ms Glenda Jackson: The vast majority of classic cars will be able to operate perfectly satisfactorily on lead replacement petrol which is expected to become widely available from the last quarter of this year. Separate additives will also be available for use with unleaded petrol. The Government are, however, continuing to explore options for implementing the provision in EU directive 98/70/EC which permits sales of leaded petrol to continue to a limit of 0.5 per cent. of total sales, though supply will ultimately be a commercial decision.

Arts Budget (London Boroughs)

Mr. Ottaway: To ask the Secretary of State for the Environment, Transport and the Regions if he will list each London borough's arts budget for the *(a)* current and *(b)* next financial year. [78417]

Ms Armstrong: The information available relates to budgeted expenditure on culture and heritage, which includes:

all museums and galleries with permanent or transient collections open to the public, museum services and grants to independent museums;

theatres (unless treated as trading services), halls, arts centres etc., covering all local authorities' premises whose main purpose is for arts functions;

grants and contributions made for the specific purpose of supporting and/or promoting such art activities in all premises irrespective of their primary purpose or use;

conservation of the historic environment;

archives and records.

The reported information for the current financial year (1998–99) is given in the table. Data for 1999–2000 are not yet centrally available.

Net current expenditure on Culture and Heritage budgeted by London boroughs 1998–99

	£000
City of London	6,768
Camden	143
Greenwich	1,169
Hackney	404
Hammersmith and Fulham	51
Islington	790
Kensington and Chelsea	481
Lambeth	0
Lewisham	0
Southwark	1,024
Tower Hamlets	751
Wandsworth	526
Westminster	0
Barking and Dagenham	168
Barnet	354
Bexley	321
Brent	255
Bromley	1,277
Croydon	3,137
Ealing	428
Enfield	598
Haringey	241
Harrow	94
Havering	559
Hillingdon	160
Hounslow	1,109
Kingston upon Thames	288
Merton	101

Net current expenditure on Culture and Heritage budgeted by London boroughs 1998–99

	£000
Newham	1,336
Redbridge	321
Richmond upon Thames	300
Sutton	1,084
Waltham Forest	390

Note:
Some expenditure on culture and heritage may be included within "Other Services" on the RA98/99 form and is therefore not separately identifiable.
Source:
RA98/99 line 34

Environment Council

Mr. Chope: To ask the Secretary of State for the Environment, Transport and the Regions (1) if he will place in the Library a copy of the text of the End of Life Vehicles Directive on which a common position was sought at the meeting of the Environment Council on 11 March; [78455]

(2) which of the items contained in Appendix J, dated 3 March, considered by European Standing Committee C on 9 March were not agreed by other member states at the Environment Council on 11 March; [78459]

(3) if he will make a statement on the outcome of the Environment Council on 11 March; and the prospects for adoption of a common position on end of life vehicles at the next meeting of the Environment Council; [78456]

(4) what aspects of the draft text of the End of Life Vehicles Directive put forward by the Minister for Competition and Consumer Affairs were agreed by other member states at the EU Environment Council on 11 March; and if he will make a statement. [78458]

Mr. Meacher *[holding answer 24 March 1999]:* In order to inform the debate in European Standing Committee C on 9 March, the Government prepared a paper reflecting broadly the outcome which they hoped to achieve in negotiating a common position. A copy of this text (Appendix J to the Memorandum submitted by my hon. Friend the Minister for Competition and Consumer Affairs to European Standing Committee C on 3 March) has now been placed in the Libraries of the House. As I explained in my answer on 16 March 1999, *Official Report*, columns *582–83*, the Council decided to defer a final decision on the Directive until its next meeting on 24/25 June. I am optimistic that a satisfactory common position will be achieved at that meeting.

Mr. Chope: To ask the Secretary of State for the Environment, Transport and the Regions if he will place in the Library copies of the documents which he put before the Environment Council on 11 March. [78457]

Mr. Meacher *[holding answer 24 March 1999]:* The United Kingdom put no documents before the Council.

Wandsworth

Mr. Cox: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the standard spending assessment financial allocation to the London Borough of Wandsworth in each of the last five years. [78539]

Ms Armstrong: The Standard Spending Assessments for the London Borough of Wandsworth for each of the last five years were:

Year	*£ million*
1995–96	240.671
1996–97	240.000
1997–98	243.666
1998–99	249.202
1999–2000	259.727

Housing Stock Transfers

Mr. Brady: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the saving to local authorities which will arise in each of the next three years as a result of maintenance costs being transferred to new landlords when local authority housing is transferred. [78979]

Mr. Raynsford: When assessing applications for a place on the housing transfers programme, we take account of a wide range of factors including the overall cost to the Exchequer of transferring the stock. However, we do not specifically calculate savings on maintenance costs.

Mr. Brady: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the housing associations which have received a transfer of local government housing since 1 May 1997. [78976]

Mr. Raynsford: The following Registered Social Landlords, including housing associations, have received a transfer of local authority housing under either the Large Scale Voluntary Transfer programme, or with funding from the Estates Renewal Challenge Fund since 1 May 1997:

South Oxfordshire Housing Association
Eden Housing Association
Metropolitan Housing Trust
Orbit Bexley
London and Quadrant Housing Trust
Dame Housing
Limehurst Village Trust
CDS Housing Association
Riverside Housing Association
Pollards Housing Association
Poplar HARCA
Kerrier Homes
Kingsmead Homes
Fortunegate Community Housing
Vange Community
Magna West Somerset Housing Association
Bentilee Community Housing
Severn Vale Housing Society
Rother Homes
South London Family Housing Association
Poplar HARCA
Leasowe Community Homes
Ashton Pioneer Homes
West Devon Homes
South Somerset Homes

East Lindsey Housing Partnership
The Guinness Trust
Sanctuary Housing Association
South Hams Housing
Family Housing Association
Clapton Community Housing Trust

Mr. Brady: To ask the Secretary of State for the Environment, Transport and the Regions what is his Department's policy on transfers of local authority housing where tenants of one part of the proposed transfer seek a transfer to a separate landlord from tenants of another part. [78978]

Mr. Raynsford: We expect local authorities to develop housing transfer proposals which take into account the views of tenants and are sensitive to the distinct needs of local communities. The Secretary of State will not consent to a transfer of local authority housing to a Registered Social Landlord if it appears that a majority of tenants are opposed to the proposal.

Mr. Brady: To ask the Secretary of State for the Environment, Transport and the Regions if he will list those transfers of local authority housing stock currently under consideration where the housing estate in question is in a local authority area other than that of the landlord authority. [78977]

Mr. Raynsford: We are currently considering one application for a place on the 1999–2000 housing transfer programme from Manchester City Council for the Sale estates which are located in the Borough of Trafford. Two authorities, Manchester (Colshaw Farm and the Whitefield estates) and the London Borough of Richmond (Butts Farm), have been given a place on next year's programme in respect of estates which are located in other local authority areas.

British Waterways

Mr. Laurence Robertson: To ask the Secretary of State for the Environment, Transport and the Regions when he expects to decide on the future constitution of British Waterways. [78940]

Mr. Meale: I refer the hon. Member to the answer that my right hon. Friend the Minister for the Environment gave to the right hon. Member for Penrith and The Border (Mr. Maclean) on 2 March 1999, *Official Report*, columns *620–21*.

Council Houses (Rent Arrears)

Mr. Waterson: To ask the Secretary of State for the Environment, Transport and the Regions (1) what total rent arrears in respect of council houses were owing in each council tax billing area in each shire county in (i) 1996–97, (ii) 1997–98 and (iii) 1998–99; [78774]

(2) what total rent arrears in respect of council houses were owing in each metropolitan area in (i) 1996–97, (ii) 1997–98 and (iii) 1998–99. [78775]

Mr. Raynsford: I have placed in the Library a table which shows the total rent arrears owing in each local district and unitary authority in shire counties (as in existence before the creation of unitary authorities) and metropolitan areas respectively, at the ends of March 1997 and 1998.

Zoos Forum

Maria Eagle: To ask the Secretary of State for the Environment, Transport and the Regions when he intends to announce the appointment of the Chair and members of the Zoos Forum. [79405]

Mr. Meale: I will be making an announcement on the appointment of the Chair and members of the Zoos Forum at London Zoo on Monday 29 March 1999.

HEALTH

Schoolchildren

Mr. Fearn: To ask the Secretary of State for Health if he will list the changes in the last five years in the average weight and height of schoolchildren in England and Wales; and if he will list the changes in the last five years in the (i) consumption of *(a)* dietary carbohydrate and *(b)* refined sugar products and (ii) total calorie intake and average levels of exercise of schoolchildren. [78135]

Ms Jowell: The heights and weights of primary schoolchildren were monitored in England between 1972 and 1994 by the National Study of Health and Growth (NSHG). No similar information is available for Wales. In 1995, the Health Survey for England (HSE) took over the monitoring the heights and weights of children and also measured their physical activity in 1997. The data for 1995 and 1996 were published in HSE Reports and the combined data for 1995–97 were published in December 1998 in the Report "The Health of Young People '95-'97".

The tables give heights and weights for 5 to 10 year olds for 1994 from NSHG and from HSE for 1995, 1996 and on the same basis for comparison purposes with NSHG for 1995–97 combined.

Heights and weights for children aged 11 to 15 years in 1995, 1996 are given, along with the data for 1995–97 combined, which are the baseline from which changes will be monitored.

Average weights (kilogrammes) of English primary schoolchildren

Age at last birthday	*National Study of Health and Growth*	*Health Survey for England*		
(years)	*1994*	*1995*	*1996*	*1995–97*
Boys				
5	19.8	20.5	20.1	19.7
6	22.1	22.4	23.1	22.3
7	24.8	25.4	26.0	25.1
8	27.7	29.1	28.8	28.4
9	31.4	32.4	32.1	31.1
10	34.8	35.0	35.9	34.7
Girls				
5	19.3	20.6	20.5	19.6
6	22.0	22.7	22.6	22.2
7	24.9	26.0	26.0	25.2
8	27.7	29.3	28.1	28.4
9	31.9	31.9	33.5	31.9
10	35.5	38.3	36.9	36.6

Average heights (centimetres) of English primary schoolchildren

Age at last birthday (years)	National Study of Health and Growth 1994	Health Survey for England 1995	1996[1]	1995–97
Boys				
5	112.8	112.4	112	112.1
6	116.9	118.5	119	118.9
7	124.9	125.0	125	124.9
8	130.6	131.1	131	131.0
9	136.8	136.1	136	135.8
10	141.2	140.7	141	141.9
Girls				
5	111.3	112.6	112	111.7
6	118.3	118.5	117	118.1
7	124.3	123.4	125	124.0
8	129.6	129.8	130	129.8
9	135.5	135.3	136	135.8
10	141.3	142.5	142	142.0

[1] Only rounded data available for 1996

Heights and weights of English children aged 11–15 years
Health Survey for England

Age at last birthday (years)	Weight (kg) 1995	1996[1]	1995–97	Height (cm) 1995	1996[1]	1995–97
Boys						
11	40.9	40.1	40.2	147.4	147	147.3
12	44.8	44.9	44.8	153.3	152	152.6
13	51.6	50.1	50.8	161.5	159	159.7
14	57.0	56.4	56.4	166.4	165	165.6
15	62.6	62.3	62.9	172.4	172	172.0
Girls						
11	28.8	42.0	42.4	147.7	148	148.1
12	35.0	49.1	47.5	153.5	154	153.9
13	37.8	51.1	51.8	157.8	158	157.9
14	40.8	56.4	56.7	161.6	161	161.1
15	43.7	57.7	58.4	162.7	161	162.4

[1] Only rounded data available for 1996

The extensive data on the types and levels of exercise among English schoolchildren in 1997 are given in tables 8.1 to 8.15 in the Report "The Health of Young People '95-'97". In Wales, the Youth Health Surveys are carried out by Health Promotion Wales have shown that among 11 to 16 year olds, the proportion exercising for at least 4 hours per week outside school was 24 per cent. in 1994 and 29 per cent. in 1996.

There are no recent data on the consumption of dietary carbohydrate, refined sugar products, and total caloric intake of schoolchildren. However, fieldwork for the National Diet and Nutritional Survey of Young people aged 4–18 years, which covered Great Britain, has been completed and the results are being analysed. This should provide data on all these factors and also on average levels of exercise. A report is expected at the end of this year.

Head Lice

Mr. Laurence Robertson: To ask the Secretary of State for Health how many local education authorities send head lice nurses into schools; what is his Department's policy on head lice nurses in schools; what is the cost of providing head lice nurses to schools; and if he will make a statement. [78941]

Ms Jowell: It is the responsibility of health authorities to provide services to control the spread of head lice among school children. This service is exercised through the primary health care team, which may include the services of a school nurse. It is the policy of the Department together with the Department of Education and Employment, to encourage a "whole school approach" to the detection of and treatment of head lice. This entails parents checking their children and other family members for head lice and arranging treatment where necessary, with such support from the local primary health care team as they may require.

Information on the number of school nurses checking for head lice and the cost of this service is not available centrally.

Lymphoedema

Mr. Laurence Robertson: To ask the Secretary of State for Health what is his Department's policy towards treating Lymphoedema; how many health authorities provide manual Lymphatic Drainage treatment; how many specialist centres exist for the treatment of Lymphoedema; how many medical staff trained in MLD are employed in Gloucestershire; and if he will make a statement. [78913]

Mr. Hutton: It is for health authorities to determine what services to commission, including those for people with lymphoedema, in the light of evidence from research, resources and the healthcare needs of the local population. None of the other information requested is available centrally.

Herbal Medicines

Mr. Tredinnick: To ask the Secretary of State for Health what information he has concerning the nature and scope of the proposed forthcoming recommendations from the European Commission for possible amendments to EU Directive 75/318 in relation to herbal remedies; and if he will make a statement. [78903]

Ms Jowell: We have recently received proposals from the European Commission for a directive which would amend the Annex to the Directive 75/318 EEC. The proposed directive seeks to clarify the data on safety and efficacy which companies are required to provide when seeking a marketing authorisation for "well established medicinal products". Our initial assessment is that any direct impact on herbal medicines in the United Kingdom is likely to be limited. In particular, the draft Directive would not change the definition of which products are classified as medicines; nor would the proposals directly affect herbal medicines exempt from the requirement for a product licence under the terms of Section 12 of the Medicines Act 1968. Ministers have asked the Medicines Control Agency to seek further clarification from the European Commission about the draft Directive and any wider implications it may have.

We have also given consideration to the wider question of future regulatory arrangements for herbal medicines in the United Kingdom. Our objective is that the public should have access to a wide range of safe, high quality

herbal medicines with appropriate information about the use of the product. There are currently two contrasting routes to the market for herbal medicines. Licensed herbal medicines have to meet rigorous standards of safety, quality and efficacy. Unlicensed herbal remedies in the United Kingdom do not have to meet any specific standards for safety, quality or efficacy.

We fully share the view which was expressed at a meeting held by the Under-Secretary, my noble Friend the Baroness Hayman, earlier this week by a range of organisations working in the natural health sector, that the current regulatory arrangements for herbal medicines have significant weaknesses and require review. The regime for unlicensed medicines does not give systematic protection to the public against low quality and unsafe unlicensed herbal remedies which are known to reach the UK market. Nor does it permit manufacturers legally to give written information to consumers about the intended use of the product. In contrast, elements of the regime for licensed medicines—particularly some of the efficacy requirements—are difficult for responsible companies to satisfy in relation to herbal medicines. We believe that there is a need to work towards arrangements which provide better protection and information for the public while continuing to allow responsible businesses and practitioners to operate effectively.

We have asked the Medicines Control Agency to examine options for achieving our objectives for herbal medicines, consulting widely with interested organisations. Medicines law operates within a European framework. Accordingly, we will need to develop a position which is realistically achievable within the European Union. We intend to participate actively and constructively in any ongoing EU discussions about future regulatory arrangements for herbal medicines.

Mr. Tredinnick: To ask the Secretary of State for Health when he received a copy of the recent report on herbal medicines in Europe from the Association of European Self-Medication Industry; if he has made copies of that report available to right hon. and hon. Members; what response he intends to make to that report; and if he will make a statement. [78904]

Ms Jowell: We received a copy of the final report "Herbal medicinal products in the European Union" earlier this month. We do not see a need to circulate, or to respond directly to, the report which explicitly states that it does not express the Commission's official views. We understand that the report is available on the European Commission's website (http://dg3.eudra.org). We intend to participate actively and constructively in any ongoing European Union discussions about future regulatory arrangements for herbal medicines.

FOREIGN AND COMMONWEALTH AFFAIRS

General Affairs Council

Mr. Maclean: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish the agenda for the forthcoming EU General Affairs Council of 22 and 23 March. [77160]

Ms Quin: I refer the right hon. Member to the answer I gave him on 3 March 1999, *Official Report*, column *773*.

Agnes Helen Lopez

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the refusal by the Entry Clearance Officer, in Bombay in the case of Agnes Helen Lopez (Reference R/98/9784). [77641]

Mr. Fatchett: Our Deputy High Commission in Bombay has now provided a detailed account of the position. My noble Friend the Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs, Baroness Symons, will be writing to my hon. Friend as soon as possible.

Visitors' Visas

Mr. Burden: To ask the Secretary of State for Foreign and Commonwealth Affairs how many applications for visitors' visas for persons aged over 60 years applying from India and Pakistan were *(a)* approved and *(b)* refused in each of the past 10 years. [77896]

Mr. Fatchett: The figures requested are not collected by my Department and could be obtained only at disproportionate cost.

Papua New Guinea

Mr. Menzies Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has received from Sandline International regarding the Government of Papua New Guinea; and if he will make a statement. [77227]

Mr. Fatchett *[holding answer 22 March 1999]:* There have been no representations from Sandline regarding the latest developments surrounding its contractual dispute with the Government of Papua New Guinea. Our records show there was contact with Sandline regarding PNG between February and April 1997:

1. On 28 February 1997 Mr. Tim Spicer, at his own request, called on the British High Commissioner in Port Moresby to inform him of Sandline's contractual involvement with the Government of PNG regarding Bougainville.

2. On 17 March 1997 Mr. Rupert Bowen of Sandline rang FCO officials to ask for news of development in PNG.

3. On 18 March 1997 Mr. Bowen contacted FCO officials again to say that Mr. Spicer and another Sandline representative had been arrested in PNG.

4. The British High Commissioner in Port Moresby gave Mr. Spicer consular assistance. Mr. Spicer was released from custody on 22 March and was accommodated at the High Commissioner's Residence until his legal departure from PNG on 8 April 1997.

5. On his arrival in Brisbane on 8 April 1997 Mr. Spicer rang the High Commission in Port Moresby to express thanks for the consular assistance.

6. On 19 April 1997 Tony Buckingham, Director of Executive Outcomes, wrote to the then PUS to express his gratitude for the consular assistance given to Mr. Spicer in PNG.

7. On 21 April 1997 Mr. Michael Grunberg of Sandline telephoned FCO officials to seek a meeting to discuss Sandline's involvement in PNG.

8. On 22 April 1997 FCO officials telephoned Mr. Grunberg to decline his request.

Child Soldiers

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the countries with which he has had recent discussions concerning the use of child soldiers; and if he will make a statement. [78545]

Mr. Tony Lloyd: We regularly raise our concerns in bodies such as the UN Commission on Human Rights. We support the mandate of the UN Special Representative for Children in Armed Conflict, including his work with individual countries. We played a leading role in the establishment of the use of child soldiers as a war crime in the statute of the International Criminal Court. We take up individual situations case by case, including, for example, the abduction of children in northern Uganda by the Lord's Resistance Army.

NORTHERN IRELAND

Departmental Policies

Mr. Maclean: To ask the Secretary of State for Northern Ireland what systems she has in place to ensure that policies being developed by her Department are subject to a crime impact *(a)* assessment and *(b)* audit and are not likely to lead to enhanced criminal opportunities. [72682]

Mr. Ingram *[holding answer 24 February 1999]:* Whilst there are no formal systems in place, policy development is subject to wide inter-departmental conclusion before being publicly announced and each piece of legislation in Northern Ireland is subject to a Policy Appraisal and Fair Treatment and financial resource implications analysis.

Derryboy Primary School

Mr. John D. Taylor: To ask the Secretary of State for Northern Ireland how many pupils at Derryboy Primary School applied for enrolment in the academic year 1998–99 into Saintfield High School; how many of these pupils were (i) accepted and (ii) rejected; and what proposals she has to increase parental choice for secondary education in non-integrated schools for pupils leaving Derryboy Primary School. [78235]

Mr. McFall: Saintfield High School received 5 applications from Derryboy PS for admission for the 1998–99 academic year; 1 was accepted and 4 were rejected. Where a school is oversubscribed with applications for admission, which was the case at that time, Boards of Governors apply their published admissions criteria to decide which applications are to be accepted.

There were, however, places available at other controlled secondary schools within a reasonable distance eg in Comber and Ballynahinch.

The question of the availability of school places, in this case at non-integrated controlled secondary schools, is a matter for the Local Education and Library Board (in this case the South-Eastern Board) in the first instance.

SCOTLAND

Scotland Act 1998 (Consultation Documents)

Mr. Gorrie: To ask the Secretary of State for Scotland what has been the *(a)* title, *(b)* cost and *(c)* date of publication of consultation documents and proposed policy documents and associated papers published by the Scottish Office since Royal Assent was given to the Scotland Bill. [72659]

Mr. Dewar *[holding answer 2 March 1999]:* My Department has issued 106 consultation documents, proposed policy documents and associated papers since Royal Assent was given to the Scotland Bill on 19 November 1998. A comprehensive list has been deposited in the House Library. The list includes the title, cover price and date of publication of each document.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Interception of Communications Act 1985

Mr. Beith: To ask the Secretary of State for Scotland how many applications for warrants under the Interception of Communications Act 1985 were refused in each of the last five years. [77279]

Mr. Dewar *[holding answer 24 March 1999]:* Records are not kept in a form which would enable the information requested to be extracted without disproportionate cost.

Each application for interception of communications is subject to careful scrutiny at a number of stages before a warrant is issued. The application is submitted by a very senior officer following scrutiny within the police force or agency concerned. Within my Department it will normally be examined by officials at various successive levels of seniority before being presented to me for approval, usually by the Head of The Scottish Office Home Department. I examine each application carefully before issuing the warrant. At any stage in this process, the case may be, and on occasion is, referred back to the applicant police force or agency for clarification or further detail. This may, and occasionally does, result in a decision that the application should be withdrawn or that a warrant should not be issued.

Mr. Beith: To ask the Secretary of State for Scotland how many warrants under the Interception of Communications Act 1985 were *(a)* in force on 31 December 1998 and *(b)* were issued during the course of 1998 for (i) the interception of telecommunications, (ii) the interception of letters and (iii) in total. [77277]

Mr. Dewar *[holding answer 24 March 1999]:* The Commissioner appointed under the Interception of Communications Act 1985 publishes figures on the number of interception warrants issued by the Secretary of State in his annual reports. In his report for 1998

(which will shortly be presented to the Prime Minister) the Commissioner will record the following numbers:

Interception warrants issued by the Secretary of State for Scotland: 1998

	Number
Interception warrants in force on 31 December 1998:	
Telecommunications	53
Letters	1
Total	54
Interception warrants issued during the course of 1998:	
Telecommunications	267
Letters	1
Total	268

Special Needs

Mr. Gorrie: To ask the Secretary of State for Scotland what plans he has to ensure that the assessment of who qualifies for special needs services is on a consistent basis throughout Scotland. [77423]

Mr. Galbraith *[holding answer 24 March 1999]:* A wide range of reports and guidance has been issued aimed at removing inequalities and improving access to care and support across the range of education, social work, health and other services.

Equity of access to support appropriate to assessed needs will continue to be a priority.

From 1 July 1999, this will be a matter for the Scottish Parliament.

New Deal

Mrs. Laing: To ask the Secretary of State for Scotland what was the cost of the New Deal in Scotland in *(a)* 1997 and *(b)* 1998; and what the budget cost for (i) 1998–99, (ii) 1999–2000 and (iii) 2000–01. [77831]

Mr. Dewar *[holding answer 25 March 1999]:* The costs and estimates are noted in the table.

£ million

Year	*New Deal*[1]
1997–98	1.26
April 1998-February 1999	[2]13.98
1998–99 estimate	59.0
1999–2000 estimate	97.3
2000–01 estimate	74.5

[1] The costs quoted relate to the New Deal programmes for 18–24 year olds and for those aged 25 and over.
[2] This figure relates to the payments made by the end of February; it is low in relation to the estimate because of the timelags in claims from, and payments to, providers of various aspects of the programme.

St. Andrew's House

Mr. Gorrie: To ask the Secretary of State for Scotland what is the estimated cost of the refurbishment of St. Andrew's House currently under way. [77938]

Mr. Dewar: The current estimated cost of the refurbishment of St. Andrew's House is £20 million.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Food Standards Agency Levy

Mrs. Ray Michie: To ask the Secretary of State for Scotland what is his estimate of the total number of food premises in Scotland which will be liable for the proposed Food Standards Agency levy. [77905]

Mr. Galbraith: The estimated number of premises in Scotland liable for the proposed Food Standards Agency levy is approximately 46,000.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Right to Buy Discounts

Mr. Wallace: To ask the Secretary of State for Scotland what was the value of the public sector tenants' right to buy discounts in 1997–98. [78215]

Mr. Macdonald: The value of the public sector tenants' right to buy discounts in 1997–98 was £238,918,846.

NHS Superannuation Scheme

Mr. Russell Brown: To ask the Secretary of State for Scotland if he will make a statement on the report by the Government Actuary on his investigation of the National Health Service Superannuation Scheme in Scotland for the period from 1 April 1989 to 31 March 1994. [79338]

Mr. Dewar: I have accepted the report and today placed copies in the Library.

The report concludes that it would be prudent to increase, in the medium term, the rate of contribution required from employers to meet the scheme's future liabilities. The Government Actuary is content with our proposals that the current rate of 4 per cent. of pensionable pay can be maintained until 31 March 2002. Assuming that experience is in line with the assumptions he has made, it will increase to 5.5 per cent. from 1 April 2002, with a further increase to 7 per cent. from 1 April 2005.

The cost of index-linking National Health Service pensions is currently met by the Exchequer. As the report notes, I have agreed with my right hon. Friend the Chief Secretary to the Treasury that, in principle, the Scheme would assume its pension increase liabilities from 1 April 1994 under a financial restructuring and our officials are discussing the basis of such changes. In the meantime, the Government Actuary considers that the proposed increases in employer contribution rates are consistent with the nature of the changes likely to be required under the restructuring.

DEFENCE

Falkland Islands

Mr. Ben Chapman: To ask the Secretary of State for Defence if he will review the decision to reduce Tristar flights to the Falklands. [75640]

Mr. Hoyle: To ask the Secretary of State for Defence if he will review his Department's decision to reduce the number of Tristar flights to the Falkland Islands. [75756]

Mr. Doug Henderson *[pursuant to his replies, 9 March 1999, c. 120 and 10 March 1999, c. 211]:* The number of Tristar flights will reduce by one flight per lunar month, not calendar month as originally stated.

Mr. Ben Chapman: To ask the Secretary of State for Defence to what extent the weaponry held by the Falkland Island Defence Force and by the British troops stationed on the island is compatible. [77992]

Mr. Doug Henderson: The Falkland Islands Defence Force (FIDF) possesses a variety of weaponry. The majority of the weapons types are UK manufactured or use UK manufactured ammunition and some are also in use with UK armed forces.

Mr. Ben Chapman: To ask the Secretary of State for Defence what would be the effect on passenger carriage capacity of the proposed reduction in Tristar flights to the Falklands. [78390]

Mr. Doug Henderson: The reduction in the number of RAF Tristar flights to the Falkland Islands was one of a range of efficiency proposals identified by the Strategic Defence Review. It represents a rationalisation of the use of Tristar aircraft following technical improvements that allow them to carry an increased payload. The effect of this measure, once fully implemented, will be to maintain passenger carriage capacity at its original level.

Trident

Mr. Fitzpatrick: To ask the Secretary of State for Defence what assessment the Government have made of the conditions under which the Trident system could fulfil a substrategic role through *(a)* deterrence and *(b)* use. [77937]

Mr. George Robertson: The purpose of our nuclear forces is to deter aggression against the United Kingdom or its Allies. The Strategic Defence Review confirmed that, in addition to its strategic deterrent role, Trident would also perform the sub-strategic nuclear role, formerly assigned to RAF Tornado aircraft. A sub-strategic element is an essential component of a nuclear deterrent policy. In extreme circumstances of self defence, a capability for the more limited use of nuclear weapons would allow us to signal to an aggressor that he has miscalculated our resolve, without using the full destructive power that Trident offers.

Gibraltar

Mr. Wilshire: To ask the Secretary of State for Defence if he will list the restrictions imposed on British *(a)* forces, *(b)* aircraft and *(c)* vessels travelling (i) to and (ii) from Gibraltar by the Spanish Government. [78350]

Mr. Doug Henderson: Spain does not impose restrictions on the movement of British Forces personnel between Spain and Gibraltar. Spain maintains restrictions on all NATO military aviation movements into and out of Gibraltar, including a ban on military overflights and an air exclusion zone to the North and West of Gibraltar. By means of reservations footnoted to the relevant NATO Standing Agreement, Spain restricts access of UK and other NATO warships to Gibraltar.

NATO Exercise (South Africa)

Mr. Hancock: To ask the Secretary of State for Defence, pursuant to his answer of 8 March 1999, *Official Report*, column *37*, to what the entry in the MOD performance report 1997–98 Table 2–2 refers under South Africa, NATO joint exercise. [78446]

Mr. Doug Henderson: There was an error in the MOD Performance Report 1997–98 table 2–2. The table should have read:

Country	
South Africa	Combined arms battle exercise
Spain	NATO joint exercise

The entry under South Africa refers to a combined arms battle exercise conducted jointly by 40 Commando Group of the Royal Marines and the South African Defence Forces, which took place in July and August 1997 as part of Exercise Ocean Wave.

Defence Vetting Agency

Miss McIntosh: To ask the Secretary of State for Defence what estimate he has made of the number of people to be employed by the Defence Vetting Agency; when he expects the Agency to move to York; and if he will make a statement. [78629]

Mr. Doug Henderson: The current strength of the Defence Vetting Agency is about 365. This is planned to reduce to 310 when the Agency collocates at York. The precise dates for collocation and the exact figures depend on a number of associated matters which are not yet determined in detail. However, it is planned to start collocating in early 2000 and complete by early 2001. The Agency's plans will be co-ordinated carefully with the move of HQ 2nd Division to Edinburgh, to take up surplus staff at York, as far as possible and appropriate as they become available.

Reserve Forces

Mr. Bob Russell: To ask the Secretary of State for Defence how many of his Department's civilian employees are member of *(a)* the Territorial Army and *(b)* other reserve forces. [78516]

Mr. Doug Henderson: MOD encourages its civilian employees to join the reserve forces and staff regulations make special provisions for paid leave when attending annual camp and other training commitments. However, the information asked for is not held centrally and could be provided only at disproportionate cost.

Mr. Bob Russell: To ask the Secretary of State for Defence if he will list the companies which support the Territorial Army by allowing their employees to serve. [78517]

Mr. Doug Henderson: The National Employers' Liaison Committee maintains a list of all employers who declare their support for the volunteer reserve forces and I shall place a copy of the current list in the Library of the House. Not all employers on the list necessarily have reservists in their workforce but, having declared their support, they are likely to be supportive of anyone wanting to join the reserve forces. On 17 March 1999, my

right hon. Friend the Prime Minister presented a certificate to the 6,000th employer to have pledged support. Some 70 per cent. of the nation's workforce are employed by employers who have declared their support for the volunteer reserve forces. In addition, there are many employers who have not formally pledged their support but do have employees who are members of the volunteer reserve forces.

MOD Police

Mr. Kidney: To ask the Secretary of State for Defence if he will make a statement on the workings of the performance-related pay system for the MOD police since 1994. [78811]

Mr. Doug Henderson: With effect from 1 April 1996 the salaries of the Chief Constable and the Deputy Chief Constable, Ministry of Defence Police, have been determined in line with the provisions applying to the Senior Civil Service, which includes an element related to performance. The salaries of the ranks of Constable to Superintending grade are calculated at 95 per cent. of the level for analogous Home Department Police Forces.

Mr. Kidney: To ask the Secretary of State for Defence what expenditure his Department has incurred since 1994 in defending legal actions, including industrial tribunals, brought by MOD police personnel relating to terms and conditions of service. [78810]

Mr. Doug Henderson: The Ministry of Defence Police have incurred some £125k expenditure since 1994 defending legal actions relating to employment tribunals brought by MOD Police personnel relating to terms and conditions of service.

SOCIAL SECURITY

Disabled People

Dr. Lynne Jones: To ask the Secretary of State for Social Security how many people responded to the consultation paper on support for disabled people; if he will list those who *(a)* supported, *(b)* opposed the proposal to make New Deal interviews compulsory and *(c)* opposed taking into account income for which people have already contributed against a benefit earned through the payment of contributions. [77539]

Mr. Bayley: Consultation on our proposals for the reform of benefits for disabled people ended on 8 January. 342 responses were received, just over half of which came from organisations representing disabled people. A list of the organisations that responded has been placed in the Library.

150 respondents, including 177 organisations, commented on our proposals to introduce a Single Work-Focused Gateway to benefits for working age claimants. While the vast majority of respondents generally welcomed our initiatives to help disabled people into work, a large number of these felt that final decisions on whether to make interviews compulsory should await consideration of the results of piloting. (Involvement in the New Deal for Disabled People will remain voluntary).

155 respondents, including 90 organisations, commented on our proposal to take some account of occupational and personal pensions against Incapacity Benefit entitlement. Most respondents expressed concerns about this proposal.

Responding organisations and the proposals they commented on are in the table.

Organisation	*Single Work Focused Gateway: interview*	*Incapacity Benefits: occupational pensions*
A Good Idea		Yes
Action for Blind People	Yes	Yes
Action Group		Yes
AFSE (Association for Supported Employment)	Yes	
Age Concern	Yes	Yes
All Party Parliamentary Disablement Group		Yes
Alzheimer's Disease Society	Yes	Yes
Association for Spina Bifida and Hydrocephalus	Yes	Yes
Association of British Insurers		Yes
Association of Chief Officers of Probation	Yes	
Association of Directors of Social Services	Yes	
Association of Disabled Professionals	Yes	Yes
Birmingham Carers Association	Yes	
Birmingham City Council		Yes
Blackburn with Darwen Borough Council		Yes
Camden Chief Executive's Welfare Rights Unit	Yes	Yes
Carers National Association	Yes	Yes
Catholic Agency for Social Concern	Yes	Yes
Centre for Independent Living in Glasgow	Yes	Yes
Child Poverty Action Group (London)	Yes	Yes
Child Poverty Action Group (Withington)	Yes	Yes
Children's Society	Yes	
Citizens Advice Bureau (Camden)		Yes
Citizens Advice Bureau (Chesterfield)	Yes	Yes
Citizens Advice Bureau (Edinburgh)	Yes	Yes
Citizens Advice Bureau (Plymouth)	Yes	Yes
Citizens Advice Bureau (Rochdale)	Yes	
Citizens Advice Bureau (Stoke-on-Trent)	Yes	Yes
Citizens Advice Bureau (Wolverhampton)	Yes	Yes
City and County of Swansea	Yes	Yes
Crossroads Caring for Carers	Yes	Yes
Cystic Fibrosis Trust	Yes	
DIAL (Lowestoft and Waveney)	Yes	Yes
Depression Alliance	Yes	
Disability Action	Yes	Yes
Disability Alliance	Yes	Yes
Disability Benefits Consortium	Yes	Yes
Disability Living Allowance Advisory Board	Yes	Yes
Disability Matters	Yes	
Disability Wales—Anabledd Cymru	Yes	Yes
Disablement Association in the London Borough of Barnet		Yes
Disablement Income Group	Yes	Yes
East Ayrshire Council	Yes	Yes
ENABEL (Scottish Society for the Mentally Handicapped)	Yes	
ERC Frankona Reassurance Ltd.		Yes
Essex County Council	Yes	Yes
Family and Adult Support Group	Yes	
Federation of Disabled People		Yes
Ferret Information System Ltd.	Yes	Yes
Future Prospects	Yes	

Organisation	Single Work Focused Gateway: interview	Incapacity Benefits: occupational pensions
Greater Manchester Welfare Advisers Group	Yes	
Help the Aged		Yes
Henshaw's Society for the Blind		Yes
Hereford and Worcester Careers Services	Yes	
Hertfordshire County Council	Yes	Yes
Homeless Network		Yes
Housing Organisation UK	Yes	
Ipswich Borough Council	Yes	Yes
Joseph Rowntree Foundation	Yes	Yes
Kilmarnock Forum on Disability	Yes	
Kingston Association of Disabled People	Yes	Yes
Lambert and Fenchurch Financial Services Ltd.		Yes
Lancashire County Council	Yes	
Leeds City Council	Yes	Yes
Leicester City Council		Yes
Leonard Cheshire Services	Yes	
London Advice Services Alliance	Yes	Yes
London Borough of Hounslow	Yes	Yes
London East Aids Network	Yes	Yes
Lothian Coalition of Disabled People	Yes	Yes
Luton Borough Council	Yes	
Macfarlane Trust		Yes
Manchester Advice (City Council)	Yes	
Manchester City Council	Yes	
ME Association	Yes	
Mencap National Centre	Yes	
Middlesbrough Council		Yes
Mind in Bexley		Yes
Mind the National Health Charity	Yes	Yes
Motor Neurone Disease Association	Yes	Yes
Multiple Sclerosis Society of Great Britain and Northern Ireland	Yes	Yes
National Aids Trust	Yes	Yes
National Association of Citizens Advice Bureaux	Yes	
National Association of Laryngectomee Clubs	Yes	
National Autistic Society	Yes	
National Centre for Independent Living	Yes	
National Council of Women of Great Britain	Yes	Yes
National Deaf Children's Society	Yes	Yes
National Deafblind and Rubella Association	Yes	
National Federation of the Blind of the United Kingdom	Yes	
National Schizophrenia Fellowship	Yes	
Newham Council Anti-Poverty and Welfare Rights Unit	Yes	Yes
Newham Welfare Rights Action Group	Yes	
Northamptonshire Chamber of Commerce	Yes	Yes
North West Leicestershire Carers Group	Yes	
Notting Hill Housing Trust	Yes	Yes
Pan-London HIV/AIDS Providers Consortium	Yes	Yes
Parkinson's Disease Society	Yes	Yes
Path Finder Mental Health Services NHS Trust	Yes	
Pearl Centre		Yes
Public Services Pensioners Council	Yes	Yes
Rehabilitation Services Trust for Oxfordshire Re-Employment Ltd.	Yes	
Repetitive Strain Injury Association		Yes
Rotherham Metropolitan Borough Council	Yes	
Royal and Sun Alliance Investments	Yes	Yes
Royal Association for Disability and Rehabilitation	Yes	Yes
Royal College of General Practitioners	Yes	
Royal College of Psychiatrists	Yes	
Royal National Institute for Deaf People	Yes	Yes
Royal National Institute for the Blind	Yes	Yes
Scope	Yes	Yes
Scottish Association for Mental Health	Yes	
Sense Organisation UK	Yes	Yes
Shropshire Disability Consortium	Yes	
Sir y Fflint Flintshire County Council	Yes	Yes
Skill (National Bureau for Students with Disabilities)	Yes	
Social Security Advisory Committee	Yes	Yes
South Lanarkshire Council	Yes	Yes
Spinal Injuries Association	Yes	Yes
Stockport ME Group	Yes	Yes
Stockport Metropolitan Borough Council (Welfare Rights Unit)	Yes	Yes
Suffolk County Council	Yes	Yes
Suffolk Deaf Association	Yes	
Supported Employment Policy Group	Yes	
Swiss Re Life and Health		Yes
Talent to Work	Yes	
Telford and Wrekin Council for Voluntary Services	Yes	
Terrence Higgins Trust	Yes	Yes
Trade Union Disability Alliance	Yes	Yes
TUC	Yes	Yes
Tunbridge Wells Equitable	Yes	Yes
Union of Catholic Mothers	Yes	
UNISON North West Region	Yes	Yes
United Response	Yes	
UNUM Limited		Yes
West Yorkshire Probation Service	Yes	
Women's National Commission	Yes	Yes
York Advocacy (Salvation Army)	Yes	
York Mental Health Day Service	Yes	
Total	117	90

Incapacity Benefit

Mr. Steinberg: To ask the Secretary of State for Social Security how many people since 1995 who had been receiving invalidity benefit failed the work test when they applied for incapacity benefit. [78280]

Mr. Bayley: When Incapacity Benefit was introduced in 1995, existing Invalidity Benefit recipients were transferred to the new benefit without being required to apply for it. However, with some exceptions, these cases were subject to the All Work Test, which is being applied on a rolling programme over a period of several years.

Information on the numbers of former Invalidity Benefit claimants who have failed the All Work Test since the introduction of Incapacity Benefit is not available for the period April 1995 to August 1996. From September 1996 to August 1998 inclusive, it is estimated that some 39,250 ex-Invalidity Benefit claimants have failed to satisfy the test. In addition, just under 4,000 others have had their claims terminated following failure to return the All Work Test questionnaire, or failure to attend a medical examination.

Income Distribution

Mr. Field: To ask the Secretary of State for Social Security what proportion of households receive their main income from *(a)* work and *(b)* benefits for each decile of the income distribution below average income, and for each of the last 10 years. [78024]

Angela Eagle *[holding answer 22 March 1999]:* The information requested it not available in the format requested. Such information as is available is in the table.

Percentage of households by main source of income and income decile for households below average income (before housing costs)

	Equivalised income deciles						
Year	*1*	*2*	*3*	*4*	*5*	*6*	*All households below average income*
Benefits							
1994–95	69	79	74	56	32	16	55
1995–96	70	78	72	56	32	18	53
1996–97	70	77	71	55	31	17	52
Employment							
1994–95	19	17	22	37	54	70	36
1995–96	19	18	24	36	53	67	38
1996–97	19	19	24	37	53	68	38
Other							
1994–95	10	4	4	7	14	15	9
1995–96	9	4	4	8	15	15	9
1996–97	10	4	5	9	16	15	10

Source:
Family Resources Survey 1994/5–1996/7

Child Support Agency

Mr. Steinberg: To ask the Secretary of State for Social Security what is the average time taken for the CSA to review child maintenance following a request. [78284]

Angela Eagle: The administration of the Child Support Agency is a matter for the Chief Executive, Mrs. Faith Boardman. She will write to my hon. Friend.

Letter from Faith Boardman to Mr. Gerry Steinberg, dated 25 March 1999:

I am replying to your Parliamentary Question to the Secretary of State for Social Security about the Child Support Agency Reviews.

Under Child Support legislation, there are a number of different reviews that can be requested by parties to an assessment (which will include the non resident parent/person with care and child in Scotland). Any of the interested parties can ask for a review of their assessment by another child support officer if they disagree with the decision of the original child support officer. This is referred to as a second tier review. They may also request a change of circumstance review if a change has occurred that may affect their maintenance assessment.

We do not collect information on average processing times for the clearance of reviews of maintenance assessments. We measure the clearance of reviews against a target set by the Secretary of State. The 1998/99 target requires 80 per cent. of reviews to be cleared within 13 weeks. The age at clearance is measured from the date of the receipt by the Agency. At 28 February 1999 we have exceeded the target by clearing 87 per cent. of reviews within 13 weeks.

There have been significant improvements in the Agency's performance over the last two years despite an increase in workload of over 20 per cent. in that time. We have reviewed the way we handle complaints and we have increased resources for our Client Helplines and the National Enquiry Line, extended our hours of opening to cover 8.00 am to 8.00 pm Monday to Friday and 9.00 am to 5.00 pm on Saturdays and have completed trials to greatly improve and increase clients' opportunities to secure a face to face service. Also, letters of complaint to the Agency have fallen as a percentage of our caseload.

We recognise that, in the past, our standard of service has fallen below what our clients could reasonably expect. We are looking at the ways that we measure our performance to ensure that our focus is on providing a service that meets our clients' needs as well as achieving numerical targets.

I hope this is helpful.

Pensioners

Mr. Field: To ask the Secretary of State for Social Security what proportion of pensioner benefit units on income support receive (i) at least one full basic state pension and (ii) some payment of basic state pension. [78965]

Mr. Timms: The information is in the table.

Income support pensioners by level of basic state pension received, Great Britain: August 1998

	Number of pensioner benefit units (000)	*Proportion of pensioner benefit units (per cent.)*
All cases	1,322	100
Benefit unit with full basic state pension	1,054	79.8
Benefit unit with some payment of basic state pension	257	19.4
Benefit units without basic state pension[1]	11	0.8

[1] Benefit Unit not in receipt of a basic State Pension but receiving a State Retirement Pension eg: cases with Additional Pension or Graduated Retirement benefit.

Notes:

1. Numbers are rounded to the nearest thousand, and percentages are given to one decimal place.
2. Pensioner benefit units are defined as claims where either the claimant and/or partner (if they have one) are of pensionable age.
3. Numbers shown in individual categories with state pensions may be underestimated in couple cases due to incomplete recording of partner's national insurance numbers on the Income Support system.
4. Figures are based on a 5 per cent. sample, and are subject to sampling error.

Sources:

Income Support Statistics Quarterly Enquiry, August 1998.
Retirement Pension Statistics Summary of Statistics September 1998.

SERPS

Mr. Field: To ask the Secretary of State for Social Security what records have been kept over the past 15 years by the Benefits Agency of advice given to future pensioners about their SERPS entitlement. [78968]

Mr. Timms: For many years now, records of inquiries of this nature have been retained for only a limited time before being routinely destroyed.

Mr. Field: To ask the Secretary of State for Social Security what evidence will be required from pensioners claiming compensation for mis-advice given to them by benefit offices about survivors' entitlement to SERPS. [78967]

Mr. Timms: This issue is currently being given careful consideration. We shall make an announcement in due course.

Benefits Agency/POCL System

Mr. Field: To ask the Secretary of State for Social Security (1) what were the installation costs of the piloted Benefit Agency/POCL system; [78313]

(2) what estimate he has made of the installation cost of the entire Benefits Agency/POCL system. [78315]

Mr. Byers: I have been asked to reply.

The Benefits Agency/ Post Office Counters automation project is being carried out under the Private Finance Initiative and installation costs are therefore the responsibility of the private sector provider, ICL Pathway.

EDUCATION AND EMPLOYMENT

Teachers (Primary Schools)

Mr. Syms: To ask the Secretary of State for Education and Employment what was the average pupil:teacher ratio for *(a)* Key Stage 1, *(b)* Key Stage 2 and *(c)* all pupils in maintained primary schools in each year from 1979 to 1999. [74738]

Ms Estelle Morris: The available information is shown in the following table:

Pupil:teacher ratios (PTRs) in maintained primary schools in England. Position in January each year

Year	*PTR*
1979	23.1
1980	22.7
1981	22.6
1982	22.5
1983	22.3
1984	22.1
1985	22.2
1986	22.1
1987	21.9
1988	22.0
1989	22.0
1990	22.0
1991	22.2
1992	22.2
1993	22.4
1994	22.7
1995	22.9
1996	23.2
1997	23.4
1998	23.7

An additional 1,500 teachers were provided in primary schools from September 1998 as the first stage of the Government's commitment to reducing infant class sizes. These will be taken into account in statistics for January 1999 (Provisional) to be published shortly.

Child Care Clubs

Mrs. Lait: To ask the Secretary of State for Education and Employment if additional staff will be required within his Department to register childcare clubs for children aged up to 14 years and up to 16 years in the case of disabled children. [78289]

Ms Hodge: As outlined in the memorandum posted in the Vote Office on 17 March, there will be no new requirement for out of school childcare clubs to seek registration. Out of school provision catering for children aged 8 and over which meets the criteria of an accredited organisation's quality assurance scheme will be eligible for support through the childcare tax credit element of the Working Families Tax Credit.

I do not expect these arrangements to require any additional staff within the Department for Education and Employment.

Mrs. Lait: To ask the Secretary of State for Education and Employment what are the criteria for registration for clubs providing summer child care; and what is the minimum number of weeks for which clubs would have to provide such care in order to qualify. [78237]

Ms Hodge: Clubs providing summer child care for children under the age of eight must register with their Local Authority under the Children Act 1989. This requirement applies to provision of more than two hours a day and of six days or more in a year.

New Deal (West Sussex)

Mr. Loughton: To ask the Secretary of State for Education and Employment how much money has been spent on the New Deal for 18 to 24 year olds in the West Sussex Coastal Plain Unit of Delivery. [77912]

Mr. Andrew Smith *[holding answer 22 March 1999]:* Responsibility for the subject of this question has been delegated to the Employment Service Agency under its Chief Executive. I have asked him to arrange for a reply to be given.

Letter form Richard Foster to Mr. Tim Loughton, dated 19 March 1999:

As the Employment Service is an Executive Agency, the Secretary of State for Education and Employment has asked Leigh Lewis to reply to your question about the amount spent on New Deal for 18 to 24 year olds in the West Sussex Coastal Plain Unit of Delivery. This is something which falls within the responsibilities delegated to Mr Lewis as Chief Executive of the Agency. I am replying in his absence.

To the end of February this year, £224,318 had been brought to account in the West Sussex Coastal Plain Unit of Delivery on the New Deal for 18–24 year olds.

I hope this is helpful.

Carers

Mr. Kidney: To ask the Secretary of State for Education and Employment what steps he is taking to ensure that staff who operate *(a)* the Single Work Focused Gateway and *(b)* The New Deal Personal Adviser Service are trained to identify carers and advise them of the services available. [78548]

Mr. Andrew Smith: I am ensuring that ES New Deal Personal Advisers and Advisers operating in a Single Work Focused Advisory capacity use the range of training products that have been developed to equip them with the knowledge and skills needed to work with carers and other client groups.

It is a prerequisite of undertaking advisory duties that staff fully understand the needs of client groups with special needs, and tailored training material has been produced for this purpose. Line managers and trainers then review the understanding of advisers to check that they can: identify jobseekers who have caring responsibilities or who are ex carers; explain the action to take to help carers and ex carers back in to work; and explain how to help them.

This training material was recently sent to the Carers National Association for their review.

In preparation for the introduction of SWFG, we will hold an event for all SWFG Advisers on 17–18 June. This will focus specifically on dealing with special client groups. The event will involve direct input of a number of special clients representative groups including the Carers National Association.

New Deal (Young People)

Mr. Healey: To ask the Secretary of State for Education and Employment if he will make a statement on whether the *(a)* long and *(b)* short term national insurance based benefits of a participant on the New Deal for 18 to 24-year-olds will be safeguarded in circumstances where the young person is employed in a subsidised New Deal job but whose gross pay is less than the lower earnings limit for national insurance contributions. [78725]

Mr. Andrew Smith: The introduction of the National Minimum Wage on 1 April will result in all young people employed under the New Deal receiving gross pay above the lower earnings limit for national insurance contributions. A small number of New Deal employees may have had gross earnings just below the lower earnings limit threshold this year. In these cases, as with other employees with low earnings, national insurance contributions will not have been paid and credits will not have been awarded.

"Meeting the Challenge of the Millennium"

Mrs. Ellman: To ask the Secretary of State for Education and Employment when he will publish the responses received during the consultation on the TECs' "Meeting the Challenge of the Millennium" document, published in July 1998. [78483]

Mr. Mudie: I will make available a summary of the responses received during the consultation on TECs' "Meeting the Challenge of the Millennium" in May 1999.

Standards Task Force

Laura Moffatt: To ask the Secretary of State for Education and Employment if he will announce the replacement Vice Chair of the Standards Task Force. [79407]

Ms Estelle Morris: Professor David Hargreaves has accepted the Secretary of State's personal invitation to become the new vice-chairman of the Standards Task Force working alongside Chris Woodhead.

TRADE AND INDUSTRY

Hosiery and Knitwear Industry

Mr. Tredinnick: To ask the Secretary of State for Trade and Industry what action he has taken to assist the hosiery and knitwear industry; and if he will make a statement. [78760]

Mr. Battle: My officials have been working with representatives from the knitwear industry to produce a competitiveness analysis of the industry. This will be used to develop an Action Plan to improve the sector's competitiveness. The hosiery sector is included in the Intimate Apparel Export Strategy action plan which my officials will be taking forward with the relevant trade associations.

Competitiveness

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry what assessment he has made of the competitiveness of British companies, with particular reference to *(a)* productivity, *(b)* innovation and *(c)* quality of (i) product and (ii) services. [77633]

Mr. Byers *[holding answer 25 March 1999]:* The UK's productivity performance has been poor and this has resulted in a standard of living that is below that of our major competitors. While the UK has some of the world's most innovative companies, producing high quality, high value goods and services, it does not have enough. The Competitiveness White Paper and the recent Budget have put in place policies to build UK capabilities, spur innovation, stimulate enterprise and raise productivity.

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry what progress he has made in establishing a competitiveness council; and what business interests will be represented on the council. [77787]

Mr. Byers *[holding answer 25 March 1999]:* Our aim is to have members of the Competitiveness Council appointed by the end of April. Members will be appointed for their individual expertise rather than as representatives of particular business interests, but I do hope to have a broad range of people from small and large businesses, with experience of manufacturing and of service industries.

Company Investment

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry what assessment he has made of the level of investment by UK companies in *(a)* plant, *(b)* machinery and *(c)* product development in the last five years. [77634]

Mr. Byers *[holding answer 25 March 1999]:* The UK's past record on investment has been disappointing. Business tells us that one of the main factors holding back investment was the UK's record of macroeconomic instability. That is why the Government have acted swiftly to put economic management on a more stable footing

and why the Government's White Paper on Competitiveness and recent Budget have introduced measures to stimulate investment and encourage enterprise.

Electronic Commerce

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry what targets he has set in respect of the introduction of electronically based commerce in *(a)* small, *(b)* medium-sized and *(c)* large enterprises. [77635]

Mr. Byers *[holding answer 25 March 1999]:* In the White Paper, "Our Competitive Future: Building the Knowledge Driven Economy", published at the end of last year, the Government have set the target of increasing the number of small businesses wired up to the digital market place from 350,000 to 1 million by 2002. This target covers businesses employing up to 250 people.

Post Office

Mr. Boswell: To ask the Secretary of State for Trade and Industry when he expects to publish the White Paper on the Post Office. [78567]

Mr. Byers *[holding answer 25 March 1999]:* I refer the hon. Member to the answer I gave the right hon. Member for Penrith and The Border (Mr. Maclean) on 17 March 1999, *Official Report*, column *701*.

Green Transport Plan

Mr. Burstow: To ask the Secretary of State for Trade and Industry what involvement fleet managers have had in drawing up his Department's Green Transport Plan. [77972]

Mr. Battle *[holding answer 22 March 1999]:* My Department does not have a fleet manager, but greener management issues are being taken into account in drawing up the plans.

EU Fraud

Mr. Grieve: To ask the Secretary of State for Trade and Industry what *(a)* discussions he has had and *(b)* proposals his Department has put forward at Council of Ministers' meetings in respect of EU fraud; and if he will make a statement. [77780]

Mr. Byers *[holding answer 19 March 1999]:* I refer the hon. Member to the reply given by my hon. Friend the Economic Secretary on 19 March 1999, *Official Report*, columns *858–59*.

Defence Sales

Mr. Redwood: To ask the Secretary of State for Trade and Industry if defence sales in the UK are made in a *(a)* national, *(b)* European or *(c)* global market for competition purposes. [77887]

Mr. Byers *[holding answer 19 March 1999]:* They are assessed on a case by case basis.

Working Time Directive

Mr. Maclean: To ask the Secretary of State for Trade and Industry what estimate he has made of the number of man-hours that *(a)* small and medium enterprises and *(b)* larger companies will require to implement the Working Time Directive in (i) its first year and (ii) subsequent years. [76929]

Mr. Byers *[holding answer 16 March 1999]:* A Regulatory Impact Assessment on the costs and benefits resulting from the implementation of the Regulations was made, a copy of which is held in the Library of the House.

Mr. Maclean: To ask the Secretary of State for Trade and Industry if he will make a statement on the state of negotiations on organising the working time of the sectors excluded from the scope of the Working Time Directive; for which sectors the United Kingdom has indicated its *(a)* agreement and *(b)* opposition to inclusion; and if a clear qualified majority already exists for these sectors. [78398]

Mr. Byers: The Government have carefully considered the European Commission's 18 November proposals on the extension of the Working Time Directive to the excluded sectors. We wish to provide all workers with fair minimum standards, but recognise that this should not adversely affect the competitiveness of the industries concerned, or the efficient operability of the NHS. We will obviously seek to secure support for our policy aims from other Member States.

Regional Aid

Mr. Redwood: To ask the Secretary of State for Trade and Industry when he plans to publish the Concordat on Regional Grants. [76258]

Mr. Byers: My right hon. Friend the Chief Secretary will publish the concordat in due course.

Nuclear Safety

Mr. Llew Smith: To ask the Secretary of State for Trade and Industry what assessment he has made of the European Commission's response to criticisms by the Court of Auditors, in special report 25/98, of the expenditure undertaken on nuclear safety in Central and Eastern Europe and in the newly independent states of the former Soviet Union between 1990 and 1997; and if he will make a statement on the effectiveness of the use of the resources provided by the United Kingdom for nuclear safety improvements under the Tacis and Phare programmes. [78152]

Mr. Foulkes: I have been asked to reply.

Whilst Her Majesty's Government (HMG) welcome the various steps the European Commission has taken over the past year to improve the speed of project delivery in the field of nuclear safety, there is a need for the Commission to be more open to taking on board concerns raised in the Court of Auditors report.

These reflect various issues which HMG have raised with the Commission in recent years, in particular the inflexible and arcane bureaucratic procedures and the failure to make a clear distinction between the type of on-site assistance projects directed at the higher risk reactors (which should be closed as soon as practicable) and those which benefit plants of more recent design.

HMG will continue to work, through the relevant Management Committees for Phare and Tacis and other channels, and in the negotiation of the new Tacis

regulation, in an effort to give a more focused strategic direction for the programme and to make further improvements to quality, speed and effectiveness. We welcome the Commission's intention to reform the Financial Regulation, which governs the rules on spending of all EC money, and the steps now being taken to rationalise the tendering and contracting procedures for external aid programmes. HMG believe that a well managed Tacis/Phare Nuclear Safety programme is capable of playing a key role in the wider international effort to enhance safety levels in partner countries in the region.

American Sugar

Mr. Hancock: To ask the Secretary of State for Trade and Industry what plans there are for a review of the level of import levy on American sugar. [63122]

Mr. Rooker: I have been asked to reply.

Imports of sugar from the USA are subject to the full import tariff under the EU's Common Customs Tariff, plus the system of safeguard duties agreed under the GATT Uruguay Round. The levels of tariffs on agricultural products are being reduced under the EU's Uruguay Round commitments. Pressure for further reductions can be expected during the next World Trade Organisation round of multilateral trade negotiations due to start in 2000.

TREASURY

Education Expenditure

Mr. Maclean: To ask the Chancellor of the Exchequer what proportion of GDP has been spent on education in each of the last 10 years. [74786]

Mr. Milburn: The proportions of cash GDP spent on education in each of the last ten years are as follows. Plans to 2001–02, as set out in the CSR, are also included.

Year	*Percentage*
1988–89	4.6
1989–90	4.7
1990–91	4.7
1991–92	5.0
1992–93	5.2
1993–94	5.1
1994–95	5.1
1995–96	4.9
1996–97	4.7
1997–98	4.6
1998–99	4.5
1999–2000	4.7
2000–01	4.8
2001–02	4.9

Pensioner Bonds

Dr. Cable: To ask the Chancellor of the Exchequer what criteria were used in setting the current interest rate for pensioner bonds. [77546]

Ms Hewitt: Pensioners' Bonds are priced like other National Savings products, taking account of the need to compete in the retail savings market, and the need to provide cost-effective financing for the government. Recent reductions in the interest rate on Pensioners' Bonds mainly reflect reductions in medium term interest rates generally, which in turn reflect expectations of lower inflation over the next five years. Lower inflation reduces the erosion of the value of the capital sum invested.

Pensioners' Bonds offer a monthly income which is set at a fixed rate for 5 years. The Chancellor announced in his Budget on 9 March 1999, *Official Report*, columns 173–90, that National Savings would redesign Pensioners' Bonds to offer a shorter term product. This should provide pensioners with more choice.

Dr. Cable: To ask the Chancellor of the Exchequer what has been the average real interest rate on pensioner bonds in each quarter since they were introduced, using the CPI to measure inflation. [77547]

Ms Hewitt: The table provides the gross nominal and real rates of interest on new Pensioners' Guaranteed Income Bonds in each quarter since 1994. Trends in the nominal interest rate follow those of five year gilts. The recent falls in the real interest rate reflect increased credibility of the Government's ability to meet its inflation target.

Percentage

Year	*Quarter*	*Gross PGIBs rate per annum*	*Real interest rate*[1]
1994	Q1	7.00	4.3
1994	Q2	7.00	4.4
1994	Q3	7.06	4.4
1994	Q4	7.50	4.8
1995	Q1	7.50	4.9
1995	Q2	7.50	5.0
1995	Q3	7.50	4.9
1995	Q4	7.50	4.9
1996	Q1	7.13	4.6
1996	Q2	7.00	4.5
1996	Q3	7.00	4.5
1996	Q4	7.00	4.5
1997	Q1	7.00	4.6
1997	Q2	7.00	4.5
1997	Q3	7.00	4.6
1997	Q4	7.00	4.6
1998	Q1	6.53	4.1
1998	Q2	6.10	3.7
1998	Q3	6.10	3.7
1998	Q4	5.18	2.7

[1] The UK does not produce a CPI. The real rate has been calculated by deflating the cash flows over the five year life of the bond by the retail prices index excluding mortgage interest payment (RPIX). An inflation rate of 2½ per cent. from March 1999 has been assumed.

Notes:

1. Gross PGIB interest rate is the quarter average of the simple interest rate quoted on PGIBs.
2. All figures subject to rounding.

Overseas Haulage Companies

Mr. Hoyle: To ask the Chancellor of the Exchequer if he will estimate the cost to his Department of the loss of revenue from *(a)* fuel and *(b)* road tax, from overseas haulage companies operating in the UK. [77443]

Ms Hewitt *[holding answer 18 March 1999]:* HM Customs and Excise do not have sufficient reliable information on which to base a published estimate of the loss of revenue from fuel from overseas haulage companies operating in the UK.

The Department of the Environment, Transport and the Regions have not published any estimate of any loss of vehicle excise duty arising from overseas haulage companies operating in the UK, but believe the amounts involved to be negligible at worst.

Road Fuel Duty

Mr. Whittingdale: To ask the Chancellor of the Exchequer if he will estimate the level of duty on a litre of *(a)* leaded petrol, *(b)* unleaded petrol, *(c)* ordinary diesel and *(d)* ultra-low sulphur diesel in the year (i) 2001, (ii) 2005 and (iii) 2010 if the road fuel duty escalator is maintained at its present level. [78018]

Ms Hewitt: Because the escalator is defined in real terms, actual duty rates will depend in future on inflation.

Earnings

Mr. Moore: To ask the Chancellor of the Exchequer (1) what is the percentage of full-time workers in *(a)* Scotland, *(b)* each unitary local authority area in Scotland and *(c)* Great Britain earning in terms of gross pay (A) including and (B) excluding overtime, less than (i) £261.46, (ii) £241.86, (iii) £181.40 and (iv) £136.44 per week for the categories (1) male manual, (2) male non-manual, (3) all male workers, (4) female manual (5) female non-manual, (6) all female workers, (7) all manual, (8) all non-manual and (9) all workers; [78241]

(2) if he will list the average gross weekly earnings *(a)* including overtime and *(b)* excluding overtime for full-time workers in (i) Scotland, (ii) each unitary local authority area in Scotland and (iii) Great Britain for (A) all manual, (B) all non-manual and (C) all workers. [78240]

Ms Hewitt: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from Tim Holt to Mr. Michael Moore, dated 26 March 1999:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your recent parliamentary questions on average earnings.

The New Earnings Survey (NES) can provide earnings data for small geographical areas. However, the release of NES data is restricted to figures which are derived from a sufficiently large sample of employees, and have an acceptable level of accuracy. I have provided the available data for Scotland, the Scottish local authorities and Great Britain in the attached tables. These are based on the 1998 NES, the latest survey for which data are available. These tables are voluminous and copies of them are being placed in the Library of the House rather than reproduced in Hansard.

The NES is based on a one per cent. sample of employees in the PAYE system and is therefore likely to under-represent relatively low paid staff earning below the tax threshold and in particular those who work part-time.

Mr. Alasdair Morgan: To ask the Chancellor of the Exchequer (1) if he will list for *(a)* Scotland and *(b)* each local authority area in Scotland the (i) average weekly earnings, (ii) weekly median earnings and (iii) the distribution of earnings for those in (1) the lowest and (2) the highest decile broken down by (A) manual, (B) non-manual and (C) all workers; [77784]

(2) if he will list the proportion of full-time workers in *(a)* Scotland, *(b)* each local authority area in Scotland and *(c)* Great Britain, with gross hourly earnings below (i) £6.90, (ii) £6.38, (iii) £4.79 and (iv) £3.60 broken down into (1) male, (2) female and (3) all (x) manual and (y) non-manual workers. [77785]

Ms Hewitt *[holding answers 23 March 1999]:* The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from Tim Holt to Mr. Alasdair Morgan, dated 26 March 1999:

As the Director of the Office for National Statistics (ONS), I have been asked to reply to your recent parliamentary questions on average earnings.

The New Earnings Survey (NES) can provide earnings data for small geographical areas. However, the release of NES data is restricted to figures which are derived from a sufficiently large sample of employees, and have an acceptable level of accuracy. I have provided the available data for Scotland, the Scottish local authorities and Great Britain in the attached tables. These are based on the 1998 NES, the latest survey for which data are available. These tables are voluminous and copies of them are being placed in the Library of the House rather than reproduced in Hansard.

The NES is based on a one per cent. sample of employees in the PAYE system and is therefore likely to under-represent relatively low paid staff earning below the tax threshold and in particular those who work part-time.

Millennium Compliance

Mr. Chope: To ask the Chancellor of the Exchequer for what reason no external assessment has been made of the plans of his Department for millennium compliance. [78464]

Ms Hewitt *[holding answer 24 March 1999]:* It is accepted that year 2000 plans need some form of overall independent assessment. The Treasury use their internal audit team to carry out this function. Internal Audit is independent of the programme and has the necessary skills to oversee the task.

An external IT assessor is, however, engaged in validating the completed compliance work.

Departmental Running Costs

Ms Lawrence: To ask the Chancellor of the Exchequer if he will list the final outturn for 1997–98 for *(a)* each running costs limit and *(b)* the MOD's operating costs limit. [79408]

Mr. Milburn: The final outturn for 1997–98 for each running costs limit and the Ministry of Defence's operating costs limit is shown in the table.

£000

	Outturn 1997–98
Gross running costs limits	
Foreign and Commonwealth Office	503,266
Department for International Development	55,393
Intervention Board	61,282
Ministry of Agriculture, Fisheries and Food	325,572
Department of Trade and Industry (including ACAS)	360,866
Office of Fair Trading	19,000
Office of Telecommunications	10,107
Office of Gas Supply	11,974

	£000
	Outturn 1997–98
Office of Electricity Regulation	16,534
Department of Transport	361,552
Office of Passenger Rail Franchising	6,753
Office of the Rail Regulator	7,832
Department of the Environment	217,005
Health and Safety Executive	158,814
Office of Water Services	10,359
Home Office	1,855,447
Charity Commission	20,080
Lord Chancellor's Department	433,598
Northern Ireland Court Service	18,885
Public Record Office	24,998
Crown Prosecution Service	221,103
Serious Fraud Office	9,749
Treasury Solicitor's Department	26,228
Crown Office	44,237
Department for Education and Employment:	
Inside the Control Total	1,049,891
Outside the Control Total	30,954
Office for Standards in Education	32,200
Department for Culture, Media and Sport	28,444
Office of the National Lottery	2,195
Department of Health	254,091
Department of Social Security:	
Inside the Control Total	3,091,944
Outside the Control Total	4,340
Scottish Office	308,652
General Register Office for Scotland	8,085
Scottish Record Office	5,535
Scottish Courts Administration	40,878
Welsh Office	69,840
Office of Her Majesty's Chief Inspector of Schools In Wales	3,065
Northern Ireland Office:	
Inside the Control Total	780,079
Outside the Control Total	944
HM Treasury	53,882
Customs and Excise	746,343
Inland Revenue	1,705,525
National Savings	174,001
Registry of Friendly Societies	7,129
National Investments and Loan Office	1,490
Office for National Statistics	97,989
Office of Public Service	76,792
Cabinet Office	43,363
Security and Intelligence Services	364,073
Privy Council Office	2,230
Net running costs limits	
Wilton Park	564
FRCA Agency (MAFF)	0
Central Science Laboratory (MAFF)	0
Veterinary Laboratory Agency (MAFF)	0
Veterinary Medicines Directorate (MAFF)	1
Central Services (DTI)	0
National Weights and Measures Laboratory (DTI)	0
Radio Communications Agency (DTI)	0
Vehicle Certification Agency (DoT)	–876
Health and Safety Laboratory (DoE)	–4,693
Ordnance Survey	–1,016
Forensic Science Service (HO)	0
Historic Royal Palaces Agency (DCMS)	0
NHS Estates Agency (DoH)	0
Information Technology Services Agency (DSS)	0
Historic Scotland	2,796
Land Registers (NI)	0
Valuation Office Agency (Inland Revenue)	0
Customer Funded Services (ONS)	–1,842
Government Actuary's Department	179
Civil Service College (OPS)	0
Security Facilities Executive (OPS)	0
Operating Costs	
Ministry of Defence	15,470,899

AGRICULTURE, FISHERIES AND FOOD

Working Time Directive

Mr. Tyrie: To ask the Minister of Agriculture, Fisheries and Food how many civil servants in his Department have been invited to waive the Working Time Directive requirement to work less than 48 hours a week on 17 consecutive weeks; how many civil servants in his Department have refused to waive the requirement; and what is the total cost of compliance with the Directive. [76815]

Mr. Morley: As a general rule, the core Department, the Pesticides Safety Directorate and the Veterinary Medicines Directorate have agreed that staff will not be asked to work more than 48 hours per week over a 17 week reference period. Where any potential breaches of the Regulations are identified, managers have first been asked to determine whether it is feasible to reduce hours, adjust working patterns or re-design the job and only then to discuss the option of disapplying the 48 hour limit with staff. Compliance costs are not separately identifiable as they have been absorbed within existing budgets.

Responsibility for the implementation of the Working Time Regulations 1998 within the Farming and Rural Conservation Agency, the Central Science Laboratory Agency, the Veterinary Laboratories Agency, the Meat Hygiene Service Agency and the Centre for Environmental Fisheries and Aquaculture Agency rests with Agency Chief Executives and I have asked them to reply to the hon. Member direct.

Letter from P. W. Greig-Smith to Mr. Andrew Tyrie, dated 26 March 1999:

The Minister of Agriculture, Fisheries and Food has asked me to reply to your question regarding the Working Time Directive. I am replying on behalf of the Centre for Environment, Fisheries & Aquaculture Science (CEFAS).

We have a nil return.

Letter from Johnston McNeill to Mr. Andrew Tyrie, dated 26 March 1999:

As Chief Executive of the Meat Hygiene Service (MHS) your question to the Ministry of Agriculture, Fisheries and Food enquiring how many civil servants have been invited to waive the Working Time Directive to work less than 48 hours a week on 17 consecutive weeks; how many civil servants have refused to waive the requirement and what is the total cost of compliance with the Directive, has been passed to me to reply as regards this Executive Agency.

The MHS is currently engaged in on-going discussions with UNISON (the union representing meat inspection staff) regarding the implementation of the terms of the Working Time Regulations. A joint MHS/UNISON groups is working towards a collective agreement on the parts of the regulations which are negotiable. This

will include an opt-out agreement relating to the '48 hour limit'. I regret that I am unable to provide you with the information you request at this stage. I will forward this information to you as soon as an agreement has been reached.

Letter from T. W. A. Little to Mr. Andrew Tyrie, dated 26 March 1999:

The Minister has asked me to respond to your question about the Working Time Directive.

As a general rule VLA has agreed that staff will not be asked to work more than 48 hours per week over a 17 week reference period. Where any potential breaches of the Regulations are identified managers have been asked to determine whether it is feasible to reduce hours, adjust working patterns or re-design the job and only then to discuss the option of disapplying the 48 hour limit with staff. We are currently in the process of surveying staff and no individual agreements have yet been signed. Any compliance costs will not be separately identified as they will be absorbed within existing budgets.

Letter from Professor P. I. Stanley to Mr. Andrew Tyrie, dated 26 March 1999:

The Minister of Agriculture, Fisheries and Food has asked me to reply, in respect of the Central Science Laboratory (CSL), to your question concerning the Working Time Directive.

As a matter of policy, CSL has agreed that staff will not be asked to work more than 48 hours per week over a 17 weeks reference period. No potential breaches of the Regulations have been identified, but should this arise managers have been asked to reorganise the workload.

The costs of complying with the Regulations are not separately identifiable as they have been absorbed within existing budgets.

Letter from Sarah Nason to Mr. Andrew Tyrie, dated 26 March 1999:

The Minister has asked me to reply, in respect of the Farming and Rural Conservation Agency (FRCA), to your question seeking the number of civil servants in his Department invited to waive the Working Time Directive requirement to work less than 48 hours a week on 17 consecutive weeks; how many of them have refused to waive the requirement; and what the total cost is of compliance with the Directive.

The FRCA Management Board has agreed that, as a general rule, staff will not be asked to work more than 48 hours per week over a 17 week reference period. Where any potential breaches of the Regulations are identified, managers are being asked to determine whether it is feasible to reduce hours or adjust working patterns before discussing the option of disapplying the 48 hour limit with staff. To date, no individual agreements have been signed and no civil servants have refused to waive the requirement. Any compliance costs are not separately identifiable and have been absorbed within existing budgets.

EU Agriculture Council

Mr. Hood: To ask the Minister of Agriculture, Fisheries and Food what was the outcome of the Agriculture Council held in Brussels on 15 and 16 March; and if he will make a statement. [77550]

Mr. Nick Brown: The EU Agriculture Council planned for 15 and 16 March was cancelled.

Residuary Milk Marketing Board

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food if interest payments will be made to the eligible milk producers in respect of their portion of the assets rights and liabilities which the Residuary Milk Marketing Board are currently holding. [77803]

Mr. Nick Brown *[holding answer 19 March 1999]:* Any interest which accrues to the RMMB's funding and which is not needed for legal and other expenses will be paid to producers eligible for payments.

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food (1) what are the outstanding disputes and obligations which have to be settled before the assets, rights and liabilities of the Residuary Milk Marketing Board can be distributed; [77801]

(2) when he expects the Residuary Milk Marketing Board to begin the distribution of the remaining surplus assets of the Milk Marketing Board to eligible milk producers. [77805]

Mr. Nick Brown *[holding answer 19 March 1999]:* The RMMB's remaining tasks are to collect outstanding debts, to settle outstanding litigation and to dispose of outstanding claims against the Board. The Board recently announced its decision to proceed with making payments to producers of £10 million. Any remaining assets will be returned to producers once the outstanding responsibilities of the RMMB have been resolved.

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food what assets, rights and liabilities the Residuary Milk Marketing Board has. [77804]

Mr. Nick Brown *[holding answer 19 March 1999]:* At 30 September 1998, the RMMB's remaining assets totalled £32.4 million with £2.8 million, excluding interest, owned in damages from contract processors. There were no known outstanding liabilities. Potential liabilities depend on the outcome of the outstanding litigation.

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food what were the running costs of the Residuary Milk Marketing Board in the last year for which figures are available; and from what source they were funded. [77806]

Mr. Nick Brown *[holding answer 19 March 1999]:* Withdrawals for administration costs shown in the RMMB's most recent six monthly reports totalled £935,000 for the 12-month period preceding 30 September 1998. Regulation 18(2) of the Milk Marketing Board (Residuary Functions) Regulations 1994 requires that any moneys required by the Board for the discharge of their functions be paid out of the general reserve fund.

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food how he will determine which milk producers will be eligible to receive payments from the Residuary Milk Marketing Board. [77802]

Mr. Nick Brown *[holding answer 19 March 1999]:* The criteria by which the RMMB will determine which milk producers will be eligible to receive payments is set out under the Milk Marketing Board (Residuary Functions) Regulations 1994 (S.I. 1994/2759).

Advisory Committee on Animal Feedingstuffs

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food what are the terms of reference of the Advisory Committee on Animal Feedingstuffs. [77997]

Mr. Nick Brown *[holding answer 22 March 1999]:* The exact terms of reference of the Advisory Committee on Animal Feedingstuffs Committee have yet to be

finalised but it is expected that the Committee will advise Health and Agriculture Ministers and, after its establishment the Food Standards Agency, on all aspects of the safety and use of animal feeds and feeding practices not already covered by other advisory committees. There will be particular emphasis on protecting human health and reference to new technical developments and new feed materials, including genetically modified organisms. The Committee will liaise with other independent advisory committees and ensure comprehensive advice is provided where animal feed issues are concerned.

Regional Development Funding

Mrs. Browning: To ask the Minister of Agriculture, Fisheries and Food what was the total budget for the ERDF South West Objective 5b for Devon and Cornwall; how much money has been received by the Government in respect of the fund; what is the actual amount spent; and what is the balance as yet unspent. [78371]

Mr. Meale *[holding answer 23 March 1999]:* I have been asked to reply.

The ERDF Objective 5b Programmed for the South West is supported by three European Structural Funds: the European Regional Development Fund (ERDF), the European Agricultural Guidance and Guarantee Fund (EAGGF) and the European Social Fund (ESF). The Programme runs from 1 January 1994 to 31 December 1999.

£000

	A Total allocation from the EC	*B Total Funds received to date*	*C Total payments to date*	*D Balance (A-C)*
ERDF	106,050	59,967	41,435	64,615
EAGGF	28,516	1,942	6,546	21,970
ESF	22,705	13,538	15,506	7,199
Total	157,271	75,447	63,487	93,784

Written Answers to Questions

Monday 29 March 1999

ENVIRONMENT, TRANSPORT AND THE REGIONS

Genetically Modified Crops

Mr. Mitchell: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the (1) sites in the United Kingdom where genetically modified crops have been grown in breach of the licence conditions and (2) the name of *(a)* the promoter and *(b)* owner of the (i) trial and (ii) materials in the trial and *(c)* any other (A) body and (B) person responsible for conducting such trials. [72554]

Mr. Meacher: There have been two such cases in the UK where a successful prosecution has been taken. The information is as follows:

1. Both cases were located at Joseph Nickersons Farms, Rothwell, Lincolnshire.

2. *(a) (b)* (i) and (ii) Monsanto plc and Perryfields Holdings Limited.

(c) Nickerson Seeds Limited on behalf of Monsanto plc and Perryfields Holdings Limited.

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions on which occasions the team of Green Ministers has discussed issues relating to genetic modification. [75088]

Mr. Meacher *[holding answer 8 March 1999]:* The issue of genetic modification has not been discussed by Green Ministers. It is considered within Government by a different, specific, Cabinet Sub-Committee.

Mr. Steen: To ask the Secretary of State for the Environment, Transport and the Regions if he will introduce legislation to make biotechnology companies legally and financially liable for any damage to the environment caused by genetically modified crops. [75200]

Mr. Meacher *[holding answer 10 March 1999]:* There is already some protection though Civil law and general product liability. The issue of environmental liability is an important one and the principle that those who damage the environment should pay for remedying the damage caused is one that I would strongly support. The European Commission is currently finalising a White Paper on environmental liability and this may offer a way forward. We expect the White Paper to include the question of damage by genetically modified organisms but need to study the detail of the Commission's proposals before reaching any conclusions.

Biotechnology Industry

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions how many unminuted pre-arranged meetings have occurred between *(a)* himself, *(b)* Ministers in his Department and *(c)* his officials and representatives of the biotechnical industry sector since 1 May 1997. [74836]

Mr. Meacher *[holding answer 5 March 1999]:* There have been no such meetings involving the Ministers of this Department. Although most meetings involving officials are minuted, my officials have, from time to time, had meetings with the biotechnology companies where minutes are not taken. However, these are always in pursuit of a clear remit from Ministers for specific agreed purposes. Information on the number of such meetings is not available.

Soya Bean Imports

Mr. Alan Simpson: To ask the Secretary of State for the Environment, Transport and the Regions (1) what steps he will take to examine bulk imports of United States soya beans following the 1999 United States harvest to test whether they contain AgrEvo's Liberty Link soya bean; and if he will make a statement; [75348]

(2) if he will make a statement on the licensing status of AgrEvo's Liberty Link soya bean in the *(a)* United States of America, *(b)* European Union and *(c)* United Kingdom; [75347]

(3) what steps he takes to ensure that unlicensed soya beans do not enter *(a)* animal feed and *(b)* the human food chain; and what communication he has had with AgrEvo about the planting and harvesting in the United States of America and subsequent exporting to the United Kingdom of its Liberty Link soya bean. [75349]

Mr. Meacher: AgrEvo's Liberty Link soya bean has been authorised for cultivation and food in the USA but not authorised for cultivation or food in either the European Union or United Kingdom. However, I understand that an application for marketing consent under Council Directive 90/220/EEC has been lodged with an EU member state. I have not had any communication with AgrEvo about this particular variety.

It is illegal to import GM soya unless the variety has approval under Council Directive 90/220/EEC. It is the duty of the importers to ensure that all imported soya has the necessary authorisations. If the product does not get EU consent by the time it is grown commercially in the United States of America and we have reason to believe that the product is being imported illegally the inspection of bulk imports will be arranged. In such circumstances the importer can be prosecuted.

Inspection Charges

Mrs. Brinton: To ask the Secretary of State for the Environment, Transport and the Regions how he calculates the notional costs described in the consultation papers on the proposed Town & Country Planning (Control of Major Accident Hazards) Regulations; and what is the proportion of these costs in relation to the proposed charges for work undertaken by *(a)* Environment Agency inspectors in Wales, *(b)* Environment Agency inspectors in England and *(c)* Scottish Environment Protection Agency inspectors in Scotland. [77214]

Mr. Meale: The notional costs are calculated by the Agencies to reflect the rate of return on capital and a notional insurance premium. The proportion of notional

costs in relation to the proposed charges for work undertaken by Environment Agency inspectors in England and Wales is:

(a) and *(b)* 3 per cent.

The notional element in SEPA charges in Scotland is

(c) 2.5 per cent.

Mrs. Brinton: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the levels of relevant input costs in *(a)* Wales, *(b)* England and *(c)* Scotland in relation to the proposed inspection charges to be levied by the Environment Agency in Wales and England, and by the Scottish Environment Protection Agency under the proposed Town & Country Planning (Control of Major Accident Hazards) Regulations. [77212]

Mr. Meale: Estimates of the costs of inspection under the COMAH regulations by the Environment Agency in England and Wales and by the Scottish Environment Protection Agency (SEPA) in Scotland are a matter for the two Agencies. The chargeable costs that the Environment Agency estimates that it will incur as a COMAH competent authority in England and Wales are:

(a) and *(b)* £900,000 in 1999–2000 rising to £2,200,000 in 2000–01 as the work builds up.

These costs will be recovered on the same basis in England and Wales. A split of costs between England and Wales is not available. The costs which SEPA estimates that it will incur as a competent authority for COMAH in Scotland are:

(c) £200,000 in 1999–2000.

Company Licences

Mr. Maclean: To ask the Secretary of State for the Environment, Transport and the Regions if he will list for *(a)* small and medium-sized enterprises and *(b)* larger companies (i) all licences and permits issued by his Department and its agencies to companies permitting them to carry out their business, (ii) the cost of each such licence or permit in (A) 1997–98 and (B) 1999–2000 and (iii) the current number of companies which are in receipt of each such licence or permit. [76857]

Dr. Reid *[holding answer 16 March 1999]:* The licences for which my Department is directly responsible are listed. The information requested for each of these licences is not held centrally and cannot be provided except at disproportionate cost. In some cases, details of individual licences issued are held on public registers, while a data base of guidance and forms is available on the Direct Access Government website.

Licences issued by the Department of the Environment, Transport and the Regions and its Executive Agencies

Waste Management Licences

Water Abstraction Licences

Consents to Control Discharges to Water and Sewers

Licence for the Operation of Potentially Polluting Industrial Processes

Licence Consent for the Release or Marketing of Genetically Modified Organisms (GMOs)

Part B consents for research purposes

Part C consents to place products on the European market

Hazardous Substances Consents

Licences in Respect of Radioactive Materials and Waste

CITES Import Export Licences

CITES Sales Certificates

Bird Licences

Camping Site Licences

Navigation Licences

Manufacture and Handling of Asbestos Products

Explosives Licences

Construction and security of explosive factories and magazines

Construction and security of explosives stores (Issued by Local Authorities)

Construction and security of premises used for keeping explosives (Registration eg for fireworks sales issued by Local Authorities)

Licences for importation and manufacture of Acetylene

Manufacture of explosives from ammonium nitrate

Storage and handling of dangerous substances in harbour areas

Storage of Petroleum Products

Road Haulage EC Cabotage Permits (earmarked for abolition)

Various International Road Haulage, Coach Operator and Cabotage Permits

Public Service Vehicle (PSV) Operator Licences

Goods Vehicle Operator Licences

Licences Issued by the Regulator (to operate a network, station, depot, passenger or non-passenger service etc.), under Section 6 of the Railways Act 1993

Licences Issued under Section 8 of the Railways Act 1993 (international services)

In Vehicle Driver Information System

Street Works Licences

EU Coach Service Authorisations and Cabotage Permits

Approved Driving Instructors

Approved Training Bodies (learner motorcycle training)

Tachograph Testing Centres

Permit to Operate High Speed Craft (including hovercraft)

Register of British Hovercraft

Register of British Shipping

Boatmasters Licence

MOT Examiners

The London Local Service Licence

Approval of Business to Train for the Carrying of Dangerous Goods

Street Work Licences

Air Operator Certificates

Certificate of Airworthiness

Aerodrome Licence

Aerial Application Certificates

Air Travel Operating Licences

Air Carrier Operating Licences

Air Carrier Route Licences

Air Transport Licences

Double Arrow Logo

Airline Operating Permits.

Designated Area Sets

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions if he will make available his Department's designated area sets (GIS) to local authorities. [78724]

Mr. Raynsford: Designate areas within my Department's policy responsibilities are designated by the Non Departmental Public Bodies sponsored by the Department, not directly by the Department itself.

The Inter-departmental Group on Geographic Information (which my Department Chairs) has issued a Charter Standard Statement on Geographic Information that encourages all Government Departments and Agencies to make their geographic information available to all users. Digital forms of the National Statutory designated areas would be part of this initiative.

End of Life Vehicles Directive

Mr. Chope: To ask the Secretary of State for the Environment, Transport and the Regions if he will place in the Library a copy of the presidency text of the End of Life Vehicles Directive which was put before the Environment Council on 11 March. [78460]

Mr. Meacher *[holding answer 24 March 1999]*: The text considered by the Environment Council on 11 March is a Council working document and as such is subject to the confidentiality of Council proceedings.

Rent Tribunals

Mr. Cox: To ask the Secretary of State for the Environment, Transport and the Regions how many people from ethnic communities sit on rent tribunals covering the Greater London area; and if he will make a statement. [78533]

Mr. Raynsford: There are six members from ethnic minorities appointed to sit on rent tribunals in the Greater London area. This represents seven per cent. of the total membership of the London Rent Assessment Panel, from which rent tribunals are drawn. We want to see the proportion of tribunal members from ethnic minorities more closely reflect that in the national population. Three of the members from ethnic minority communities have been appointed since September 1998.

Illegal Tipping

Mr. Nigel Jones: To ask the Secretary of State for the Environment, Transport and the Regions what policies he promotes to prevent the practice of fly-tipping; and if he will make a statement. [78585]

Mr. Meale: Stringent controls and severe penalties are in place to discourage the fly-tipping of waste and, where it occurs, to enable the perpetrators to be traced and prosecuted. The main controls and the maximum penalties were set out in my reply to my hon. Friend the Member for Pendle (Mr. Prentice) on 8 December 1998, *Official Report*, columns *120–21*.

My Department has prepared a Circular explaining these controls and penalties which was issued to magistrates by the Lord Chancellor's Department on 6 February 1998. We wish to encourage the Courts to make full use of the available penalties.

We have made it clear that we expect the Environment Agency to be fair but rigorous in its enforcement of environmental controls; and we support the action being taken by the Agency on fly-tipping. This includes the provision of a free 24 hour hotline for members of the public to report incidents (Tel: 0800 807060).

Mr. Nigel Jones: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he had made of the effect which the introduction of Landfill Tax has made on the practice of fly-tipping. [78586]

Mr. Meale: The Tidy Britain Group has carried out three studies into fly-tipping. The study comprised three surveys and one of its main aims was to establish the types, quantities and locations of fly-tipped waste. The third survey was carried out in partnership with the Environment Agency and was published last month. It suggests a modest increase in fly-tipping over the period from 1994–95 but less than was originally feared by local authorities following the introduction of the landfill tax.

Local Authority Aggregate Credit

Mr. Nigel Jones: To ask the Secretary of State for the Environment, Transport and the Regions if he will list for each local authority for which information is available *(a)* the Aggregate Credit Limit and *(b)* the percentage of Aggregate Credit Limit of debt outstanding, using figures at 31 March 1997. [78588]

Ms Armstrong: The information requested is not available. Figures for the Aggregate Credit Limit are not collected centrally.

Mr. Nigel Jones: To ask the Secretary of State for the Environment, Transport and the Regions if he will make it his policy to collect centrally and publish figures on local authorities' aggregate credit limits; and if he will make a statement on how his Department ensures that local authorities do not exceed their aggregate credit limits. [78587]

Ms Armstrong: I do not consider that it would be helpful to collect figures on local authorities' aggregate credit limits. It is for local authorities external auditors to monitor their compliance with all the requirements of the capital finance system.

Waste Disposal

Mr. Nigel Jones: To ask the Secretary of State for the Environment, Transport and the Regions if he will list those local authorities which provide waste disposal facilities for use by individual council tax payers, without having a statutory responsibility to do so. [78584]

Mr. Meale: All waste disposal authorities are under a statutory duty under Section 51 of the Environmental Protection Act 1990 to arrange for places (commonly referred to as 'civic amenity sites') to be provided at which persons resident in their area may deposit their household waste free of charge.

National Strategy for Carers

Mr. Kidney: To ask the Secretary of State for the Environment, Transport and the Regions how he intends

to inform all local government staff of the developing policies towards carers outlined in the National Strategy for Carers. [78547]

Ms Armstrong: My right hon. Friend the Secretary of State for the Environment, Transport and the Regions wrote to leaders of councils in England enclosing a copy of the report of the National Carers' Strategy, highlighting the role of local authorities in supporting carers, and asking them to draw the report to the attention of everyone within the authority. A copy of the report has also been sent to all Directors of Housing, Social Services and Education in local authorities in England.

Road Accidents (HGVs)

Mr. Lilley: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the number of road accidents involving a heavy goods vehicle for each month since January 1994. [78481]

Dr. Reid: The number of road accidents involving a Heavy Goods Vehicle which resulted in personal injury is shown in the following table:

Road accidents per month involving at least one Heavy Goods Vehicle[1]: 1994–97

Number of accidents

Month	*Year of accident* 1994	1995	1996	1997
January	1,046	1,053	941	1,132
February	1,083	979	1,108	1,048
March	1,133	1,156	909	1,026
April	964	798	941	952
May	934	948	928	960
June	1,043	951	863	1,053
July	1,058	1,038	1,049	1,128
August	1,141	1,033	1,000	1,077
September	1,140	1,205	996	1,035
October	1,238	1,180	1,269	1,352
November	1,198	1,216	1,316	1,266
December	1,200	1,056	1,106	1,093
Total	13,178	12,613	12,426	13,122

[1] Accidents may involve more than one Heavy Goods Vehicle.

Council Tax

Mr. Nicholas Winterton: To ask the Secretary of State for the Environment, Transport and the Regions what is the *(a)* highest and *(b)* lowest council tax at Band D for a council billing area, after transitional relief grant and council tax benefit, in Merseyside for 1999–2000. [78861]

Ms Armstrong: The highest Band D council tax for the metropolitan districts in Merseyside in 1999–2000 will be £1,172 in Liverpool while the lowest will be £920 in Sefton. No authority in Merseyside is eligible for Reorganisation Transitional Relief Grant in 1999–2000 and figures for the amount of Council Tax Benefit that the authorities expect to provide during the year are not yet available.

Mr. Bercow: To ask the Secretary of State for the Environment, Transport and the Regions (1) what is the *(a)* highest and *(b)* lowest council tax at Band D for a council billing area, after transitional relief grant and council tax benefit, in Kent for 1999–2000; [78897]

(2) what is the *(a)* highest and *(b)* lowest council tax at Band D for a council billing area, after transitional relief grant and council tax benefit, in Tyne and Wear for 1999–2000; [78899]

(3) what is the *(a)* highest and *(b)* lowest council tax at Band D for a council billing area, after transitional relief grant and council tax benefit, in Northumberland for 1999–2000; [78901]

(4) what is the *(a)* highest and *(b)* lowest council tax at Band D for a council billing area, after transitional relief grant and council tax benefit, in Lancashire for 1999–2000; [78896]

(5) what is the *(a)* highest and *(b)* lowest council tax at Band D for a council billing area, after transitional relief grant and council tax benefit, in Cumbria for 1999–2000; [78898]

(6) what is the *(a)* highest and *(b)* lowest council tax at Band D for a council billing area, after transitional relief grant and council tax benefit, in the West Midlands for 1999–2000; [78900]

(7) what is the *(a)* highest and *(b)* lowest council tax at Band D for a council billing area, after transitional relief grant and council tax benefit, in North Yorkshire for 1999–2000; [78902]

Ms Armstrong *[holding answer 26 March 1999]:* The highest and lowest Band D council tax for the shire and metropolitan districts within each of the requested areas in 1999–2000 are in the table. No authority in these areas is eligible for Reorganisation Transitional Relief Grant in 1999–2000 and figures for the amount of Council Tax Benefit that the authorities expect to provide during the year are not yet available.

County	*Highest*	£	*Lowest*	£
Lancashire	Preston	959	Lancaster	884
Kent	Maidstone	797	Gravesham	731
Cumbria	Barrow-in-Furness	893	Allerdale	856
Tyne and Wear	Newcastle upon Tyne	978	Sunderland	815
West Midlands	Coventry	968	Solihull	742
Northumberland	Castle Morpeth	908	Blyth Valley	883
North Yorkshire	Ryedale	779	Hambleton	695

Mr. Forth: To ask the Secretary of State for the Environment, Transport and the Regions what is the *(a)* highest and *(b)* lowest council tax at band D for a council billing area, after transitional relief grant and council tax benefit, in a London borough for 1999–2000. [78768]

Ms Armstrong *[holding answer 26 March 1999]:* The highest Band D council tax for the London Boroughs in 1999–2000 will be £912 in Islington while the lowest will be £350 in Westminster. No authority in London is eligible for Reorganisation Transitional Relief Grant in 1999–2000 and figures for the amount of Council Tax Benefit that the authorities expect to provide during the year are not yet available.

Mr. Hammond: To ask the Secretary of State for the Environment, Transport and the Regions what is the *(a)* highest and *(b)* lowest council tax at band D for a council billing area, after transitional relief grant and council tax benefit, in Cornwall for 1999–2000. [78765]

Ms Armstrong *[holding answer 26 March 1999]:* The highest band D council tax for the shire districts in Cornwall in 1999–2000 will be £759 in North Cornwall while the lowest will be £738 in Penrith. No authority in Cornwall is eligible for Reorganisation Transitional Relief Grant in 1999–2000 and figures for the amount of Council Tax Benefit that the authorities expect to provide during the year are not yet available.

Mr. Hunter: To ask the Secretary of State for the Environment, Transport and the Regions what is the *(a)* highest and *(b)* lowest council tax at Band D for a council billing area, before transitional relief grant and council tax benefit, in each shire county in England (i) for 1997–98, (ii) 1998–99 and (iii) as proposed for 1999–2000. [78907]

Ms Armstrong *[holding answer 26 March 1999]:* The requested information has been placed in the Library of the House.

Mr. Hunter: To ask the Secretary of State for the Environment, Transport and the Regions what is the *(a)* highest and *(b)* lowest council tax at Band D for a council billing area, after transitional relief grant and council tax benefit, in Greater Manchester for 1999–2000. [78908]

Ms Armstrong *[holding answer 26 March 1999]:* The highest Band D council tax for the metropolitan districts in Greater Manchester in 1999–2000 will be £987 in Manchester while the lowest will be £689 in Trafford. No authority in Greater Manchester is eligible for Reorganisation Transitional Relief Grant in 1999–2000 and figures for the amount of Council Tax Benefit that the authorities expect to provide during the year are not yet available.

Mr. Keith Simpson: To ask the Secretary of State for the Environment, Transport and the Regions what is the *(a)* highest and *(b)* lowest council tax at Band D for a council billing area, after transitional relief grant and council tax benefit, in Northamptonshire for 1999–2000. [78909]

Ms Armstrong *[holding answer 26 March 1999]:* The highest Band D council tax for the shire districts in Northamptonshire in 1999–2000 will be £797 in South Northamptonshire while the lowest will be £682 in Wellingborough. No authority in Northamptonshire is eligible for Reorganisation Transitional Relief Grant in 1999–2000 and figures for the amount of Council Tax Benefit that the authorities expect to provide during the year are not yet available.

Mr. Wilshire: To ask the Secretary of State for the Environment, Transport and the Regions what is the *(a)* highest and *(b)* lowest council tax at Band D for a council billing area, after transitional relief grant and council tax benefit, in (i) Bedfordshire, (ii) Buckinghamshire, (iii) Cambridgeshire, (iv) Cheshire, (v) Devon, (vi) Dorset, (vii) Durham, (viii) East Sussex, (ix) Essex, (x) Gloucestershire, (xi) Hampshire, (xii) Hertfordshire, (xiii) Nottinghamshire and (xiv) West Yorkshire for 1999–2000. [78910]

Ms Armstrong *[holding answer 26 March 1999]:* The highest and lowest Band D council tax for the shire and metropolitan districts within each of the requested areas in 1999–2000 are shown in the table. No authority in these areas is eligible for Reorganisation Transitional Relief Grant in 1999–2000 and figures for the amount of Council Tax Benefit that the authorities expect to provide during the year are not yet available.

County	*Highest*	£	*Lowest*	£
Bedfordshire	South Bedfordshire	912	Mid Bedfordshire	859
Buckinghamshire	Chiltern	774	South Buckinghamshire	757
Cambridgeshire	Cambridge	737	East Cambridgeshire	703
	Huntingdonshire	—	South Cambridgeshire	—
Cheshire	Ellesmere Port and Neston	876	Macclesfield	858
Devon	West Devon	802	Exeter	749
Dorset	East Dorset	844	North Dorset	809
Durham	Sedgefield	967	Chester-le-Street	830
East Sussex	Wealden	822	Rother	775
Essex	Harlow	872	Brentwood	762
Gloucestershire	Stroud	818	Tewkesbury	726
Hampshire	East Hampshire	800	Test Valley	756
Hertfordshire	Watford	832	Broxbourne	723
Nottinghamshire	Newark and Sherwood	970	Rushcliffe	900
West Yorkshire	Calderdale	876	Wakefield	756

Rail Franchises (Byelaws)

Dr. Cable: To ask the Secretary of State for the Environment, Transport and the Regions what guidance his Department issues on byelaws drawn up by the privatised rail franchises. [79188]

Ms Glenda Jackson: No formal guidance is issued to rail operators regarding byelaws. However the Department has provided ad hoc advice to the Byelaws Reform Group who are overseeing the adoption of new byelaws by the railways industry. The Group is made up of London Underground, Railtrack, the British Transport Police and representatives of the rail franchise operators. The new byelaws will have to be confirmed by the Secretary of State.

Transport Policy (Disability Organisations)

Mr. Cox: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the disability organisations from which his Department regularly seeks views on the development of transport policy. [79056]

Ms Glenda Jackson: In the first instance we are advised by the Disabled Persons Transport Advisory Committee (DPTAC) which was set up under the Transport Act 1985 to advise the Secretary of State on the transport needs of disabled people. The Act requires that at least half the membership are disabled people; currently over 70 per cent. are disabled.

Officials also attend meetings of the two main umbrella organisations in the field of disability and transport—the Joint Committee on Mobility of Disabled People and the Joint Committee on Mobility of Blind and Partially Sighted People. Those meetings provide an opportunity to report on recent developments and to receive feedback on transport policies.

We also consult a very wide range of other disability organisations as part of public consultation exercises.

New Roads and Street Works Act 1991

Mr. Field: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the initiatives currently under way to improve the operation of the provisions of the New Roads and Street Works Act 1991. [78966]

Dr. Reid *[holding answer 26 March 1999]:* Regulations are being laid under powers in the 1991 Act to facilitate and encourage the electronic transfer of information about street works and other works in the highway between utilities and highway authorities. This will ensure greater consistency and speed in transferring and registering the information, which in turn will help authorities in their co-ordination role.

In the debate on roads policy in the House on 18 March 1999, *Official Report*, columns 1364–66, I referred to our commitment to act to reduce the disruption and inconvenience of prolonged street works which had already been announced in last year's Integrated Transport White Paper.

There are other proposals being taken forward following earlier consultation: these concern safety measures (signing, lighting and guarding of works), reinstatement, the inspection regime and the recording of underground apparatus.

Capping

Mr. Laurence Robertson: To ask the Secretary of State for the Environment, Transport and the Regions in what circumstances he plans to cap councils which over-spend; and if he will make a statement. [78914]

Ms Armstrong *[holding answer 26 March 1999]:* My colleagues and I are currently considering the budgets and council taxes set by local authorities for 1999–2000. If we decide to designate any authorities they will be informed in April.

Road Accidents

Mr. Laurence Robertson: To ask the Secretary of State for the Environment, Transport and the Regions how many people *(a)* were killed, *(b)* were seriously injured and *(c)* suffered minor injuries in road accidents in the last year for which figures are available; and if he will make a statement. [78944]

Ms Glenda Jackson *[holding answer 26 March 1999]:* 3,599 people were killed in road accidents in 1997, 42,957 were seriously injured and 280,978 were slightly injured.

Greenwich Millennium Celebrations

Mr. Austin: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of potential additional demands upon services provided by the London boroughs of Greenwich and Lewisham arising from the millennium celebrations in Greenwich; what additional resources have been made available to those authorities; and if he will make a statement. [79169]

Ms Armstrong: The Government take the view that any additional costs will be more than offset by the immense long-term rewards the boroughs will reap as a direct outcome of the Millennium Experience and other Millennium activities planned for the area.

Public Sector Housing

Mr. Brady: To ask the Secretary of State for the Environment, Transport and the Regions what steps he has taken to encourage the transfer of public sector housing to new landlords. [79020]

Mr. Raynsford: We are keen for local authorities to pursue transfer where it is clearly part of their housing strategy and will improve the living conditions of tenants and the service they receive. However, authorities are under no compulsion to transfer their stock. Our aim is to ensure the delivery of improved efficiency, effectiveness and responsiveness to tenants.

Mr. Brady: To ask the Secretary of State for the Environment, Transport and the Regions how many transfers of local government housing stock have taken place since 1 May 1997. [79021]

Mr. Raynsford: There have been thirty-one transfers of local authority housing under either the Large Scale Voluntary Transfer programme, or with funding from the Estates Renewal Challenge Fund since 1 May 1997.

Sites of Special Scientific Interest

Mr. Clappison: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on his proposals for the protection of sites of special scientific interest. [78702]

Mr. Meale: I refer the hon. Member to the reply given to him by my right hon. Friend the Minister for the Environment on 15 March 1999, *Official Report*, column *465*. Once we have given full consideration to the ideas put forward in responses to the proposals, and completed discussions on some of the more difficult issues, we will announce how we intend to proceed.

Jubilee Line

Mr. Cohen: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 16 March 1999, *Official Report*, column 576, if he will place a detailed summary of the cost review in the Library. [79166]

Ms Glenda Jackson: We announced the results of LT's cost review on 3 March 1999, *Official Report*, column *730*. The details of the review contain information that, if released, could prejudice London Transport's commercial position: therefore, in line with previous practice, we do not release details of the cost review.

Hardwoods

Mr. Dalyell: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his letter of 22 July 1998 (ref. EE/PSO/10679/98), what is the result of the review of current policy on hardwood procurement across Government. [77637]

Mr. Meale: I refer my hon. Friend to my letter of 17 March 1999 informing him of the results of the review of Government policy on timber procurement. A copy of the letter has been placed in the Library of the House.

Polling Stations (Disabled Access)

Mrs. May: To ask the Secretary of State for the Environment, Transport and the Regions what funds are available to local authorities to improve access to polling stations for disabled people. [79027]

Ms Armstrong: Acting returning officers may apply to the Home Office for grants towards the cost of providing temporary ramps and specially adapted polling screens, to make polling stations accessible for those disabled voters who wish to vote in person, for national and European elections. The remainder of the cost is funded by the local authority. Grants are not allocated specifically for local elections. The need for revenue expenditure by local authorities is taken into account, along with other spending pressures and the scope for efficiencies, in the local government finance settlement.

"A New Deal for Transport"

Mrs. Dunwoody: To ask the Secretary of State for the Environment, Transport and the Regions what progress has been made in publishing the daughter documents to the White Paper, "A New Deal for Transport", Cm 3950. [79534]

Mr. Prescott: Last July's White Paper on the Future of Transport identified nine associated publications which would set out in more detail the proposals in the White Paper. Seven have already been published:

A New Deal for the Railways: response to the Environment, Transport and Regional Affairs Select Committee

A New Deal for Trunk Roads in England

Guidance on local transport plans

Breaking the Logjam: consultation on road user and workplace parking charges

British Shipping—charting a new course

Sustainable distribution: a strategy

From Workhorse to Thoroughbred: a better role for bus travel.

Of the remaining documents, the report on inland waterways will be published in the next few months. The document on road safety policy, setting out the Government's strategy and targets for beyond 2000, will follow in the autumn and will reflect the findings of the speed policy review. We have since announced that a further daughter document, on ports policy, will be published; a policy paper is currently out for consultation and the document should be issued later this year. The Government will also this summer be issuing its action plan to encourage walking.

Household Projections

Mr. Sawford: To ask the Secretary of State for the Environment, Transport and the Regions when he intends to publish revised household projections; and if he will make a statement. [79535]

Mr. Prescott: In our policy statement "Planning for the Communities of the Future" published early last year, the Government said that they would put in place new policies in respect of planning for housing which would include a new flexible approach to regional planning involving decentralisation to regional stakeholders; a national 60 per cent. target for the re-use of previously developed land; the creation of a National Land Use Database; and that we would be setting up a task force to advise us on how to make the best use of recycled land.

Our emphasis is on urban renaissance—making our towns and cities places where people want to live—and this theme will be developed in an Urban White Paper which the Government propose to publish later this year.

The Government have implemented all of these initiatives and more. We issued the consultation draft of planning policy guidance note 11 (PPG11) "Regional Planning" last month, together with new guidance on the preparation of development plans (PPG12). Planning policy guidance note 3 "Housing" (PPG3) was published for consultation last week. It introduces a new sequential approach to the release of housing land which will require local planning authorities to consider the re-use of existing property and of previously developed land before releasing greenfield land for housing development. The National Land Use Database is now being compiled and I expect to publish first results shortly.

Together, these represent the Government's new policy direction to planning for housing and mark a clear departure from what has become known as the "predict and provide" approach favoured by the previous Government. That policy is dead.

It has been the practice to publish periodically projections of household growth in England. In keeping with that, the Government Statistical Service (GSS) will be publishing a report later this year setting out the household projections for the period 1996 to 2021 together with a full description of the methodology by which those projections are derived.

The household projections are one input to the process of regional planning, a new round of which is currently in progress. I have therefore decided to make available the main projections for England and the English regions in advance of publication of the full GSS document.

The number of households in England is projected to have grown from 20.2 million in 1996 to about 24.0 million in 2021, an increase of 3.8 million or about 150,000 households per year. It is a smaller increase to that previously projected for the period 1991 to 2016 which was 4.4 million or around 175,000 households a year.

The most important explanation for the reduction in the projected rate of household formation is the changes contained in the most recent marital status projections

published by the Government Actuary's Department in January. Recent evidence has shown that cohabitation is increasing at a faster rate than expected, leading to a greater increase in the number of couple households by 2016 than assumed in the previous projections. Changes in the marital status assumption have also led to downward revisions in the proportions of older women who are widows or divorcees.

The projections are not forecasts, estimates or predictions. They are based entirely on what might be expected to occur if previous trends continue and are heavily dependant on the assumptions involved. Such trends can and do change as a result, for example, of demographic or economic factors, as the new cohabiting assumptions show.

I therefore agreed with the Select Committee to publish information about how sensitive the projected total number of households at 2021 might be to changes in underlying assumptions. This information is as follows in tabular form at the end of this statement but, for example, a 1 per cent. change in real interest rates may affect the national projection by over 200,000 households in either direction.

The conclusion of the analysis is that the projected growth of 3.8 million in the number of households in England between 1996 and 2021 is not a precise figure. It reflects one of the potential outcomes but it could be subject to some variability.

In keeping with previous published projections, I am today also announcing household projections for each of the Government Office regions. Again, the Government do not regard the projections as forecasts or predictions of the number of households likely to form. If the new regional projections are compared on a like-for-like basis with those published previously, they indicate a reduced rate of household formation in all regions except the South East where the rate of growth is stable. The projections are as follows:

Household projections: Government Office Regions[1]

	1996 millions	*2021 millions*	*1996–2021 percentage change*	*1991–2016 percentage change*
North East	1.1	1.2	8	16
Yorkshire and the Humber	2.1	2.4	14	19
East Midlands	1.7	2.0	20	26
East of England	2.2	2.7	25	29
Greater London	3.0	3.6	21	22
South East	3.2	4.1	26	27
South West	2.0	2.5	25	29
West Midlands	2.1	2.4	13	18
North West and Merseyside	2.8	3.1	11	18
England	20.2	24.0	19	23

[1] All figures rounded
Source: Projections of Households in England to 2016, ISBN 0-11-753055-7

There are insufficient data available to undertake a sensitivity analysis on the regional projections. However, a significant factor in determining regional household growth is migration from and to other regions and there are some indications that this may be particularly sensitive to economic factors. In this respect, the Government do not believe that past migration trends are necessarily representative of future patterns of regional growth.

Regional projections are published as one input to the process of regional planning. As our consultation draft of PPG11 "Regional Planning" indicates, the household projections should be taken into account in assessing a region's housing needs. Other factors should equally be taken into account so that regional planning bodies should, against the background of need and capacity, take a realistic and responsible approach to planning future housing provision.

The household projections I am publishing today relate to England as a whole and English regions. I recognise that similar information at sub regional level could be useful as background for the regional planning process and the preparation of Regional Planning Guidance and my Department will therefore be writing to the regional planning bodies to make relevant information available in a form consistent with that published as part of the last set of household projections in 1995. The statistics are inherently less reliable at this level of detail and I expect the information to be used only to inform debate as an extrapolation of past trends and not to be used to 'predict and provide'. Rather, I look to regional planning bodies to use their new flexibilites to take account of all relevant factors, against the background of need and capacity, in considering the distribution of growth within a region.

Change in household formation 1996–2021 in response to changes in key parameters

		Change in household formation (000)
Cohabiting	+20% (never married)	−180
	+10% (previously married)	
	−20% (never married)	+180
	−10% (previously married)	
Mortality[1]	+1 year for men, 0.6 years for women	+160
	−0.8 years for men, -0.7 years for women	−180
Marriage	+15% (never married), 10% (others)	−100
	−15% (never married), -10% (others)	+110

Change in household formation 1996–2021 in response to changes in key parameters

		Change in household formation (000)
Fertility	+0.2 in the mean number of children per woman	+40
	−0.2 in the mean number of children per woman	−60
Net Inward Migration	+40 thousand per annum	+450
	−40 thousand per annum	−410
Divorce	+10% (first marriage)	+60
	−10% (first marriage)	−60
Interest Rates (real)	+1%	−230
	−1%	+260
GDP (real per head)	+0.25%	+190
	−0.25%	−150
Unemployment (%)	+1%	−20
	−1%	+30

[1] Increased expectation of life at birth between 1996 and 2021 over the principal projection.

Note:
The variations shown are consistent with those exemplified by the Government Actuary's Department in their respective publications on the underlying national population projections and marital status projections. The changes in household formation are not additive.

British Rail

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what make of car has been made available to the new chairman of British Rail; and on what terms. [78802]

Ms Glenda Jackson: The car arrangements for executive Board Members of British Railways are determined by the Board. I understand that the Board has a pool car, which will be available to the Chairman when required.

SCOTLAND

Scottish Enterprise

Mrs. Ewing: To ask the Secretary of State for Scotland what was the Scottish Office budget for Scottish Enterprise in cash terms and at 1998–99 prices for *(a)* 1992–93, *(b)* 1993–94, *(c)* 1994–95, *(d)* 1995–96, *(e)* 1996–97, *(f)* 1997–98 and *(g)* 1998–99; and what is his estimate for (i) 1999–2000, (ii) 2000–01 and (iii) 2001–02. [76863]

Mr. Dewar *[holding answer 16 March 1999]:* The Scottish Office Budget for Scottish Enterprise in cash terms and at 1998–99 prices for the years 1992–93 to 1998–99 and the plan figures for 1999–2000 to 2001–02 are as follows:

£ million

Year	*Budget*	*1998–99 prices*
1992–93	448.8	520.8
1993–94	451.3	510.1
1994–95	466.9	520.4
1995–96	464.4	502.9
1996–97	476.9	501.1
1997–98	449.5	460.7
1998–99	455.2	455.2
1999–2000 (plans)	427.1	416.7
2000–01 (plans)	435.4	414.4
2001–02 (plans)	468.1	434.68

Plan figures for 1999–2000 are subject to adjustment to reflect annual and in year, post CSR changes to baseline provision. Changes to Scottish Enterprise budget reflects a reduction on their property activities; re-phasing of the Hyundai project, and a realignment of existing training programmes to reflect the introduction of the New Deal, in which Scottish Enterprise will play a key role.

About £300m of New Deal resources will also be available in Scotland over the lifetime of this Parliament by way of Employment Service spending.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Fire Service Budget

Mrs. Ewing: To ask the Secretary of State for Scotland what was the Scottish Office budget for fire services in Scotland in cash terms and at 1998–99 prices for *(a)* 1995–96, *(b)* 1996–97, *(c)* 1997–98 and *(d)* 1998–99; and what is his estimate for (i) 1999–2000, (ii) 2000–01 and (iii) 2001–02. [76867]

Mr. McLeish *[holding answer 16 March 1999]:* Fire services in Scotland are a local government responsibility. Total financial provision made available by the Secretary of State for local authority spending on fire services in the form of Grant Aided Expenditure, and capital allocations, together with direct central Government expenditure, has been as follows:

£ million

Year	*Cash Terms*	*1998–99 Prices*
1995–96	149	161
1996–97	164	173
1997–98	184	189
1998–99	189	189
1999–2000	197	192
2000–01	206	197
2001–02	213	198

Sources:
For the years 1992–93 to 1998–99: Departmental Reports and GAE announcements.
For the years 1999–2000 to 2001–02: Comprehensive Spending Review.

As from 1 July 1999, financial provision for the fire service in Scotland will be a matter for the Scottish Parliament.

Fox Control

Mrs. Ray Michie: To ask the Secretary of State for Scotland if he will make a statement on the financial support provided by his Department to fox control associations. [78334]

Mr. Macdonald: Financial support, amounting to 50 per cent. of approved expenditure, is provided to recognised Fox Destruction Clubs under a scheme to prevent the predation of lambs. Total support has averaged around £70,000 per annum in recent years.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Greater Glasgow Health Board

Mr. Moore: To ask the Secretary of State for Scotland for what reason figures on the cancellation of hospital admissions by health boards for the quarters ending 31 March 1997 to 31 December 1998 are not available for hospitals in the Greater Glasgow Health Board area. [78228]

Mr. Galbraith: Information on the cancellation of hospital admissions in the Greater Glasgow Health Board area is not available for the periods requested because of concerns over the accuracy and completeness of the available data, and the consequent misrepresentation of the true position. This is due to difficulties associated with the computerised Patient Administration Systems. Greater Glasgow Health Board and the NHS Trusts are currently working together to resolve this problem, and they expect to be able to provide accurate information on cancellations of hospital admissions, via the new national data collection process to be introduced shortly.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Prisoners

Ms Roseanna Cunningham: To ask the Secretary of State for Scotland what was the sentence range of the prison population for each of the last five years; and what estimate he has made of the current number of inmates with *(a)* drug and *(b)* alcohol problems. [78800]

Mr. McLeish: The available information on the average daily sentenced prison population by length of sentence for each of the last five years is provided in the following tables.

Average daily population of sentenced young offenders by length of sentence, 1993–1997

Number and Percentage

Length of sentence	*1993*	*1994*	*1995*	*1996*	*1997*	*% change 96–97*
Total	819	720	719	770	787	2
Less than 6 months	246	209	249	194	144	–26
6 months—less than 2 years	287	223	227	282	301	7
2 year—less than 4 years	151	160	114	132	146	11
4 years or over (excluding life)	105	103	98	131	154	18
Life	17	15	14	17	19	12
Section 205 sentences (indeterminate)	9	9	14	10	18	80
Section 206 sentences (fixed)	4	1	2	4	4	—

Based on rounded figures
Components may not add to totals due to rounding

Average daily population of adult sentenced prisoners by length of sentence, 1993–1997

Number and Percentage

Length of sentence	*1993*	*1994*	*1995*	*1996*	*1997*	*% change 96–97*
Total	3,795	3,785	3,823	4,026	4,282	6
Less than 3 months	333	226	209	206	165	–20
3 months—less than 6 months	462	434	437	428	406	–5
6 months—less than 2 years	815	775	740	853	889	4
2 years—less than 4 years	533	627	614	616	654	6
4 years or over (excluding life)	1,240	1,293	1,390	1,480	1,686	14
Life/Section 205	411	430	433	443	481	9

Based on rounded figures
Components may not add to totals due rounding

Interim figures for the period April 1998 to February 1999 indicate that 25 per cent. of prisoners are testing positive for drugs of abuse, down from 29 per cent. in the financial year 1997–98. Final figures for the financial year 1998–99 will be reported in the 1998–99 *Scottish Prison Service Annual Report and Accounts*.

There is no direct information available on the current number of inmates with alcohol problems. However, the following information may be of value.

In a study involving a representative sample of prisoners (Cooke, 1994), the level of alcohol dependence among the population was found to be 18.3 per cent. for females and 38.1 per cent. for males. In a more recent study (Gilchrist and Hooke, 1997) conducted in Greenock prison 29 per cent. of prisoners reported that they were drinking over the weekly safe limit for men as set by the Inter-Departmental Working Group. And, in a recent study in Cornton Vale (Loucks, 1997), an estimated 10–15 per cent. of women were found to be addicted to alcohol.

From 1 July 1999, these will be matters for the Scottish Parliament.

NHS Waiting Lists

Mrs. Ewing: To ask the Secretary of State for Scotland if he will list for each month between 1 April 1998 and 31 January 1999 NHS waiting list figures in Scotland. [79063]

Mr. Galbraith: NHS in Scotland waiting list figures are published quarterly. The inpatient and day case waiting list on 31 March, 30 June, 30 September and 31 December 1998 is provided in the table.

Date	NHS in Scotland Inpatient and Day Case Waiting List
31 March 1998	89,525
30 June 1998	88,703
30 September 1998	84,931
31 December 1998	78,526

Source:
ISD, Scotland

From 1 July 1999, this will be a matter for the Scottish Parliament.

NORTHERN IRELAND

Press Releases

Mr. Don Foster: To ask the Secretary of State for Northern Ireland if she will set out the conventions governing the propriety and cost of press releases issued by her Department, its agencies and non-departmental bodies; and what is the total cost of the press releases issued since May 1997. [71467]

Mr. Paul Murphy *[holding answer 16 February 1999]:* The cost of Information Services issuing press releases from May 1997 to date is as follows:

Paper £63.75

Post £44,032.40

Total £44,096.15

Mr. Don Foster: To ask the Secretary of State for Northern Ireland how many press releases have been issued by her Department, its agencies and non-departmental bodies in each of the years 1990 to 1998. [71452]

Mr. Paul Murphy *[holding answer 16 February 1999]:* The Information Services have issued the following press releases:

Year	
1990	(approx) 1,380
1991	(approx) 1,400
1992	(approx) 1,250
1993	1,355
1994	1,080
1995	1,223
1996	1,117
1997	1,180
1998	1,313

Special Advisers

Mr. Tyrie: To ask the Secretary of State for Northern Ireland if she will list the total number of occasions when *(a)* departmental and *(b)* non-departmental special advisers have travelled abroad in an official capacity since 2 May 1997. [76825]

Marjorie Mowlam: There have been 5 occasions when a departmental special adviser has accompanied me aborad in an official capacity since 2 May 1997. There are no non-departmental special advisers. All travel complied with the requirements of the Ministerial Code and Civil Service Management Code.

Bomb Alerts

Mr. William Ross: To ask the Secretary of State for Northern Ireland if she will list the (i) dates, (ii) times, and (iii) location of each bomb alert in Northern Ireland since 1 September 1998, of which the RUC are aware. [77749]

Mr. Ingram: The information requested has been placed in the Library.

Green Transport Plan

Mr. Burstow: To ask the Secretary of State for Northern Ireland what involvement fleet managers have had in drawing up her Department's Green Transport Plan. [77973]

Mr. Paul Murphy *[holding answer 22 March 1999]:* Northern Ireland Departments are pursuing the target for having Green Transport Plans for all headquarters buildings and main buildings occupied by Government Departments and Executive Agencies by March 1999 and for all other key buildings by March 2000. There are no fleets associated with these buildings.

Census Returns

Mr. John M. Taylor: To ask the Secretary of State for Northern Ireland if she will list all Public Records Act 1958 instruments that have prescribed periods of *(a)* extended retention or *(b)* extended closure of decennial census returns for Northern Ireland; and if she will list the class numbers, census years and periods mentioned in the schedules. [78444]

Mr. Paul Murphy: The Public Records Act 1958 does not apply to Northern Ireland in respect of access.

Mr. John M. Taylor: To ask the Secretary of State for Northern Ireland what are the total annual storage and maintenance costs for all 1841 to 1991 decennial census returns in Northern Ireland. [78436]

Mr. Paul Murphy: The Public Record Office holds census records for 1937, 1951, 1961, 1966, 1971, 1981 and 1991. The annual storage and maintenance costs are £39,495.

Parades Commission

Mr. Donaldson: To ask the Secretary of State for Northern Ireland how many visits and of what length the Chairman of the Parades Commission has made to Northern Ireland since the inception of the Parades Commission. [79178]

Mr. Ingram: The Chairman of the Parades Commission has paid 100 visits to Northern Ireland, 69 of which have involved one or more overnight stays.

Mr. Donaldson: To ask the Secretary of State for Northern Ireland how many authorised officers of the Parades Commission have been remunerated over the past 12 months; how they are appointed; and under what terms. [79177]

Mr. Ingram: Since 1 April 1998, a total of 13 persons have been remunerated as Authorised Officers of the Parades Commission. The Authorised Officers are contracted to the Parades Commission by the Mediation Network for Northern Ireland, which is responsible for their appointment and terms of employment.

Mr. Donaldson: To ask the Secretary of State for Northern Ireland how much the Parades Commission has budgeted for in the coming year for *(a)* Chairman and Parades Commissioner remuneration, *(b)* the costs for civil servants seconded to the Parades Commission, *(c)* the remuneration of authorised officers of the Parades Commission, *(d)* travelling expenses and *(e)* office rent. [79173]

Mr. Ingram: The answers are as follows:

(a) £180,000 (£30,000 pay costs for Chairman + 6 x £25,000 for Members)

(b) £254,000 (pay costs for civil servants)

(c) £84,000 (pay costs for Authorised Officers)

(d) £35,000 (travelling expenses for Chairman, Members and Secretariat)

(e) £64,000 (office rent).

Mr. Donaldson: To ask the Secretary of State for Northern Ireland how much the Parades Commission has *(a)* spent to date on and *(b)* budgeted for consultancy, broken down by spending on (i) training of monitors, (ii) monitoring of parades, (iii) opinion surveys, (iv) project planning, (v) recruitment campaigns, (vi) media advice and (vii) legal costs in the coming 12 months. [79172]

Mr. Ingram: *(a)* I would refer to the answer given to the hon. Member for Bromsgrove (Miss Kirkbride) on 17 March 1999, *Official Report*, columns 697–98. Unfortunately the figure given in my reply was incorrect. The total amount paid for consultancy and related services since the inception of the Parades Commission is £267,000. A breakdown of the expenditure is given here.

	£
Training for Stewards/Monitors	42,000
Monitoring research	20,000
Opinion surveys	4,000
Project planning	2,000
Recruitment campaign	10,000
Media and publicity advice and services	122,000
Legal Advice and services	6,000
Surveys, research, other training etc	31,000
Associated costs (advertising, printing etc.)	30,000

(b) The budgeted figure for Consultancy and related services in 1999–2000 is £230,000. This budget is not broken down at this stage into the lower level detail outlined for expenditure to date.

Mr. Donaldson: To ask the Secretary of State for Northern Ireland if she will break down the *(a)* running costs and *(b)* programme expenditure of the Parades Commission for the coming year by main spending items. [79171]

Mr. Ingram: The information is as follows:

(a) Running costs—£329,000: £254,000 pay and £75,000 general administrative expenditure (travel and subsistence, office equipment, telecommunications etc.).

(b) Programme costs—£818,000: £64,000 rent, £20,000 publications/printing; £246,000 Mediation Network for Northern Ireland charges, including Authorised Officer costs and related expenditure; £229,000 Commission Members' and Chairman's total costs, £160,000 professional advisers' costs; £50,000 education and monitoring costs; and £49,000 telecommunications, courier charges etc.

Mr. Laurence Robertson: To ask the Secretary of State for Northern Ireland when she expects to publish the Parades Commission's Annual report. [79176]

Mr. Ingram: The Parades Commission expects to publish its Annual Report towards the end of April 1999.

Mr. Laurence Robertson: To ask the Secretary of State for Northern Ireland if she will place in the Library a copy of the Parades Commission's consultation document on its proposed changes to its Procedural Rules, the Code of Conduct and Guidelines. [79175]

Mr. Ingram: Copies of the consultation document containing proposed changes to the Code of Conduct, Procedural Rules and Guidelines were placed in the Library of the House on 26 March 1999.

Mr. Laurence Robertson: To ask the Secretary of State for Northern Ireland if she will list the *(a)* persons and *(b)* organisations to whom the Parades Commission has issued for consultation its proposed changes to its Procedural Rules, the Code of Conduct and Guidelines; and if she will (i) provide a list of those who have responded formally to the Parades Commission's consultation document and (ii) make a statement on the further consultation the Parades Commission is undertaking. [79174]

Mr. Ingram: The Parades Commission has consulted a wide range of individuals and organisations about the proposed changes to its statutory documents. These include loyal orders, residents and community groups, business organisations, churches, academics, voluntary bodies, and political representatives. In addition, the Commission placed public notices in the daily newspapers drawing attention to the consultative process, and posted full details on the Commission's website. Respondents to the consultation have not been advised that their response or identity could be made public. It would therefore be inappropriate to list their names here.

The Commission is considering carefully the responses it has received in relation to the draft statutory documents.

DEFENCE

Defence Agencies (Employment)

Mr. Hancock: To ask the Secretary of State for Defence how many people are currently employed by the *(a)* Army Technical Support Centre, *(b)* Armed Forces Personnel Administration Agency, *(c)* Defence Estates Organisation and *(d)* Defence Dental Agency; and what the figure was at each Agency's establishment. [71944]

Mr. Doug Henderson *[holding answer 25 February 1999]:* This is a matter for the Chief Executives of the Agencies concerned. I have asked them to write to the hon. Member.

Letter from Brigadier A. D. Ball to Mr. Mike Hancock, dated 29 March 1999:

I am replying to your Question to the Secretary of State for Defence about the employee numbers for the Army Technical Support Agency (ATSA), as this matter falls within my area of responsibility as Chief Executive of the ATSA.

The ATSA had 1,085 employees on 1st February 1999, and had 1,274 employees at its Agency launch date on 25th October 1995.

I hope that you find this information helpful.

Letter from Ian C. F. Andrews to Mr. Mike Hancock, dated 29 March 1999:

I am replying to your question to the Secretary of State for Defence concerning the number of people currently employed by the Defence Estate Organisation, and employed at the time of the Agency's establishment, as this matter falls within my area of responsibility as Chief Executive of the Defence Estate Organisation.

The number of people current employed across the Defence Estate Organisation is 1,423. At the Agency's establishment, on 1 April 1997, there were approximately 1,400.

Letter from Air Vice-Marshal I. G. McIntyre to Mr. Mike Hancock, dated 29 March 1999:

I am replying to your Question to the Secretary of State for Defence about the number of people currently employed and the figure on formation of the Agency, as this matter falls within my area of responsibility as Chief Executive of the Defence Dental Agency.

The Defence Dental Agency currently has 1185 personnel on the payroll of whom 134 are uniformed dental staff within the command of The Health Alliance (THA) British Forces Germany. Payroll responsibility for these staff was transferred to this Agency with effect from 1 April 1998.

Strength on formation of the Agency on 1 March 1996 was 1043. At that time dental staff within THA were not included in the strength.

Letter from C. J. Boyle to Mr. Mike Hancock, dated 29 March 1999:

Further to your Question to the Secretary of State for Defence about the Armed Forces Personnel Administration Agency (AFPAA), these matters fall within the Chief Executive's responsibility. However, as he is currently away from office, I am replying on his behalf.

When the Armed Forces Personnel Administration Agency (AFPAA) formed on 1 April 1997, it employed a total of 1171 staff, comprising both Service and civilian personnel.

Through the Private Finance Initiative (PFI), AFPAA formed a public/private partnership with EDS to deliver most of the Agency's services on its behalf. In order to ensure the continuity of current services and to provide a significant input to the development of new systems, most of the Agency's civilian staff transferred to the private sector, when the partnership became effective on 1 January 1998. The Agency, therefore, currently employs 269 staff.

I hope this explains the position.

Gulf War Syndrome

Mr. Hancock: To ask the Secretary of State for Defence (1) how many Gulf War veterans, medically tested as part of his Department's research programme, have shown signs of uranium-related illness; and if he will make a statement; [72940]

(2) how many Gulf War veterans have had a medical test since the research programme commenced; and how many are waiting for a test. [72931]

Mr. Doug Henderson: A Gulf veteran who is, or has been, concerned about his or her health may be receiving or have received care, including testing, under various auspices. The Ministry of Defence has only centralised data in respect of its Gulf Veterans' Medical Assessment Programme (MAP). This was established in 1993 to provide veterans who believe that their health may have suffered as a result of the Gulf conflict with as full a diagnosis as possible of their medical conditions. During an assessment at the MAP, all referred veterans receive a standard set of screening tests and are asked by the examining MAP physician to provide detailed information about possible factors to which they may have been exposed during the Gulf conflict. As at 18 March 1999, 3,021 Gulf veterans had been referred to the MAP for a medical assessment. Of these, 34 were waiting to be seen for the first time and 201 had failed to appear for one or more appointments; hence, a total of 235 have yet to receive any tests at the MAP.

With regard to the testing of UK Gulf veterans for the presence of depleted uranium (DU), I refer the hon. Member to a detailed paper setting out my Department's position, which I published on Friday 19 March 1999. Copies have been placed in the Library of the House.

The MAP is not a research programme. The Ministry of Defence is funding a range of studies into different aspects of Gulf veterans' illnesses. One of these studies—a neuromuscular symptoms study being conducted by a team led by Doctors Michael Rose and Mohammed Shareif at King's College, London—involves carrying out clinical tests on Gulf veterans. A further study on UK Gulf veterans under Professors Simon Wessely and Anthony David of King's College, London, which is being funded by the US Department of Defense, is also conducting clinical tests on UK Gulf veterans. Both these research teams are conducting their studies independently of MOD and we do not have access to the data collected, including any clinical findings.

Naval Manning Agency

Mr. Hancock: To ask the Secretary of State for Defence how many people are currently employed by the Naval Manning Agency; what was the figure at its inception; on what date the Naval Manning Agency published its report for 1997–98; and what was the cost of production of the report. [76895]

Mr. Doug Henderson: This is a matter for the Chief Executive of the Naval Manning Agency. I have asked the Chief Executive to write to the hon. Member.

Letter from Rear Admiral J. M. de Halpert to Mr. Mike Hancock, dated 29 March 1999:

I am replying to your questions to the Secretary of State about the number of people employed in the Naval Manning Agency and the costs of publication of the Agency's 1997 98 Report, as these matters fall within my area of responsibility as Chief Executive of the Naval manning Agency.

The Agency currently employs 278 people including four part-time personnel. On Vesting Day (1 July 1996) the Agency employed 292 personnel.

The proof copy of the Agency's 1997–98 Annual Report and Accounts was produced on 28 January 1999, and a copy has been placed in the Library of the House. The final version of the Report is currently with the printers and should be published in April. The cost is expected to be similar to last year's at around £1,600.

I hope you find this helpful.

Weapons Testing (Scotland)

Mr. Dalyell: To ask the Secretary of State for Defence what testing of depleted uranium weapons has taken place in Southern Scotland. [77356]

Mr. Doug Henderson: *[holding answer 18 March 1999]:* Since the test-firing of depleted uranium (DU) based ammunition was approved in 1979 all testing of such ammunition in southern Scotland has been conducted at Kirkcudbright and West Freugh (near Stanraer). The trials at West Freugh, which took place in 1988 and 1990, tested Vulcan Phalanx ammunition and were very limited in nature, with only 200 small calibre rounds (around 20kg) being fired. The testing of 120mm DU-based ammunition for the Challenger main battle tank, which takes place at Kirkcudbright, started in 1982. Since the end of the Challenger tank development programme in 1997 this testing has been significantly reduced and currently only a small number of rounds are fired each year to check manufacturing quality.

Armed Forces (Uniforms)

Mr. Hoyle: To ask the Secretary of State for Defence how many of his Department's contracts for uniforms for the armed forces were awarded to United Kingdom textile companies in each of the last five years. [77468]

Mr. Doug Henderson *[holding answer 18 March 1999]:* The number of contracts awarded to UK textile companies in each of the last three Financial Years is as follows:

1996–97: 155 contracts

1997–98: 300 contracts

1998–99: 358 contracts.

Earlier details are not available as information on clothing and textile contracts placed by my Department has only been recorded centrally for the last three years.

Cadet Centre, Chorley

Mr. Hoyle: To ask the Secretary of State for Defence what facilities the new cadet centre in Chorley will provide for cadets; and if these will be the same as at the existing centre on Devonshire Road in Chorley. [77474]

Mr. Doug Henderson *[holding answer 18 March 1999]:* The new cadet centre will provide offices, classrooms and activity area, toilet and washing facilities, secure storage facilities, and a rifle range. All facilities currently enjoyed by the cadets will therefore be reprovided in this new centre, which will be for their sole use.

Iraq

Mr. Dalyell: To ask the Secretary of State for Defence what efforts Her Majesty's Government are making to obtain medicinal and scientific data about the effects of depleted uranium-based ammunition in Iraq. [77258]

Mr. Doug Henderson *[holding answer 18 March 1999]:* Officials from the Department for International Development (DfID) have been in discussion with the World Health Organisation (WHO) concerning possible projects to improve the overall health situation in Iraq. DfID expects to receive formal proposals — for example, to improve epidemiological surveillance in Iraq, to establish links between medical institutions outside Iraq and to improve Iraq's cancer registration system — from the WHO shortly, which the Government will consider carefully.

The Government are well aware of suggests that there has been an increase in ill-health — including deformities, cancers and birth defects — in southern Iraq, which some commentators have attributed to the use of depleted uranium (DU) based ammunition by Coalition forces during the 1990–91 Gulf conflict. However, the Government have not seen any peer-reviewed epidemiological research data on this population to support these claims and therefore cannot comment on them further. There is currently no evidence that the illnesses of the types described, including cancers, are uniquely associated with exposure to DU. The Government would, of course, consider carefully any medical or scientific data which was presented on this subject.

Sexual Offences (Armed Forces)

Mrs. Fyfe: To ask the Secretary of State for Defence on how many occasions in the last year for which figures are available there has been an allegation of (i) rape and (ii) sexual assault within the United Kingdom by a member of the armed forces; and in each case *(a)* how long a time elapsed before the civil police were informed, *(b)* if the alleged victim was advised and assisted to ensure there was no inadvertent destruction of evidence, *(c)* if charges were brought, and *(d)* where a conviction was secured, what sentences were imposed. [78325]

Mr. Spellar: I will write to my hon. Friend and a copy of my letter will be placed in the Library of the House.

Ordnance Requalification

Mr. Maples: To ask the Secretary of State for Defence what is the cost of requalification for *(a)* 155 mm artillery projectiles, *(b)* 105 mm artillery projectiles, *(c)* 120 mm tank projectiles, *(d)* rocket motors for Sea Wolf and Sea Skua missiles and *(e)* explosives for ejector seat systems, and what is his estimate of the proportion of the cost that is met from his Department's funds. [78190]

Mr. George Robertson *[holding answer 22 March 1999]:* The typical requalification cost for an artillery or tank round of ammunition is about £2 million, of which about £1.5 million is for the charge. For rocket motors the cost is about £5 million and for ejection seat cartridges up to £1 million. Costs vary significantly according to the circumstances, as does the proportion of cost to be met by the Ministry of Defence. These amounts should be set in the context of the overall value of the procurement contracts, which often amount to many tens of millions of pounds. For example, the Extended Range Ordnance/ Modular Charge System contract is worth around £100 million.

Mr. Maples: To ask the Secretary of State for Defence how many ammunition products for United Kingdom military use will have to be subject to requalification procedures by his Department. [78189]

Mr. George Robertson *[holding answer 22 March 1999]*: All ammunition products require Ordnance Board qualification before they are made available for United Kingdom military use. Requalification of explosive products is required whenever there is a prolonged break in production or there has been a change in manufacturer, manufacturing process, or source of raw materials. Therefore it is not possible to determine precisely which future ammunition requirements will induce requalification.

Ammunition (Overseas Suppliers)

Mr. Maples: To ask the Secretary of State for Defence what quotations have been obtained from overseas suppliers for the supply of ammunition products previously supplied by Royal Ordnance Bishopton. [78185]

Mr. George Robertson *[holding answer 22 March 1999]*: None. The MOD procures ammunition as a finished product, not as individual components. It is a matter for the prime contractor to choose the source of each of the components, such as casing, explosives, fuses and propellant. British Aerospace has announced that it intends to close Royal Ordnance Bishopton by late 2000. We expect the factory to continue to participate in work on Ministry of Defence contracts awarded to Royal Ordnance and other prime contractors until that date.

Mr. Maples: To ask the Secretary of State for Defence if he will list the overseas countries from which the United Kingdom currently obtains ammunition products; and if he will list the value of each contract. [78187]

Mr. George Robertson *[holding answer 22 March 1999]*: The Ministry of Defence currently procures ammunition products from the USA, France, Germany, Italy, The Netherlands, Norway, Spain, Belgium, Israel, Canada and South Africa. The costs associated with individual contracts are commercially sensitive and I am therefore withholding this information under Exemption 13 of the Code of Practice on Access to Government Information.

Mr. Maples: To ask the Secretary of State for Defence if he will list the memorandums of understanding that exist between the United Kingdom and overseas ammunition suppliers. [78188]

Mr. George Robertson *[holding answer 22 March 1999]*: Her Majesty's Government normally conclude Memorandums of Understanding only with other national Governments. There are no MOU with overseas ammunition suppliers.

Mr. Maples: To ask the Secretary of State for Defence what discussions *(a)* he and *(b)* his officials have had with overseas ammunition suppliers in the past year; and if he will list the companies that have been consulted. [78182]

Mr. George Robertson *[holding answer 22 March 1999]*: I have not had any discussions about the supply of ammunition with any overseas companies in the past year. However, Ministry of Defence officials have regular contacts on a wide range of issues with defence companies at all levels. These include obtaining information on product ranges and capabilities, the discussion of tenders, and the management and performance of contracts. Details of such contacts in the past year are not held centrally. However, a search of available records indicates that contacts took place with the following ammunition suppliers: Aerojet, Alliant Tech Systems, Armtec, Atlantic Research Corporation, Boeing, Day and Zimmerman, Lockheed Martin, Olin Winchester, Primex, Raytheon, and Team MACS of the USA; Aerospatiale, Celerg, CTA International, and GIAT of France; Alenia, Europea Metalli, Fiat Avio, and Simmel of Italy; Buck Technologies, Diehl, Dynamit Nobel, EBV, GIWS, Junghans, LFK, Mauser, MEN, and Rheinmetall of Germany; MECAR of Belgium; Hirtenberg of Austria; Miltec, Oerlikon, and Swiss Munitions of Switzerland; Eurometaal of The Netherlands, Lapua of Finland, Bofors of Sweden; NAMMO, and Raufoss of Norway; Expal, International Technology of Intallaza of Spain; INDEP of Portugal; Bristol Aerospace, and SNC of Canada; PINDAD of Malaysia; CIS of Singapore; Denel/Somchem, Denel/Swarklip, Denel/Naschem, Pretoria Metal Pressing and Vector of South Africa; IMI, and Rafael of Israel; ADI of Australia; and Micron of India.

Mr. Maples: To ask the Secretary of State for Defence (1) what assessment his Department has made of its overseas-based ammunition suppliers with respect to *(a)* security of supply, *(b)* exchange rate risk and *(c)* ability to supply ammunition promptly; [78191]

(2) what assessments have been made of the security of supply provided by each of the United Kingdom's overseas ammunition suppliers; and if he will make a statement. [78186]

Mr. George Robertson *[holding answer 22 March 1999]*: The Ministry of Defence considers carefully the issue of security of supply before placing equipment contracts with overseas suppliers. Where necessary, we seek suitable safeguards to ensure satisfactory security of supply.

Contracts contain specific conditions designed to ensure prompt delivery of defence equipment and ammunition products. In order to eliminate exchange rate risks, we aim to place all overseas orders in Sterling. Where this is not possible, we use a variety of measures, including the advance purchase of Deutschmarks and US dollars, to minimise the risk of adverse movements in these currencies.

Royal Ordnance Bishopton

Mr. Maples: To ask the Secretary of State for Defence what representations he has received from the Department for Trade and Industry regarding the closure of Royal Ordnance Bishopton; and if he will make a statement. [78183]

Mr. George Robertson *[holding answer 22 March 1999]*: I consulted other Government Ministers, including my right hon. Friend the Secretary of State for Trade and Industry, about the issues surrounding the recent decisions on the Multi Year Buy and Extended Range Ordnance/Modular Charge System competitions, including the impact on Royal Ordnance Bishopton and other Royal Ordnance sites. In addition to work associated with the Modular Charge System, Royal Ordnance informed the Ministry of Defence that it would require further work

to be directed to Bishopton, without competition, for the plant to remain open. Even then, the work force would have had to reduce by almost half to around 150 employees. We concluded that £20 million cost premium to keep a much reduced Bishopton open in the short term did not represent good value for the taxpayer.

Mr. Maples: To ask the Secretary of State for Defence which foreign Governments have been consulted with regard to the re-sourcing of ammunition supplies to UK forces following the closure of Royal Ordnance Bishopton. [78181]

Mr. George Robertson *[holding answer 22 March 1999]:* We have not formally consulted foreign Governments about the supply of ammunition after the closure of Royal Ordnance Bishopton, nor is there a need to do so. We routinely conduct international competitions for the procurement of ammunition. These show that there are many friendly and reliable alternative sources in Europe and further overseas. In the event of an urgent, unforeseen demand for ammunition, we would secure further supplies from friends and allies, as we have successfully done in the past. To facilitate such procurements the UK is a signatory of the international Joint Ballistic MOU, together with France, Germany, Italy and the US, which allows for the strategic and tactical interchange of 155mm ammunition.

Somchem Contract

Mr. Maples: To ask the Secretary of State for Defence what assessment he has made of the value for money of the contract to supply artillery shell propellant from Somchem; and if he will make a statement. [78192]

Mr. George Robertson *[holding answer 22 March 1999]:* Somchem was a clear winner of the competition for the sub-contract for the Modular Charge System for the AS90 howitzer on both cost and technical grounds. The decision to award Somchem the contract, therefore, represents best value for money.

Mr. Maples: To ask the Secretary of State for Defence what defence industrial considerations were taken into account in the award of the artillery shell propellant contract to Somchem. [78184]

Mr. George Robertson *[holding answer 22 March 1999]:* We considered defence industrial issues very carefully before deciding to procure the Modular Charge System contract from Somchem. We concluded that Royal Ordnance would still be capable of continuing as a major supplier of a wide range of ammunition to the Ministry of Defence. The company remains a key player in the European ammunition business with a continuing role in the future rationalisation process for the industry.

Mr. Maples: To ask the Secretary of State for Defence what assessment his Department made of the impact of the current value of the South African Rand when awarding the artillery shell propellant contract to Somchem; and what arrangements have been set in place in the contract with regard to exchange rate fluctuation. [78193]

Mr. George Robertson *[holding answer 22 March 1999]:* The contract price for the sub-contract for the supply of the Modular Charge System for the AS90 howitzer has been specified in Sterling. The value of the South African Rand, therefore, has no effect on the contract.

Aircraft Carriers

Mr. Hancock: To ask the Secretary of State for Defence what studies he has carried out on the potential to upgrade the Royal Navy's aircraft carriers to meet future requirements. [78777]

Mr. Spellar: Concept studies have examined the feasibility of upgrading and extending the life of the current Invincible-class aircraft carriers. These studies established that the vessels would not be able to meet future requirements. However, there will be further analysis to establish the baseline against which the cost-effectiveness of the future carriers will be assessed.

Mr. Hancock: To ask the Secretary of State for Defence which companies have been invited to tender for the future Royal Navy aircraft carrier; and what criteria were used to select the companies. [78781]

Mr. Spellar: British Aerospace Defence Systems, Marconi Electronic Systems, Boeing, Lockheed-Martin, Raytheon and Thomson-CSF have been invited to tender for the initial assessment phase of the future aircraft carrier. They were selected from the companies that had expressed interest in the tender, following an assessment of their ability to deliver the programme to cost, time and performance.

155 Transport Regiment

Mr. Hoyle: To ask the Secretary of State for Defence what assessment he has made of the possibility of transferring 155 Transport Regiment to North Wales. [78570]

Mr. Doug Henderson *[holding answer 25 March 1999]:* 155 Transport Regiment does not exist. 157 Transport Regiment, whose headquarters is based in Cardiff, has a number of sub-units that are based in South Wales and no consideration was therefore given to transferring the headquarters to North Wales.

Mr. Tony Geraghty

Mr. Peter Bottomley: To ask the Secretary of State for Defence for what reasons, on what date, in what circumstances and manner and under what powers Mr. Tony Geraghty was arrested; when his bail will be ended; what charges are in prospect against him; and if his Department plans to take action in relation to his recently published book. [79019]

Mr. Doug Henderson: Mr. Tony Geraghty's home address was searched on 3 December 1998, under warrant, by Ministry of Defence Police officers investigating alleged offences against the Official Secrets Acts, concerning his book "The Irish War". Mr. Geraghty was arrested and placed on unconditional police bail, he is due to answer his bail on 22 April 1999. A file has been prepared by the Ministry of Defence Police and submitted to the Crown Prosecution Service. The Crown Prosecution Service will determine whether or not Mr. Geraghty will face charges. The Ministry of Defence Police were acting under powers conferred by the Ministry of Defence Police Act 1987.

HMS Vengeance

Mrs. Ewing: To ask the Secretary of State for Defence, pursuant to his answer of 16 March 1999, *Official Report*, columns 571–72, on HMS Vengeance, what components were found to be defective; when they were replaced; what effect their failure had on the state of the submarine's reactor; what steps he is taking to enure the safety of similar components on other nuclear powered submarines; and if he will make a statement. [78916]

Mr. Spellar: Two of the Main Coolant Pumps of the rector system were found to be defective. Both pumps continued to provide full output, but showed early signs of longer term degradation in performance. They were replaced between 9 February and 17 March this year. There was no effect on the submarine's reactor. To ensure the safety of such equipment on other nuclear submarines, routine equipment monitoring is undertaken as a matter of course. The original pumps from HMS Vengeance will undergo detailed examination to confirm the cause of the defect.

Chinook Crash

Mr. Key: To ask the Secretary of State for Defence (1) if the members of the RAF Board of Inquiry investigating the fatal crash of RAF Chinook ZD 576 in 1994 were informed, at the time of the Inquiry, of his Department's case against Textron Lycoming, the manufacturers of the full authority digital engine control system; [78381]

(2) if Boeing treated the full authority digital engine control system fitted to the Chinook Mk2 as flight safety critical at the time of the RAF Chinook crash in June 1994; [78380]

(3) if his testing and evaluation organisation at Boscombe Down treated the full authority digital engine control system fitted to the Chinook Mk2 as flight safety critical at the time of the RAF Chinook crash in June 1994. [78379]

Mr. Spellar: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Mr. O'Neill: To ask the Secretary of State for Defence if the Air Accidents Investigation Branch personnel investigating the crash of RAF Chinook ZD576 in 1994, were informed, at the time of the investigation, of the Ministry of Defence case against Textron Lycoming, the manufacturers of the Full Authority Digital Engine Control system. [78792]

Mr. Spellar: I will write to my hon. Friend and a copy of my letter will be placed in the Library of the House.

Procurement Programmes

Mr. Keith Simpson: To ask the Secretary of State for Defence how many defence procurement programmes are running overtime; and in each case by how long. [79101]

Mr. Spellar: Information on time overruns against the original approval on the top 25 defence procurement programmes is published by each year in the Comptroller and Auditor General's reports on the Ministry of Defence "Major Projects Report". Copies of these are in the Library of the House.

INTERNATIONAL DEVELOPMENT

Child Soldiers

Mr. Cox: To ask the Secretary of State for International Development if she will list the countries with which she has had recent discussions concerning the use of child soldiers; and if she will make a statement. [78544]

Mr. Foulkes: Neither I or the Secretary of State have personally had any recent discussions on this issue with countries in which child soldiers are a problem.

This is, however, an issue of deep concern to our Department. In late 1997 the Secretary of State spoke to President Museveni of Uganda about the abduction of many thousands of children by the Lord's Resistance Army, most of whom are forced to become child soldiers or concubines. In Sierra Leone, the British High Commissioner has just agreed with the President Kabbah that children under the age of 16 will be excluded from enlistment in the Sierra Leone armed forces or the civilian defence forces; and that any children taken into custody by ECOMOG will be handed over to UNICEF at the earliest opportunity. We have also provided assistance for children affected by conflict in countries such as Liberia and Sri Lanka.

We have had a number of meetings with the UN Secretary-General's Special Representative for Children and Armed Conflict, Mr. Olara Otunnu, the most recent being on 16 March in London. Mr. Otunnu briefed us about his recent travels in the Great Lakes Region and Sudan. We have offered our full support to ensure that his lobbying and advocacy work to reduce the use of child soldiers is followed up and given practical effect on the ground. Plans for this are under discussion between Mr. Otunnu, UNICEF and our officials.

DFID recently issued the "Policy Statement on Conflict Reduction and Humanitarian Assistance" which describes our general approach to defusing tensions and building sustainable peace through targeted conflict reduction strategies. Progress in implementing these will also help eliminate the child soldier problem.

Departmental Staff (Ethnic Origin)

Mr. Vaz: To ask the Secretary of State for International Development if she will provide a breakdown, in numerical and percentage terms, of the ethnic origin, at 1 March, of *(a)* her private office, *(b)* Government special advisers, *(c)* her policy unit and *(d)* staff in total. [78500]

Mr. Foulkes: *(a)* Information on the ethnic origin of staff in the Private Office cannot be provided as the small numbers involved could lead to the identification of individuals, contrary to the Code of Practice agreed with the Civil Service trade unions.

(b) In relation to special advisers, I would refer my hon. Friend to the reply given by my hon. Friend the Minister for the Cabinet Office to my hon. Friend the Member for Brent, East (Mr. Livingstone) on 22 February 1999, *Official Report*, column *39*.

(c) DFID does not maintain a separate Policy Unit in support of Ministers.

(d) My right hon. Friend the Minister for the Cabinet Office will provide this information centrally.

EU Aid

Mr. Streeter: To ask the Secretary of State for International Development (1) what representations she has made to the European Commission in the past 12 months about improving the effectiveness and transparency of the EU aid budget; [79065]

(2) what specific steps she has taken in the past 12 months to ensure that the United Kingdom contribution to the EU aid budget has been spent effectively. [79066]

Mr. Foulkes: In December we published our 18 point strategy to improve EC development spending. It has been widely disseminated in the Commission and other member states. Our paper describes the specific, practical measures the Department for International Development is to take to maximise the contribution of the EC's development programmes to the international poverty eradication strategy. The Secretary of State and our officials are pursuing vigorously our strategy with the Commission and with other EC member states for redirecting EC resources to the poorest countries, and for improving the effectiveness and transparency of EU aid spending. The Secretary of State discussed these issues frequently with her European opposite numbers, most recently in Berlin on 18 March and both she and I have had a number of discussions with Members of the European Parliament on this.

Mr. Streeter: To ask the Secretary of State for International Development how much of her budget will be channelled through the EU aid budget in the financial year 1999–2000. [79099]

Mr. Foulkes: We currently forecast expenditure of £750m through the EC in 1999/2000, comprising £248m through the European Development Fund, and £520m through EC budgetised programmes.

Mr. Streeter: To ask the Secretary of State for International Development how many times she or her Minister met former European Commissioner Cresson to discuss EU aid in the past 12 months. [79064]

Mr. Foulkes: At no time in the last 12 months have I, or the Secretary of State met former EU Commissioner Cresson to discuss EU aid.

TRADE AND INDUSTRY

Human Genetics

Mrs. Ann Winterton: To ask the Secretary of State for Trade and Industry if he will list those members of advisory committees to his Department who have declared outside interests with *(a)* DiaDexus, *(b)* Cerebus Ltd., *(c)* SmithKline Beecham, *(d)* Stanford University, *(e)* Human Genome Services Inc, *(f)* Glaxo Wellcome, *(g)* the Wellcome Institute, *(h)* Monsanto, and *(i)* AgrEvo; and if he will specify in each case the advisory committee to which they belong and the nature of the declared interest. [76242]

Mr. Battle: Members of the following executive non-departmental public bodies and advisory committees have declared interests in the organisations listed by the hon. Member.

Biotechnology and Biological Sciences Research Council

Prof. J. Goodfellow:

Chairman of the Wellcome Trust Molecular and Cell Panel, and member of the Base Science Interest Group. Prof. Goodfellow is also married to the senior Vice-President and Head of research for SmithKline Beecham.

Medical Research Council

Prof. L. K. Borysiewicz:

Consultant for SmithKline Beecham. Holds a Wellcome grant.

Prof. E. Johnstone:

Consultant for SmithKline Beecham. Holds a Wellcome Fellowship or grant.

Dr. T. W. Robbins:

Consultant for SmithKline Beecham. Holds a Wellcome Fellowship or grant.

Prof. J. Bell:

Holds a Wellcome Fellowship or grant.

Prof. R. Mirsky:

Holds a Wellcome Fellowship or grant.

Prof. A. M. McGregor:

Holds a Wellcome Fellowship or grant.

Council for Science and Technology

Sir Richard Sykes:

Chairman, Glaxo Wellcome PLC

Human Genetics Advisory Commission

Dr. G. Poste:

Non-Executive Chairman of Diadexus and Cerebrus. Board member of SmithKline Beecham. Also lists in "Who's Who" the fact that he is a Governor of the Centre for Molecular Medicine and Genetics at Stanford University.

Industrial Development Advisory Board

Dr. R. Hawley:

Shareholder of SmithKline Beecham and Glaxo Wellcome PLC.

The Monopolies and Mergers Commission register of members' interests relates to details of potential conflicts of interest registered by members relevant to particular inquires on which they are serving. No interests in the organisations listed by the hon. Member have been registered by such serving members over the last year. The register can be examined on the MMC's website.

Wellcome Trust

Mr. Lansley: To ask the Secretary of State for Trade and Industry what representations he has made to the Secretary of State for the Environment, Transport and the Regions, or to his appointed inspector, in relation to the re-opened inquiry into the Wellcome Trust's application for planning permission at Hinxton Hall in South Cambridgeshire. [76070]

Mr. Byers *[holding answer 11 March 1999]:* I have made no representations either to my right hon. Friend the Secretary of State for the Environment, Transport and the Regions, or to his appointed inspector in relation to the re-opened inquiry into the Wellcome Trust's application for planning permission at Hinxton Hall in South Cambridgeshire.

Manchester United

Mr. Redwood: To ask the Secretary of State for Trade and Industry when he is planning to publish his conclusions on the BSkyB bid for Manchester United. [76354]

Mr. Byers: I shall publish the MMC's report as soon as is practicable.

Special Advisers

Mr. Tyrie: To ask the Secretary of State for Trade and Industry if he will list the total number of occasions when *(a)* departmental and *(b)* non-departmental special advisers have travelled abroad in an official capacity since 2 May 1997. [76836]

Mr. Byers: Since 2 May 1997, Special Advisers have travelled abroad on 12 occasions. All travel complied with the requirements of the Ministerial Code and the Civil Service Management Code.

US Import Duties

Jane Griffiths: To ask the Secretary of State for Trade and Industry (1) what plans he has to compensate all United Kingdom exporters affected by the increase in import duties in the United States; and if he will make a statement; [76784]

(2) if he will compensate fine art publishers for the costs of the increase in United States import duties; and if he will make a statement. [76777]

Mr. Wilson *[holding answer 15 March 1999]:* My right hon. Friend the Secretary of State announced on 4 March that the Government had decided to establish a scheme for the cashmere knitwear industry to guarantee the bonds requested by the United States. The mere threat of US action had been having a particularly significant effect on cashmere, in view of the highly seasonal nature of that industry.

The services of my official are at the disposal of other industries for advice while urgent consultations continue within the European Union and the Word Trade Organisation.

Company Licences

Mr. Maclean: To ask the Secretary of State for Trade and Industry if he will list for *(a)* small and medium enterprises and *(b)* larger companies (i) all licences and permits issued by his Department and its agencies to companies permitting them to carry out their business, (ii) the cost of each such licence or permit in (A) 1997–98 and (B) 1999–2000 and (iii) the current number of companies which are in receipt of each such licence or permit. [76855]

Mr. Byers *[holding answer 16 March 1999]:* It is not possible to distinguish between small and medium-sized enterprises and large companies in the manner requested.

Private Motor Vehicles (Imports)

Mr. Fearn: To ask the Secretary of State for Trade and Industry what is his Department's assessment of the effect on Exchequer revenues of the retail purchase and subsequent importation into Britain of private motor vehicles from *(a)* European Union countries and (d) non-European Union countries. [78133]

Dr. Howells: No figures exist on the effect on Exchequer revenues of importation of private motor vehicles.

Slough Heat and Power

Fiona Mactaggart: To ask the Secretary of State for Trade and Industry when he will announce his decision on Slough Heat and Power Ltd.'s application to extend its existing combined heat and power generating station. [79386]

Mr. Battle: I have today granted consent under Section 36 of the Electricity Act 1989 to Slough Heat and Power Ltd.'s application for construction of a 11 MW extension to its existing 80 MW Combined Heat and Power station. The extension, fuelled by 80,000 tonnes of mainly processed waste paper annually, has also today been given planning permission. The decisions have been taken in accordance with the policy set out in the White Paper entitled "Conclusions of the Review of Energy Sources for Power Generation and Government response to fourth and fifth Reports of the Trade and Industry Committee" (Cm 4071).

Planning permission has also been granted after consultation with the Slough Borough Council which did not object to the application subject to 40 conditions being included.

Decisions on other applications under consideration will be announced in due course.

Copies of the Press Notice and decision letter are being placed in the Library of the House.

Droite de Suite

Mr. Fraser: To ask the Secretary of State for Trade and Industry if he will make a statement on the proposed imposition of droite de suite on the British art market and its likely impact on the work of his Department. [77372]

Dr. Howells: The Directive would cause very real difficulties to the United Kingdom, threatening earnings and jobs in the London art Market. We cannot agree to the Directive as it stands at present. As a result of the Government's previous efforts, significant improvements have been made. However, they do not go far enough and we shall be continuing to work with our EU partners on ways in which the impact of the Directive on the UK can be reduced so as to ensure that we get the best possible deal for Britain. If, and when, the Directive is adopted, the Department of Trade and Industry will be responsible for transposing it into national law, but will do so only after the widest consultation with those most affected.

PRIME MINISTER

Working Time Directive

Mr. Tyrie: To ask the Prime Minister how many civil servants in his office have been invited to waive the Working Time Directive requirement to work less than 48 hours a week on 17 consecutive weeks; how many

civil servants in his Department have refused to waive the requirement; and what is the total cost of compliance with the Directive. [76814]

The Prime Minister: I refer the hon. Member to the answer given by my hon. Friend the Parliamentary Secretary, Cabinet Office on 22 March 1999, *Official Report*, column *53*. Information in respect of my office was included in this answer.

Unscom

Mr. Llew Smith: To ask the Prime Minister, pursuant to his answer of 8 March 1999, *Official Report*, column *15*, on Unscom, if he made any contact with the United States Administration when preparing his reply; and if he sought any clarification of the allegations of United States signals intelligence operations under the cover of Unscom in Iraq, from United Kingdom nationals working for Unscom. [78156]

The Prime Minister: I refer my hon. Friend to the reply I gave to my hon. Friend the Member for Linlithgow (Mr. Dalyell) on 8 March 1999, *Official Report*, column *15*, where I set out the position with regard to these matters.

Genetically Modified Crops

Mr. Yeo: To ask the Prime Minister if he has discussed with representatives of the biotechnology industry the introduction of a voluntary three-year halt in the planting of herbicide-tolerant genetically modified crops. [77681]

The Prime Minister *[holding answer 19 March 1999]:* Government officials have been discussing with representatives of the biotechnology industry their proposals for the introduction of genetically modified crops for commercial growing by farmers once all relevant approvals have been granted. Officials have been seeking to obtain assurances from the biotechnology industry that the commercial introduction will be restrained until results from the farm scale evaluations indicate that commercial activity may take place in accordance with the concept of managed development as set out by my right hon. Friend the Minister for the Environment in his statement to the House of Lords Select Committee on EC Regulation of Genetic Modification in Agriculture on 21 October 1998.

The farm scale evaluations are to allow careful studies of the effects of larger scale cultivation of these crops on farmland wildlife, as compared to conventional crops. No specific timescale for commercial introduction has been agreed. We will move to allow cultivation only when we are satisfied that we have enough information about the environmental impacts to be able to make a sound decision.

Tax Take

Mr. Jack: To ask the Prime Minister if he will place in the Library his analysis showing that the amount of tax, in pounds, to be paid in *(a)* 1998–99, *(b)* 1999–2000, *(c)* 2000–01 and *(d)* 2001–02 will not increase as a result of the proposals put forward by the Chancellor of the Exchequer. [77996]

The Prime Minister *[holding answer 22 March 1999]:* As my right hon. Friend the Chancellor announced in his Budget statement, 9 March 1999, *Official Report*, columns 173–90, as a result of the Budget measures there will be net tax cuts to support work, enterprise and families. Further details can be found in table 1.3 of the Financial Statement and Budget Report.

Departmental Responsibilities

Mr. Baldry: To ask the Prime Minister by which Secretary of State parliamentary questions on the proposed unified Foreign and Commonwealth Office and Department of Trade and Industry trade promotion operation will be answered. [78440]

The Prime Minister: Questions may be addressed to either Secretary of State, since, as was made clear in the announcement on 12 March 1999, *Official Report*, columns 399–400, the unified FCO/DTI trade promotion and development operation will be the joint responsibility of the Secretaries of State for Foreign and Commonwealth Affairs, and for Trade and Industry.

President Suharto

Ann Clwyd: To ask the Prime Minister if he will establish an investigation into the extent of the United Kingdom assets of former President Suharto, of Indonesia, his family and close associates; and if he will freeze the United Kingdom assets of former President Suharto pending the outcome of the results of such an investigation. [78589]

The Prime Minister: Allegations into criminal conduct over which the United Kingdom has jurisdiction are a matter for the police to investigate. United Kingdom confiscation legislation does not permit the restraint of property pending the outcome of any such investigation. Restraint is only obtainable when proceedings have been or are about to be instituted against a person. The powers with respect to international requests for restraint are very similar once a country has been designated by an Order in Council. Indonesia has not, however, been designated for this purpose. It is open to any party which considers that it has a claim to property to avail itself of the normal procedures available in the civil courts.

Child Poverty

Mr. Field: To ask the Prime Minister what measures he uses to define child poverty for the purposes of forming policy. [78482]

The Prime Minister: Child poverty is complex. It is characterised by a number of related factors which can include persistent low family incomes caused by parental unemployment, as well as other factors such as low educational attainment, poor housing and poor health. What therefore matters is taking action in all these areas as we are doing to improve the life chances of all the children in Britain today.

Sudan

Mr. Gummer: To ask the Prime Minister on how many occasions he discussed with the US authorities the evidence presented by them to justify their bombing of the Sudanese factory. [78863]

The Prime Minister: It is established practice that under Section 1(c) of the Code of Practice on Access to Government Information not to disclose or discuss information received in confidence from foreign Governments.

Mr. Gummer: To ask the Prime Minister how many people were *(a)* injured and *(b)* killed as a result of the US bombing of the Sudanese factory; and if any of these were military personnel. [78862]

The Prime Minister: As I told the House on 10 March 1999, *Official Report*, columns *364–65*, the attack on Al-Shifa was retaliation for the death of more than 100 innocent people by acts of terrorism in Africa; no one was killed in it. There are no confirmed reports about injuries.

Nigeria

Mr. Vaz: To ask the Prime Minister what plans he has to visit Nigeria. [79062]

The Prime Minister: Although my plans are not yet fixed, I hope to visit Nigeria later this year.

HEALTH

Black and Ethnic Minorities

Mrs. Virginia Bottomley: To ask the Secretary of State for Health what plans he has to revise the 1993 good practice guidance on black and ethnic minorities in the NHS. [73882]

Mr. Denham: The contribution of black and ethnic minority staff to the National Health Service is invaluable. As part of our commitment to modernise the NHS, we are determined that all NHS workplaces will be free from racial harassment and discrimination. To that end, we recently launched a major programme of action by publishing *"Tackling Racial Harassment in the NHS—A Plan for Action"*. This, together with the Equalities Framework, to be published later this year, will provide tough targets and standards which all NHS employers must meet.

Capital Investment (Wakefield)

Mr. Trickett: To ask the Secretary of State for Health what is the time scale for his decision in relation to the Strategic Outline Case for additional capital investment in Wakefield district hospitals. [78719]

Mr. Denham: An announcement on the outcome of the 3rd Capital Prioritisation Exercise will be made shortly.

Pharmacists' Pay

Mr. Colvin: To ask the Secretary of State for Health if he will list the percentage increase in pharmacists' pay for 1998–99; and what was the average percentage increase of other NHS salaries. [78756]

Mr. Denham: Hospital Pharmacists on national terms and conditions of service received pay increases of 2 per cent. from 1 April 1998 rising to 3.8 per cent. from 1 December 1998. The same increases were awarded to nurses and the professions allied to Medicine and to all other non-review body staff.

Community pharmacy contractors' remuneration, was increased by 3 per cent. for 1998–99.

Hospital and community health service doctors received increases of 2 per cent. from 1 April 1998 rising to 4.2 per cent. from 1 December 1998.

National Health Service managers on the new national and residual national arrangements received no national increase in 1998 but provision was made for increases to be determined locally. Trust chairs were asked to ensure that the cost of individual pay rises for board members and senior managers were contained within an overall cash envelope of 2.7 per cent.

Anti-impotence Treatment

Mr. Ian Stewart: To ask the Secretary of State for Health what assessment he has made of the responses received to the consultation on the proposals to restrict the prescribing of anti-impotence treatments on the NHS to specific groups of men; and if he will make a statement. [78788]

Mr. Denham: We have received approximately 800 responses to the consultation which ended on 25 March 1999. No assessment of these has yet been made.

Ship Inspections

Mr. Prosser: To ask the Secretary of State for Health how many ships were found to be unhygienic as a result of inspection of ships for nuisance; and how many special notices were served under the provisions of the Public Health (Ships) Regulations 1979 in each year since 1990. [78993]

Ms Jowell: I refer my hon. Friend to the reply I gave him on 10 March 1999, *Official Report*, columns *245–46*.

Greenwich Millennium Celebrations

Mr. Austin: To ask the Secretary of State for Health what assessment he has made of the additional demands upon health services in Greenwich and Lewisham arising from the millennium celebrations; and what additional resources have been made available to the relevant health authorities to meet this demand. [79313]

Mr. Denham: The National Health Service Executive's London regional office is assessing the mechanisms needed to ensure the NHS and partner organisations are well placed to manage the Millennium.

Resources will be given to any affected Health Authorities to cover the cost of additional inpatients admitted to local hospitals from other areas.

Mr. Austin: To ask the Secretary of State for Health what discussions he has had with *(a)* Bexley and Greenwich Health Authority and *(b)* Greenwich Healthcare NHS Trust regarding the millennium celebrations; and if he will make a statement. [79312]

Mr. Denham: The National Health Service Executive's London regional office is in close and regular contact with local health authorities and NHS trusts, as well as local organisations and stakeholders, on the subject of the millennium celebrations, and will ensure local plans are robust.

Mr. Austin: To ask the Secretary of State for Health what assessment he has made of the additional demands upon the London Ambulance Service arising from the millennium celebrations; and what additional resources have been made available to the service for this purpose. [79314]

Mr. Denham: The London Ambulance Service is forecasting a 12 per cent. increase in workload in December 1999 and January 2000 over the corresponding months this winter. It is difficult to forecast demand for the night of 31 December/1 January as it is not yet entirely clear what major events will be taking place.

The London Ambulance Service has drawn up proposals to maintain and improve its response to emergencies over the next 12 months, including the Millennium celebrations and is in discussion with health authorities and London regional office of the National Health Service Executive on the implementation and funding of those measures necessary to achieve this.

Human Vaccines

Mr. Baker: To ask the Secretary of State for Health what decisions were taken on the basis of information obtained from the investigations into BSE *(a)* to discontinue use of human vaccines and *(b)* to destroy stocks of human vaccines. [78801]

Ms Jowell: I refer the hon. Member to the reply I gave to his three questions on 25 March 1999, *Official Report*, column *378*.

Cancer

Mr. Brady: To ask the Secretary of State for Health (1) when he proposes to *(a)* designate and *(b)* accredit a cancer centre for the North West of England as recommended by the Calman-Hine report; [79238]

(2) if he will list his criteria for *(a)* designating and *(b)* accrediting regional cancer centres; [79237]

(3) on what dates the regional cancer centres for each region of England and Wales were accredited; [79235]

(4) what factors underlie the length of time taken to accredit a regional cancer centre for the North West of England. [79236]

Mr. Denham: There are no rigid criteria for the designation and accreditation of cancer centres. Flexibility in the early stages of implementation of Calman/Hine reflected regions' different starting points and allowed for approaches to the designation and accreditation process to fit local circumstances. In the North West, accreditation is carried out by external clinical audit and quality control of clinical services. This process will be developed and implemented for cancer centres in the North West in 2000–01.

As part of our work to bring Calman/Hine into line with the national service framework model, we are developing a set of common national standards and performance measures against the new performance framework which will apply across the country. These will be supplemented by a new set of milestones against which progress in implementing Calman/Hine and achieving national targets can be measured.

Food Standards Agency

Mrs. May: To ask the Secretary of State for Health how many posts will be deleted from establishment in his Department as a result of the establishment of the Food Standards Agency. [79031]

Ms Jowell: There are 76 people in the Joint Food Safety and Standards Group in the Department. These posts will transfer to the Food Standards Agency when it is established.

EDUCATION AND EMPLOYMENT

Education Action Forums

Mrs. May: To ask the Secretary of State for Education and Employment if he will set out the legal status of each education action forum; and if that legal status entitles each forum to be exempt from the payment of VAT. [79032]

Ms Estelle Morris: The Action Forum has the legal status of a corporate body. The forum also has exempt charitable status, and all forum members are trustees. The forum is not exempt from the payment of VAT.

Education Action Zones

Mrs. May: To ask the Secretary of State for Education and Employment if he will set out the procedures by which his Department monitors the receipt of payments in *(a)* cash and *(b)* kind from businesses to education action zones. [79034]

Ms Estelle Morris: The Department monitors the receipt of business contributions by education action zones through the financial returns which zones make. A summary of these contributions will be available as part of the audited accounts for each zone for the financial year 1998–99.

Mrs. May: To ask the Secretary of State for Education and Employment if Ofsted will be given responsibility for inspecting education action zones. [79033]

Ms Estelle Morris: Yes.

Education Services

Mrs. May: To ask the Secretary of State for Education and Employment (1) if he will list the organisations on the short-list of bodies considered suitable to take over the services of local education authorities and the bodies on the short-list for offering consultancy services; [79022]

(2) if he will list the criteria used to determine the suitability of organisations to be on the short-list of bodies to take over the services of local education authorities or to offer consultancy services; [79023]

(3) what is the basis for his decision not to include the Local Government Association in the list of bodies suitable to take over the services, or offer consultancy to, local education authorities. [79024]

Ms Estelle Morris: As I stated in my reply of 22 February 1999, *Official Report*, column *18*, 98 expressions of interest were received for consultancy work and 107 for the delivery of LEA functions. We are currently conducting negotiations and seeking further

information from a number of selected organisations. It is normal commercial practice not to divulge the names of such organisations, as to do so could jeopardise the chances of a fair competition. DfEE officials have written to the LGA, setting out the reasons why they were not successful at the first stage. We hope to announce in April the lists of those organisations which we intend to use to provide consultancy services or to act as function providers. The criteria on which our selection is based are as follows:

Strand 1—improvement action plans.

Evidence provided by the applicant to demonstrate their track record of working with service providers in order to improve service delivery performance.

The evidence should demonstrate a track record of work involving

identifying and prioritising tasks and objectives;

analysing roles and functions within organisations;

development and assessment of the suitability of options and alternative methods of delivery;

detailed implementation and monitoring/management of action plans.

Strand 2—specification preparation and related work

Evidence demonstrating work that requires a proven track record of understanding the type and nature of services provided by LEAs.

Evidence demonstrating that the applicant has prepared service related tender/contract specifications.

Evidence demonstrating the applicant's understanding of the methodology and processes involved in specification preparation.

The quality and nature of the reference sites that the applicant has named for what they consider to be relevant work.

Strand 3—contract and project management

Evidence demonstrating a track record in handling complex contract and project management arrangements.

Evidence demonstrating that they have successfully taken over the management of complex or sensitive contracts or projects at short notice.

Strand 4—financial costings

Evidence demonstrating that the applicant has a track record of establishing base-line service delivery costs.

Evidence demonstrating a track record of undertaking effective efficiency reviews.

Function Providers.

For each strand, applicants were considered on the basis of the evidence they presented on

Their track record of providing services related to that strand or comparable services;

How their experience made them a suitable candidate for an approved list of suppliers for that function strand;

How they intended to develop the specific capabilities required for that function strand.

A range of more specific evidence was considered for each function strand, and I will write to the hon. Member setting these out.

Education Funding Delegations

Mrs. May: To ask the Secretary of State for Education and Employment how many requests have been received by his Department for hon. Members to bring a delegation to meet a Minister to discuss education funding *(a)* in the past year and *(b)* in the last three months; and how many of those requests have been refused. [79030]

Mr. Mudie: This information is not recorded and could be obtained only at disproportionate cost, but Local Education Authorities have been provided with an average 5.5 per cent. increase in funding for education for the coming year, compared with a 2.4 per cent. increase in inflation and a teachers' pay increase of 3.5 per cent.

Special Schools

Mrs. May: To ask the Secretary of State for Education and Employment what assessment he has made of whether any special schools will close following his Department's programme for action on special educational needs; and if he will make a statement. [79026]

Mr. Charles Clarke: I refer the hon. Member to the reply given to the hon. Member for Colchester (Mr. Russell) on 11 March 1999, *Official Report*, column *314*.

Statutory Instruments

Mrs. May: To ask the Secretary of State for Education and Employment on what date he made the decision to lay *(a)* S.I., 1999 No. 447 and *(b)* S.I., 1999 No. 606 before the House. [79028]

Ms Estelle Morris: Statutory Instrument 1999 No. 447 relating to the Education (Grants for Education Support and Training) (England) Regulations 1998 (Amendment No. 2) Regulations 1999 were laid before Parliament on 26 February 1999. S.I. 1999 No. 606 relating to The Education (Education Standards Etc. Grants) (England) Regulations 1999 were laid on 9 March 1999.

Work Permit Applications

Mr. Clappison: To ask the Secretary of State for Education and Employment what is the current average waiting time for an application to the Immigration and Nationality Department for a work permit; and what was the average waiting time in each of the previous three years for which figures are recorded. [78661]

Ms Hodge: Applications for work permits are made to the Department for Education and Employment's Overseas Labour Service. Records are kept on the proportion of applications cleared within four and eight weeks:

	1998–99 (estimated)	*1997–98*	*1996–97*
Proportion cleared within four weeks	70	66	73
Proportion cleared within eight weeks	93	91	95
Numbers cleared	73,000	62,258	53,718

FOREIGN AND COMMONWEALTH AFFAIRS

Select Committee Reports

Mr. Wilshire: To ask the Secretary of State for Foreign and Commonwealth Affairs on (1) what date *(a)* he and *(b)* his Department received the leaked copy of the Foreign Affairs Committee First report of Session 1998–99 on Foreign Policy and Human Rights (HC100); and by what method it was received; [77760]

(2) what date *(a)* he and *(b)* his Department received the leaked copy of the Foreign Affairs Committee Third report of Session in 1998–99 on European Union Enlargement (HC 86); and by what method it was received. [77835]

Mr. Robin Cook: I refer to my earlier answer to the hon. Member on 4 March 1999, *Official Report*, column *876*.

Overseas Commercial Posts

Mr. Baldry: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library a list of overseas commercial posts for United Kingdom-based staff, showing in each case the current grading and indicating for each grade the proportion commercial posts represent of all overseas posts at their grade. [78442]

Mr. Fatchett: I am placing in the Library a list of UK-based overseas jobs with more than 50 per cent. Commercial content. The proportion commercial work represents of the work of all frontline staff overseas at these grades is as follows:

	Percentage
SMS	13.9
DS5	18.9
DS6	46.5
DS7	31.0
DS9	7.3

Frontline work excludes time spent on management or support functions.

Conventional Armed Forces in Europe Treaty

Mr. Colvin: To ask the Secretary of State for Foreign and Commonwealth Affairs what proposals he has tabled for revising the 1990 conventional armed forces in Europe treaty; and when he next expects to discuss them with *(a)* the UK's NATO allies, *(b)* former Soviet bloc countries and *(c)* other European countries. [78748]

Mr. Tony Lloyd: The UK contributed to NATO's comprehensive proposals for adapting the CFE Treaty which were tabled at the negotiations in Vienna during 1998. These proposals, along with ideas from other Treaty parties, are being discussed in Vienna by officials from all 30 States Parties to the Treaty, with a view to signature of an adapted Treaty at the OSCE Summit in November 1999. Other OSCE states are briefed regularly on progress in the talks.

Diplomatic Notes

Mr. Swayne: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about *(a)* his policy with respect to issuing diplomatic notes to foreign Governments and *(b)* his policy in respect of the failure of a foreign Government to respond to such a note. [78749]

Mr. Fatchett: British Embassies and High Commissions use diplomatic notes as a customary vehicle for written communication with Ministries of Foreign Affairs in accordance with accepted diplomatic practice.

There is no set policy if a foreign Government fail to respond to a diplomatic note. They are under no formal obligation to reply. If they choose not to, we would consider what action to take in the light of the circumstances of the case.

Egypt (Abductions)

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs what *(a)* reports he has received and *(b)* representations he has made concerning the abduction of Suhir Shihata Gouda in Egypt. [79309]

Mr. Fatchett: We have recently received reports about Suhir Shihata Gouda from international NGOs. Our Embassy in Cairo is making inquiries into the background.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Egyptian authorities about the abduction of Christian women in Egypt. [79310]

Mr. Fatchett: We regularly make representations to the Egyptian authorities when we receive reports of human rights abuses against anyone, regardless of gender or religion. This includes reports of abductions.

Overseas Trade Services

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 18 March 1999, *Official Report*, column *765*, on overseas trade services, if he will place in the Library the relevant accounts for the overseas trade services income for 1997–98. [79311]

Mr. Fatchett: Details of overseas trade service income and expenditure for 1997–98 are contained in the 1999 Foreign Commonwealth Office Departmental Report which will be issued on 31 March 1999; copies will be placed in the Library.

HOUSE OF COMMONS

Refreshment Department

Ann Clwyd: To ask the Chairman of the Catering Committee if he will make a statement on the effect on services for members and staff of the Refreshment Department's modernisation programme. [77415]

Mr. Dennis Turner: I refer my hon. Friend to the written answer I gave on 15 February 1999 to my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody), *Official Report*, columns *421–22*, and to my letter of 4 March which was sent to all hon. Members. In my letter, I set out in detail the catering facilities which will, and those which will not, be available to hon. Members and staff during Phase F of the Refreshment Department modernisation programme.

Retirements

Mr. Mackinlay: To ask the President of the Council if she will discuss with the House of Commons Commission, the Commissioner of Police of the

Metropolis and officers of the House means by which hon. Members can be informed of prospective retirements and departures of long-serving staff. [77411]

Mrs. Beckett: I have asked the Serjeant at Arms to write to my hon. Friend about this matter.

PRESIDENT OF THE COUNCIL

Departmental Staff (Ethnic Origin)

Mr. Vaz: To ask the President of the Council if she will provide a breakdown, in numerical and percentage terms, of the ethnic origin, at 1 March, of *(a)* her private office, *(b)* Government special advisers and *(c)* her Policy Unit. [78509]

Mrs. Beckett: On 1 March 1999 there were six staff in my Private Office, none of whom was of ethnic minority origin. As regards Special Advisers, I would refer my hon. Friend to answer given to my hon. Friend the Member for Brent, East (Mr. Livingstone) by my right hon. Friend the Prime Minister on 22 February 1999, *Official Report*, column *39*.

Millennium Compliance

Mr. Maclean: To ask the President of the Council what assessment she has made of the 9.9.99 computer bug in formulating Government policy on the millennium bug. [77545]

Mrs. Beckett: I refer the right hon. Member to the answer I gave the hon. Member for Vale of York (Miss McIntosh) on 22 March 1999, *Official Report*, column *7*.

AGRICULTURE, FISHERIES AND FOOD

Genetically Modified Crops

Mr. Steinberg: To ask the Minister of Agriculture, Fisheries and Food what safeguards the Government plans to impose to guard against cross-pollination with non-genetically modified plants when genetically modified foods are planted commercially. [75138]

Mr. Rooker: The issue of cross-pollination is considered by the Advisory Committee on Releases to the Environment (ACRE) when examining each application for release of genetically modified (GM) crops. Appropriate conditions (e.g. separation distances) may be included in a consent, but a consent would not be granted if ACRE considered the risks associated with cross-pollination to be unacceptable. In addition the Government have encouraged the development of industry guidelines which will set out best practice for growing GM crops, and these guidelines will include minimum separation distances between GM and non-GM crops.

Pig Industry

Mr. Sawford: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the financial impact on the British pig industry of the new stall and tether regulations. [75844]

Mr. Rooker: The legislation to ban sow stalls and tethers was introduced in 1991 and allowed the industry an eight year phase-out period. The Government estimate made at that time was that the total compliance cost to industry would be in the region of £9 million taking account of the phase-out period and that many systems would in any case need to be replaced for other reasons.

Farmers (Early Retirement)

Mr. Letwin: To ask the Minister of Agriculture, Fisheries and Food what plans he has to adopt an early retirement scheme for farmers; and if he will make a statement. [78023]

Mr. Rooker *[holding answer 22 March 1999]:* Support for early retirement is one of the measures provided for in the Rural Development Regulation, recently agreed by the Agriculture Council as part of the CAP reform negotiations. Detailed implementing rules still need to be agreed. No decision has yet been made on which of the measures in the Regulation will be implemented in the UK. We are currently evaluating the views expressed by farmers and other interested parties as a result of the consultation exercise launched in January. Now that the Regulation has been agreed, we will be putting forward more detailed proposals for consultation, taking account of the funds available.

Genetically Modified Animal Feed

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food if it is his Department's policy that products derived from animals which eat genetically modified animal feed are safe for human consumption. [78722]

Mr. Rooker: Yes. The Advisory Committee on Novel Food and Processes considers the human food safety implications of animals fed genetically modified material to ensure this.

Farming

Mr. MacShane: To ask the Minister of Agriculture, Fisheries and Food what steps he is taking to encourage rotation of planting by *(a)* species of crops and *(b)* area of UK farms. [78540]

Mr. Rooker: It is for farmers to decide how best to manage their crop rotations to achieve profitability and meet customer requirements. The Government's role is to provide an appropriate policy framework, which is why it has pressed for CAP reforms aimed at reducing the distortions caused by production-linked subsidies. The Government also aid conversion to organic farming, which relies on crop rotations to maintain soil fertility.

Mr. MacShane: To ask the Minister of Agriculture, Fisheries and Food what percentage of food-producing land in England is devoted to monoculture. [78541]

Mr. Rooker: The information is not available in the form requested. Information on agricultural land use can be found in "Agriculture in the United Kingdom 1998" which was published on 16 March 1999 and a copy placed in the Library of the House.

Genetically Modified Food Substances

Mr. Loughton: To ask the Minister of Agriculture, Fisheries and Food if he will provide a list of food substances available in the UK containing genetically modified contents. [78783]

Mr. Rooker *[holding answer 26 March 1999]:* All genetically modified foods on sale in the UK have been approved following a rigorous safety assessment. The Government do not keep details of the use of ingredients in individual food products. However, wherever GM ingredients from GM soya or maize are present in foods, this must be declared in accordance with the requirements of EC Regulation 1139/98 and the Food Labelling (Amendments) Regulations 1999. The only other GM product currently on the market, tomato paste, has been clearly labelled by the manufacturer on a voluntary basis since its launch in 1996.

EU Duties and Subsidies

Mr. Laurence Robertson: To ask the Minister of Agriculture, Fisheries and Food what import duties are applied by the European Union to *(a)* dairy products and *(b)* meat products from each country of supply; and what subsidies are given on the same goods exported from the EU. [78942]

Mr. Rooker *[holding answer 26 March 1999]:* Figures for the annual import duties applied by the European Union to meat and dairy products are published in the *Official Journal of the European Communities*, L 292, Volume 41, 30 October 1998, entitled: "Commission Regulation (EC) number 2261/98 of 26 October 1998" amending Annex 1 to Council Regulation (EEC) No. 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff.

Additional import duties may be applied on entry to the European Union when certain poultrymeat products are imported at very low prices that may disrupt the internal market. Commission Regulation No 1484/95 implements the system for applying additional duties in the poultrymeat sector, which is published in the *Official Journal of the European Communities* L 145, 29 June 1995. In order to implement the WTO Brazil/EU Disputes Panel ruling this was amended by Commission Regulation No 623/1999 introducing a new system for calculation which took effect on 25 March 1999. Some imports of beef and veal are allowed into the Community under certain limited concessionary import schemes, but these concessions are limited to a quantity of beef that amounts to 5 per cent. of total community production.

Export refunds for certain dairy products are published in Commission Regulation (EC) No 532/1999 of 11 March 1999, fixing the export refunds on milk and milk products which can be found in the *Official Journal of the European Communities*, L 63, 12 March 1999. Export refunds for certain pigmeat products are published in Commission Regulation (EC) No 332/1999 of 12 February 1999, which can be found in *Official Journal of the European Communities*, L 40, 13 February 1999. The latest rates of export refunds for beef and veal were published on 16 March 1999 and can be found in Commission Regulation 565/1999, which can be found in *Official Journal of the European Communities*, L 70 of 17 March 1999. Export refunds for certain poultrymeat products are published in Commission Regulation (EC) No 395/1999 of 23 February 1999, which can be found in *Official Journal of the European Communities*, L 48, 24 February 1999. This reflects the remaining refund availability since quota volumes for other products under WTO rules have been exhausted for the year July 1998–99.

Copies can be found in the House Library.

WALES

NHS Staff (Bridgend)

Mr. Swayne: To ask the Secretary of State for Wales how many doctors were employed by Bridgend and District NHS Trust on 30 September 1996. [78006]

Mr. Jon Owen Jones: There were 173 doctors (153.7 whole-time equivalent) employed by Bridgend and District NHS Trust as at 30 September 1996.

Following the transfer of functions, this issue will be a matter for the National Assembly.

Mr. Swayne: To ask the Secretary of State for Wales how many *(a)* nurses and *(b)* mental care nurses were employed by Bridgend and District NHS Trust on (i) 30 September 1996 and (ii) 30 September 1997. [78005]

Mr. Jon Owen Jones: Information on nurses employed by Bridgend and District NHS Trust is shown in the following table.

	30 September 1996		*30 September 1997*	
	Number	*Whole time equivalent*	*Number*	*Whole time equivalent*
Nurses	1,575	1,355	1,591	1,357
Mental care nurses	663	630	657	621

Staff employed in the nursing, midwifery and health visiting staff group.

Staff employed in the community psychiatry, other psychiatry, community learning disabilities and other learning disabilities services.

Following the transfer of functions, this issue will be a matter for the National Assembly.

Social Inclusion Programme

Mr. Livsey: To ask the Secretary of State for Wales if he will publish a detailed breakdown of Welsh budget provision for *(a)* 1999–2000, *(b)* 2000–01 and *(c)* 2001–02 under the Social Inclusion Programme. [78771]

Mr. Michael: I announced allocations for a dedicated Social Inclusion Programme in December 1998. The amounts are set out:

	£ million
1999–2000	8.0
2000–01	10.0
2001–02	30.0

There are many other budgets across the range of Welsh Office programmes that also contribute to the objective of fostering social Inclusion.

Following the transfer of functions, this issue will be a matter for the National Assembly for Wales.

LORD CHANCELLOR'S DEPARTMENT

Legal Aid

Mr. Mitchell: To ask the Minister of State, Lord Chancellor's Department what is the total amount of charges on matrimonial properties held by the Legal Aid Board. [78519]

Mr. Hoon: The precise impact of the statutory charge can be identified only when all moneys due by way of costs and contributions have been collected into the Fund. The total principal quantified as subject to the statutory charge on property was £196.2 million at the end of March 1998. This amount relates mainly, but not exclusively, to properties which are subject to the charge as a result of matrimonial proceedings. The amount therefore does include statutory charges on property arising out of non-matrimonial proceedings. It is not possible to provide a breakdown between outstanding matrimonial and non-matrimonial charges.

There was £32.8 million accrued interest for outstanding statutory charges on property as at 31 March 1998.

Mr. Mitchell: To ask the Minister of State, Lord Chancellor's Department what was the net cost of matrimonial legal aid for each of the past five years. [78518]

Mr. Hoon: The net cost of matrimonial legal aid, for each of the past five years was as follows:

Year	*£*
1993–94	266,725,000
1994–95	296,624,000
1995–96	324,862,000
1996–97	345,668,000
1997–98	343,287,000

Conditional Fee Insurance

Mr. Mitchell: To ask the Minister of State, Lord Chancellor's Department what discussions he has had with insurers about the development of the insurance market for conditional fee insurance; and how he proposes to regulate the market. [78520]

Mr. Hoon: My officials and I are in regular contact with the insurance industry on the development of all aspects of legal insurance. Responsibility for the regulation of the insurance market rests with Her Majesty's Treasury. The provision of legal expenses insurance is subject to statutory and self regulation. Insurance companies trading in the United Kingdom have to be authorised in accordance with the Insurance Companies Act 1982. In addition, most companies agree voluntarily to abide by the industry statements and codes of practice of the Association of British Insurers.

Departmental Staff (Ethnic Origin)

Mr. Vaz: To ask the Minister of State, Lord Chancellor's Department if he will provide a breakdown, in numerical and percentage terms, of the ethnic origin, at 1 March, of *(a)* his private office, *(b)* Government special advisers, *(c)* his Policy Unit and *(d)* staff in total. [78502]

Mr. Hoon: Information relating to ethnicity in the Lord Chancellor's Department is not usually given where numbers are small enough to enable identification of individuals. This practice complies with an agreement between the Trade Unions and the Department, and assurances given to staff when they are asked to provide the information. However, as the special adviser to the Lord Chancellor and all staff in my private office (irrespective of ethnic origin) have consented to provision of this information, and the Trade Unions have consented to publication, the information requested at *(a)* and *(b)* is set out in the table.

The Lord Chancellor's Department does not have a "Policy Unit" as referred to at *(c)*.

The Minister for the Cabinet Office will provide the information requested at *(d)* for all departments.

Ethnic Origin	*Number*	*Percentage*
(a) Minister of State's Private Office		
White	3	50.00
Black—of Caribbean origin	1	16.67
Asian—of Indian origin	1	16.67
Asian—of Bangladeshi origin	1	16.67
Response rate		100.00
(b) Government special advisers		
White	1	100.00
Response rate		100.00

Immigration Adjudicators

Mr. Clappison: To ask the Minister of State, Lord Chancellor's Department how many appeals were made to the Immigration Appeal Tribunal against decisions of an immigration adjudicator in cases in which he has made a decision to deport in the last year for which figures are available. [78616]

Mr. Hoon: This information is not collected and could be provided only at disproportionate cost.

Mr. Clappison: To ask the Minister of State, Lord Chancellor's Department how many adjudications are required to deal with appeals against entry clearance refusals; and what estimate he has made of the number needed in each of the next five years. [78690]

Mr. Hoon: The information provided is based on the assumption that it is the number of adjudicators, and not adjudications, that is required. There are 50 full-time and 200 part-time adjudicators and approximately 17 per cent. of their time, equivalent to 2,500 sitting days per year, is spent on appeals against decisions by entry clearance officers. Current plans for the next three years assume that 1,750 days will be necessary per year, rising to 2,250 when the provisions of the Immigration and Asylum Bill for appeals against refusals of visas for family visits, if approved by Parliament are implemented. No forecasts have been made beyond the next three years.

Mr. Clappison: To ask the Minister of State, Lord Chancellor's Department what is the average waiting time for an adjudicator to determine an appeal against refusal to *(a)* vary and *(b)* extend leave to remain. [78624]

Mr. Hoon: Data of this nature in the categories requested is not retained by the Immigration Appellate Authority (IAA). The Immigration Appellate Authority are able to list appeals before adjudicators within approximately 6–8 weeks. Decisions are then typed and sent out. On average this takes 5 weeks.

Mr. Clappison: To ask the Minister of State, Lord Chancellor's Department in how many of the asylum appeals remitted by the Immigration Appeal Tribunal to the special adjudicator the appeal was allowed by the special adjudicator in each of the last five years. [78675]

Mr. Hoon: This information is not collected and could be provided only at disproportionate cost.

Mr. Clappison: To ask the Minister of State, Lord Chancellor's Department what is the average time for a special adjudicator to determine an asylum case remitted to him from the immigration tribunal from the time the case is remitted in the last year for which figures are available. [78678]

Mr. Hoon: The Immigration Appellate Authority are currently able (as at 24 March 1999) to list appeals heard by the Tribunal (both asylum and non asylum) but remitted back to an adjudicator, for hearing within approximately 6–8 weeks. Decisions are then typed and sent out. On average this takes 5 weeks.

Mr. Clappison: To ask the Minister of State, Lord Chancellor's Department what was the average waiting time for *(a)* a decision on leave to appeal and *(b)* the determination of the appeal itself in the case of appeals against refusals to vary or extend leave to remain from an adjudicator to the Immigration Appeal Tribunal in each of the last five years for which figures are available. [78644]

Mr. Hoon: Specific data in the form requested are not retained by the Immigration Appellate Authority.

Immigration Appeal Tribunal

Mr. Clappison: To ask the Minister of State, Lord Chancellor's Department what proportion of *(a)* the legally qualified members and *(b)* the lay members of the Immigration Appeal Tribunal are from an ethnic minority. [78647]

Mr. Hoon: To enable the Lord Chancellor to monitor the effectiveness of policies designed to attract more members of the ethnic community to apply for judicial appointment, candidates are requested to indicate their ethnic origin on their application. This is a recent introduction to the appointment process and candidates are not compelled to answer. Therefore, full and detailed records are not available. However, from records that are available I can indicate that the ethnic origin of the members of the Immigration Appeal Tribunal is as follows:

Of the 25 part-time legal members 11 are White, one is Asian, one is Other and the remaining 12 are unknown;

Of the 5 full-time members 4 are White and one is Asian; and

Of the 26 lay members no breakdown of ethnic origin is available.

CULTURE, MEDIA AND SPORT

Museums and Galleries

9. **Mr. Day:** To ask the Secretary of State for Culture, Media and Sport what plans he has to encourage free admissions to local museums and galleries. [77377]

Mr. Alan Howarth: The revenue funding of local museums is outside the remit of my Department and is a matter for the governing bodies of those museums. However, museums which are registered with the Museums and Galleries Commission can apply to the £7 million HLF Access Fund. Also, for the first time, my Department is spreading its financial support to museums beyond those which it directly funds by means of a £15 million challenge fund for Designated Museums, the majority of which are outside London. By these means we are seeking to raise standards for, and access to, pre-eminent non-national collections.

28. **Dr. Starkey:** To ask the Secretary of State for Culture, Media and Sport what assessment he has made of the impact on museum attendance of introducing free entry for children. [77397]

Mr. Chris Smith: It is too early to give a precise indication of the impact of introducing free entry for children which I launched for museums funded by my Department at the Natural History Museum this morning.

However, the experience of the Museum of Science and Industry in Manchester, which introduced free access for children at the end of January (at the same time as a major temporary exhibition about dinosaurs), is that child admissions have risen by over 80 per cent.

Millennium Fund (Social Exclusion)

10. **Ann Clwyd:** To ask the Secretary of State for Culture, Media and Sport if he will make a statement on the contribution which the millennium fund will make to tackling social exclusion. [77378]

Mr. Chris Smith: The Government are committed to ensuring that the Millennium celebrations are truly inclusive, involving people from every part of the country and all sections of society. As well as promoting economic regeneration, many Millennium Commission projects are specifically designed to strengthen and empower individuals and communities, and to foster access to recreational and learning opportunities in areas where this has previously been limited.

Digital Television

11. **Ms Keeble:** To ask the Secretary of State for Culture, Media and Sport if he will make a statement on the role of public service broadcasting in delivering digital services. [77379]

Janet Anderson: Digital broadcasting can offer better quality reception and a greater range of services, including interactive services. The Government are determined that these benefits should be available to as many people as possible. Public service broadcasting will have a continuing role to play in ensuring that there are a broad range of high quality services available to listeners and viewers at reasonable cost.

International Olympic Committee

12. **Mr. Stringer:** To ask the Secretary of State for Culture, Media and Sport what assessment he has made of the effect of the internal changes within the International Olympic Committee on a future British bid to host the Olympic games. [77380]

Mr. Banks: I welcome the recent reforms of the International Olympic Committee so far as they go, and I am sure they will help to restore some confidence in the Olympic Movement. Certainly, this Government will not be supporting a British bid for the Games until we are entirely satisfied that the host city selection process is accountable, open and transparent for all future Olympic bids.

Broadcasting (Wales)

13. **Mr. Gareth Thomas:** To ask the Secretary of State for Culture, Media and Sport if he will make a statement on the future of broadcasting in Wales following the establishment of the National Assembly. [77381]

Janet Anderson: The Government understand that the Welsh Assembly has a legitimate interest in broadcasting in Wales. Broadcasters help to define our national cultures in all parts of the United Kingdom and the Welsh Assembly will have much to contribute to the debate on broadcasting matters. Those based in and serving Wales will continue to benefit from the Government's commitment to regulation with the lightest possible touch. Our aim is to ensure that all viewers are offered a choice of high quality programmes which cater for all interests and all sections of the community.

Schools (Music)

14. **Mr. White:** To ask the Secretary of State for Culture, Media and Sport what steps he is taking to encourage increased musical activity in schools. [77382]

Mr. Chris Smith: I announced last summer the creation of a new independent youth music trust with £30 million ACE Lottery funding over 3 years to work to enable greater access to music making for young people. Under its new name, the National Foundation for Youth Music will go live on 12 April. This initiative, together with the Standards Fund measures announced in January this year will provide a total investment of £180 million for the improvement of music making opportunities for young people, in schools and outside.

Works of Art (Exports)

15. **Mr. Syms:** To ask the Secretary of State for Culture, Media and Sport what plans he has to review the rules governing the export of works of art. [77383]

Mr. Alan Howarth: I have no plans for a review of the export system generally.

Sport (Disabled People)

16. **Ms Jenny Jones:** To ask the Secretary of State for Culture, Media and Sport in what ways he is supporting sport for disabled people; and if he will make a statement. [77384]

Mr. Banks: We are working closely with the Sports Councils to change the culture and structure of sport to ensure that all sports providers offer a wide range of opportunities to people with disabilities.

People with disabilities must be able to choose when and how they wish to participate, and opportunities should be provided for people with disabilities to be consulted, represented and employed at all levels of sport. Following a National Disability Sport conference in 1997 it was agreed to move towards the establishment of a single agency in England. The English Federation for Disability Sport will act as a first stop shop providing information and advice at regional and national level.

Libraries

17. **Mr. Clapham:** To ask the Secretary of State for Culture, Media and Sport what plans he has to enhance Britain's library service. [77385]

Mr. Chris Smith: We are making available £70 million through the New Opportunities Fund to create content for the Public Libraries IT network and train library staff in ICT skills, and we have just announced a further £200 million, again through the New Opportunities Fund, to support the development of the network infrastructure. Libraries also potentially stand to benefit from a range of other educational programmes including the £470 million set aside for the development of learning centres under the Capital Modernisation Fund.

Tourism (Manchester)

18. **Mr. Chaytor:** To ask the Secretary of State for Culture, Media and Sport what plans he has to encourage tourism in the Greater Manchester area to coincide with the Commonwealth games in 2002. [77386]

Mr. Chris Smith: As the Government's new tourism strategy, "Tomorrow's Tourism", states, we are committed to bringing major international sporting events to this country. Euro 96 demonstrated the boost which can be given to tourism by such events. The 2002 Commonwealth Games will put Manchester and the North West on the map and will provide a great shop window for the facilities and attractions that the area has to offer the domestic and overseas visitor. Manchester City Council and other nearby local authorities are already working with the North West Tourist Board and the English Sports Council to maximise the tourism potential of these Games.

Scarborough and Whitby

19. **Mr. Quinn:** To ask the Secretary of State for Culture, Media and Sport how the tourism strategy will help Scarborough and Whitby to develop affordable family holidays. [77387]

Janet Anderson: As our new tourism strategy, "Tomorrow's Tourism", says, the future of our seaside resorts depends on all those involved in both private and public sectors working together to develop the sort of products now needed, with the quality and value for money which visitors expect. The strategy suggests an eight stage regeneration plan for resorts and also identifies further action which should help increase access to tourism for those with low incomes, for families, elderly people and people with disabilities.

NESTA

21. **Dr. Gibson:** To ask the Secretary of State for Culture, Media and Sport by what means he will monitor the scientific value of investment through the National Endowment for Science, Technology and the Arts. [77389]

Mr. Chris Smith: The National Endowment for Science, Technology and the Arts has just finished consulting on how it intends to operate.

Means of monitoring is one of the issues that has still to be decided. As an independent body I expect NESTA to be responsible for monitoring the value of all of its investments covering science, technology and the arts. I will also expect them to report back to me with their findings.

Departmental Visual Identity

22. **Mr. Swayne:** To ask the Secretary of State for Culture, Media and Sport if he will make a statement about the objectives in developing his Department's visual identity. [77390]

Mr. Chris Smith: The Department's new visual identity was designed to:

improve the Department's communications systems;

achieve better value for money in design and print purchasing; and;

produce a new logo and new design guidelines for use by suppliers and staff within the Department.

World Heritage Sites

23. **Mr. Dalyell:** To ask the Secretary of State for Culture, Media and Sport if he will make a statement on his policy on protecting world heritage sites from damage. [77391]

Mr. Alan Howarth: World Heritage Sites are protected by a range of statutory controls. Prior consent is required for works to listed buildings and scheduled monuments, and for natural sites environmental agencies must be consulted on development proposals. Government planning guidance identifies World Heritage Sites and their settings as a key material consideration in the planning process. Management Plans also ensure a rigorous and co-ordinated approach to the protection of such sites.

Museums (Merseyside)

24. **Mr. Watts:** To ask the Secretary of State for Culture, Media and Sport what assessment he has made of the impact of the introduction of a single pass for entry to all the national museums on Merseyside on attendance levels. [77392]

Mr. Alan Howarth: In the first year of the introduction of the Eight Pass (July 1997-June 1998), the National Museums and Galleries on Merseyside's annual season ticket, we estimate that there was a drop of about 27 per cent. of visits compared to the previous twelve months. However in the eleven months to the end of February 1999 there is evidence that this trend is being reversed. To enable NMGM to provide better access to its collections, we are providing it with additional funding so that the price of the Eight Pass can be pegged at its current level, and from 27 March admission to NMGM for school age children became free. NMGM also intends that there will be free admission for pensioners in April 2000.

Quest

25. **Mrs. Mahon:** To ask the Secretary of State for Culture, Media and Sport if he will set out the first-year programme for the agency Quest. [77394]

Mr. Chris Smith: Quest will undertake up to six major studies a year. Although the first year's programme will be finalised only once the director and advisory board are appointed, I expect it to include a review of targets and indicators used within Funding Agreements, and a review of administrative structures within national bodies in DCMS areas including the Sports Governing Bodies.

National Lottery (Yorkshire and Humberside)

26. **Mr. Illsley:** To ask the Secretary of State for Culture, Media and Sport what steps he is taking to encourage the full use of national lottery money allocated this year for sporting and cultural activities in Yorkshire and Humberside. [77395]

Mr. Banks: Although National Lottery money is not allocated specifically on a regional basis, we want all regions of the country, including Yorkshire and Humberside, to receive their fair share of funds. Measures in the National Lottery Act 1998 and recent changes in Policy Directions to the distributors will help to achieve this. The investigation which the English Sports Council, the Arts Council of England, the Heritage Lottery Fund, the National Lottery Charities Board, the Millennium Commission and the New Opportunities Fund are undertaking into the reasons for the low take-up of funds in coalfield areas will also help to ensure that people in Yorkshire and Humberside benefit as much as possible from the National Lottery.

Millennium Dome (Contracts)

32. **Mr. Fraser:** To ask the Secretary of State for Culture, Media and Sport how many zones within the Dome are sponsored with irrevocable contracts. [77401]

Janet Anderson: I would like to point out that not all sponsorship is related to the provision of zones and not all zone costs are met by sponsorship. However, irrevocable sponsorship contracts for the Communicate, Mobility, and National Identity zones have been signed. Other zone sponsors announced by the New Millennium Experience Company are fully committed at Board level and contractual negotiations are progressing well. To date the NMEC has announced £142 million of sponsorship towards the project target of £150 million.

Millennium Dome (Visitors)

34. **Kali Mountford:** To ask the Secretary of State for Culture, Media and Sport what steps are being taken to encourage young people and children from the north of England to visit the millennium dome. [77403]

37. **Mr. Watts:** To ask the Secretary of State for Culture, Media and Sport what plans he has to make the dome accessible to children from the north-west from low-income families. [77406]

Janet Anderson: The Millennium Experience is the focus for the nation's millennium celebrations. The New Millennium Experience Company (NMEC) is therefore keen to ensure that as many people as possible who wish to visit the Dome can do so and that as many people as possible have the opportunity to take part in the associated National Programme of events and activities. The company's ticket pricing structure was announced on 18 March and includes up to one million free Dome admission tickets for schoolchildren under the Education Tours Scheme. There will also be discounted education rates for students/college visits (at £14.50 each) and school visits (£8 each). Details of the full range of prices were placed in the Libraries of the House on 18 March.

The NMEC is not offering special discounts for low income families although the children of all families have the chance to benefit from free admission under the Education Tours Scheme. The overall ticket pricing structure has been informed by the experience and systems of other major visitor attractions both in the public and the private sectors. In addition to visiting the Dome, thousands of schoolchildren are taking part in the National Programme's Schoolnet 2000 project (sponsored by Tesco); the Voices of Promise project (sponsored by Marks and Spencer); and the Our Town Story project (sponsored by McDonalds).

Mr. Amess: To ask the Secretary of State for Culture, Media and Sport what estimates his Department has made of the numbers of people likely to visit the millennium dome in each of the next five years. [77402]

Mr. Chris Smith: During the period of the Millennium Experience—i.e. during the year 2000—the New Millennium Experience are expecting 12 million visitors. From 2001 onwards, numbers will depend upon the outcome of the competition launched by the Government on 4 March to find a long-term, sustainable and viable use for the Millennium Dome.

Millennium Dome (Financial Benefits)

35. **Mr. Forth:** To ask the Secretary of State for Culture, Media and Sport what estimate he has made of the financial benefits of the millennium dome to each UK region. [77404]

Mr. Chris Smith: No estimate has been made of the financial benefits accruing from the Millennium Dome to each UK region. However, the British Tourist Authority (BTA) has estimated the number of overseas visits to the UK in the year 2000 as 27.5 million and that as a direct result of the Millennium Experience an additional £300-£500 million of overseas tourist revenue will be brought into the UK economy. The "halo" effect could double this figure. The BTA have further estimated that 10,000 to 15,000 new tourist related jobs will be created. This is excellent news for the whole of the UK.

Millennium Dome (Regeneration)

36. **Mr. Stringer:** To ask the Secretary of State for Culture, Media and Sport what assessment he has made of the impact of the millennium dome on the regeneration of south-east London. [77405]

Janet Anderson: The building of the Millennium Dome, and its proposed long-term retention, will have major regenerative benefits for the whole of London including the south-east, the full effects of which will become increasingly apparent over time.

Before the decision was taken to site the Millennium Dome at Greenwich, the Greenwich Peninsula was one of the largest derelict sites in the country, suffering from heavy contamination. The extensive site preparation works and infrastructure improvements required for the Millennium Experience have acted as the catalyst for a major mixed-use development project on the Peninsula, under the direction of English Partnerships. This project, including the new Millennium Village that is being built in the southern part of the site as a model for sustainable regeneration of a brownfield site, will establish the Peninsula as a vibrant new urban quarter for London, with ensuing economic, social and environmental benefits for the south-east and beyond.

On 4 March the Government launched a competition to find a long-term, sustainable and viable use for the Millennium Dome. We are sure this will bring forward a wide range of imaginative proposals and an outcome that will be of major benefit to the whole of London.

Millennium Dome (Religion)

38. **Mr. Simon Hughes:** To ask the Secretary of State for Culture, Media and Sport what decision has been made about a Christian component to the New Year's eve and New Year's day celebratory events at the millennium dome. [77407]

Mr. Chris Smith: The New Millennium Experience Company (NMEC) is currently developing plans for the opening celebrations of the Dome on 31 December this year in discussion with the Government and others including the Lambeth Group. The nature and scope of the celebrations will be announced in due course. 1 January 2000 will be the first day of operation of the Millennium Experience within the Dome. Announcements about the content of the Experience, particularly the individual exhibit zones, are being made by the company as and when it considers such announcements appropriate in the context of its marketing strategy. The company has already confirmed that displays included in the Spirit Zone will reflect the significance of the year 2000 as a major Christian anniversary and include aspects of the birth and life of Christ.

Tourism

Mr. Pickles: To ask the Secretary of State for Culture, Media and Sport what assessment he has made of the works council directive's impact on the tourism industry. [77388]

Janet Anderson: The Government will be consulting widely on implementing regulations for the European Works Council Directive, which have to be in place by 15 December 1999. Tourism employers and trade organisations will therefore have the opportunity to make their views known.

Television Licence Fees

Dr. George Turner: To ask the Secretary of State for Culture, Media and Sport what assessment he has made

of the relative value for money of the television licence fee for those viewers who cannot receive the regional broadcasts appropriate to their home. [77396]

Janet Anderson: A television licence is required to install or use television receiving apparatus to receive any television programme service, as defined by the Broadcasting Act 1990. The licence fee is therefore a payment for permission to receive television broadcasts and not for a service provided. It is payable in full irrespective of the services that can be received or the use made of those services. Linkage of the level of the fee to the services available to, or used by, individual licence holders would undermine the principle of a universal licence fee to fund the BBC's services and would be wholly impractical to administer.

TREASURY

Income Tax

Mr. Pond: To ask the Chancellor of the Exchequer if he will estimate the cost to the Exchequer in the financial year 1999–2000 of replacing the reduced rate of income tax with a 10 per cent. income tax rate that extends from the personal allowance to *(a)* £9,433 per year and *(b)* £7,114 per year. [74397]

Dawn Primarolo: The estimated full-year costs at 1999–2000 income levels of introducing a 10 per cent. lower rate extending for *(a)* £5,098 (£9,433 less the 1999–2000 personal allowance of £4,335) and *(b)* £2,779 (£7,114 less the personal allowance) would be £12 billion and £6 billion, respectively.

Maintenance Payments (Tax Relief)

Mr. Rendel: To ask the Chancellor of the Exchequer how many people will be affected by the loss of the tax relief for maintenance payments; and what the average amount of the tax relief lost will be. [76843]

Dawn Primarolo *[holding answer 15 March 1999]:* The latest available Survey of Personal Incomes (1996–97) shows around 300,000 taxpayers in receipt of income tax relief for maintenance payments. Of these, an estimated 20,000 will be eligible after 5 April 2000 for the maintenance relief for the 65s and over.

We estimate that the average amount of maintenance relief for 1999–2000 will be around £220.

As a result of the withdrawal of maintenance relief, approximately 10,000 people who receive maintenance under arrangements set up before 15 March 1988 will no longer be taxable on the payments they receive.

London Underground

Mr. Burstow: To ask the Chancellor of the Exchequer if he will make it his policy to review the CSR if the best value objectives for the public-private partnership for the London Underground cannot be met. [77169]

Mr. Milburn *[holding answer 16 March 1999]:* The Government expect that the PPP will represent best value. As the progress report published by London Transport on 15 March made clear, good progress is being made with implementing the public-private partnership (PPP) for London Underground.

Ways and Means Borrowing

Mr. Heathcoat-Amory: To ask the Chancellor of the Exchequer what is the size of the Government's overdraft on the Ways and Means account at the Bank of England. [77471]

Ms Hewitt *[holding answer 18 March 1999]:* The size of the outstanding balance of Ways and Means borrowing fluctuates each day, reflecting the seasonal and daily changes in the Government's cash requirements. At the end of February 1999, it stood at £2.8 billion.

Census and Certificate Income

Mr. John M. Taylor: To ask the Chancellor of the Exchequer how much revenue has been derived by the Exchequer, since 1990, from the sale of *(a)* micro-film and other copies of United Kingdom 1841/1851 to 1991 decennial population census enumerators' books and *(b)* certified copies of 19th and 20th century United Kingdom birth, marriage and death certificates. [78275]

Ms Hewitt: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from Tim Holt to Mr. John M. Taylor, dated 29 March 1999:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your parliamentary question on revenue derived from the sale of census books and birth, marriage and death certificates.

The Census Returns from 1901 and 1911 are closed to the public by virtue of Instrument 12 dated 1966 of the Public Records Act 1958. Censuses from 1921 onwards were taken under the terms of the 1920 Census Act as amended by the Census (Confidentiality) Act 1991 which gives protection to personal census information given by the public. Accordingly, there have been no sales of microfilm, or other copies, of the census enumerators' books from the Censuses for 1901–1991. Records from the 1841–1891 Censuses are open to the public and are in the custody of the Public Record Office. Disaggregated sales information from the Public Record Office Copy Service, in the form requested, is not readily available and could be provided only at disproportionate cost.

The Public Expenditure and Receipts Act 1968 requires that the costs of the service provided must be recovered by the fees levied. Each year the Economic Secretary to the Treasury conducts a review of the fees prescribed by the Registration Acts, including certificate fees, in order to advise the Chancellor of the Exchequer of the need to exercise his powers under the 1968 Act to make an order amending those fees.

Revenue relating to certificate income is as follows:

Year	*£ million*
1991/92	2.9
1992/93	3.2
1993/94	3.6
1994/95	4.0
1995/96	3.9
1996/97	4.4
1997/98	4.8

Information relating to earlier years could only be obtained at disproportionate cost.

Fuel Duty Escalator

Dr. Marek: To ask the Chancellor of the Exchequer, pursuant to his answer of 25 February 1999, *Official Report*, column *426*, if he will place a copy of his Department's environmental appraisal on the impact of the fuel duty escalator in the Library. [78401]

Ms Hewitt *[holding answer 23 March 1999]:* The environmental appraisal of measures in the 1999 Budget is contained in table 5.1 of the 1999 Economic and Fiscal Strategy Report and Fiscal Strategy and Budget Report, which includes an environmental appraisal of the road fuel duty escalator.

Industrial Disputes

Mr. Cox: To ask the Chancellor of the Exchequer how many working days were lost in the United Kingdom in 1998 as a result of industrial disputes. [78534]

Ms Hewitt: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from Tim Holt to Mr. Tom Cox, dated 29 March 1999:

As Director of the Office for National Statistics, I have been asked to reply to your parliamentary question on industrial disputes.

The estimated number of working days lost to labour disputes in the United Kingdom in 1998 is 282,400.

Jobs (Greater London)

Mr. Cox: To ask the Chancellor of the Exchequer what has been the estimated number of new jobs created in the Greater London area in each of the last three years. [78892]

Ms Hewitt: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from Tim Holt to Mr. Tom Cox, dated 29 March 1999:

As Director of the Office for National Statistics, I have been asked to reply to your recent parliamentary question on job creation.

Information is only available on the net change in the number of jobs and not on the number of new jobs created. The information on net changes in jobs is derived from the Short-term Turnover and Employment Statistics. The following table shows the annual levels and net changes in Civilian Workforce Jobs between December 1996 and December 1998 (the latest available figures).

Civilian Workforce Jobs[1] in Greater London, at December

Thousand

	Level	*Net change from previous year*
1996	3,872	+78
1997	4,005	+133
1998	4,088	+83

Note:

1. Civilian Workforce Jobs comprise Employee jobs, Self-employment jobs and Government-supported trainees. (only the Employee Jobs component is seasonally adjusted).

New Deal (Over-50s)

Mr. Flynn: To ask the Chancellor of the Exchequer when he intends to implement the budgetary provision for the £60 per week supplement payable as part of the extension of the New Deal to those aged over 50 years. [78927]

Mrs. Roche: The Employment Credit for people aged over 50, announced by the Chancellor of the Exchequer in the Budget on 9 March 1999, *Official Report*, columns 173–90, will be available in pathfinder areas from October 1999, and nationally in 2000, alongside the New Deal for the over 50s. Further details will be announced in due course.

Winter Fuel Payments

Mr. Webb: To ask the Chancellor of the Exchequer, pursuant to the answer of 26 January 1999, *Official Report*, column *235* and his oral statement on the Budget, of 9 March 1999, *Official Report*, column 185, if he will make a statement on the difference between the two estimates of the number of pensioner households receiving winter fuel payments. [78525]

Ms Hewitt *[holding answer 25 March 1999]:* In his Budget Statement the Chancellor of the Exchequer was describing pensioner households within the United Kingdom whereas the DSS figure relates to Great Britain only.

Bogus Marriages

Mr. Clappison: To ask the Chancellor of the Exchequer (1) what arrangements exist for the Registrar General to pass on information about suspected bogus marriages to *(a)* his Department, *(b)* the police, *(c)* the Immigration Service and *(d)* other relevant authorities; [78598]

(2) what guidance is currently given to registrars as to the circumstances which give rise to suspicion that a marriage will be a sham marriage for the purpose of evading immigration control; and what steps they should take to investigate such circumstances; [78602]

(3) what requirements are currently made of registrars to report marriages which they suspect are being entered into for immigration purposes to the Registrar General. [78599]

Ms Hewitt: Long standing informal arrangements exist for the Registrar General to pass information to the Immigration service. No arrangements exist for passing of information to the Home Office, the Treasury, the police or any other relevant authorities.

Where a superintendent registrar suspects that the proposed marriage of a person from abroad has been arranged for the sole purpose of evading statutory immigration controls, he is advised to report the rule facts of the case to the Registrar General.

No specific guidance is issued to registrars defining what might be a sham marriage. They are advised to report the full facts of the case, including their reasons for believing the marriage to be one of convenience, to the Registrar General. The facts and the registrar's supporting

comments are then taken into account by the Registrar General in deciding whether or not to pass on details of individual cases to the Immigration Service.

Parliamentary Answers

Mr. Gibb: To ask the Chancellor of the Exchequer when he will respond to the question from the hon. Member for Bognor Regis and Littlehampton of 9 March for answer on 11 March (ref. 76246). [79100]

Dawn Primarolo: Shortly.

Consumer Goods

Mr. Fearn: To ask the Chancellor of the Exchequer if he will list the average retail prices of *(a)* private motor vehicles, *(b)* white goods and *(c)* personal computers in each European Union country in each of the last five years for which figures are available. [78132]

Dr. Howells: I have been asked to reply.

No information on retail prices as such is available. The tables show the relative prices of these goods across EU countries expressed as an index. The figures shown relate prices in the EU member states to the average for the EU (shown as 100). For the years 1992 and 1993, the EU average is based on EU 12, though results for Sweden, Austria and Finland are included in the table, while the average for following years is based on EU 15.

There is no suitable aggregate for personal computers covering the years requested. 'Personal Transport Equipment' includes cars and motor and pedal bicycles, with cars making up by far the largest part of expenditure on these items. 'Household Appliances and Repairs' includes large domestic appliances, such as cookers and refrigerators, but excludes small electrical goods, such as toasters.

The figures are intended to provide a snapshot rather than a time series. Discontinuities between years arise as a result of changes in the data used (the goods for which prices are collected in one year not being strictly comparable with those used in the following year) and improvements to methodology.

	UK	*B*	*DK*	*D*	*EL*	*E*	*F*	*IRL*	*I*	*L*	*NL*	*P*	*A*	*S*	*FIN*	*EU*
Personal Transport equipment 1992–96																
1992	104	88	177	93	149	118	99	130	95	84	112	173	101	109	143	100
1993	103	95	178	95	128	104	105	130	89	86	119	130	114	98	128	100
1994	103	98	177	93	121	102	103	129	90	96	116	129	113	99	137	100
1995	95	100	182	95	117	105	104	128	87	99	119	134	117	99	150	100
1996	97	96	177	94	116	107	101	129	95	93	111	136	111	104	141	100
Household appliances and repairs 1992–96																
1992	93	109	109	102	111	104	102	98	98	107	96	93	118	115	112	100
1993	88	115	110	112	104	95	106	92	88	112	100	90	128	101	102	100
1994	93	109	108	114	91	88	103	100	87	103	98	76	124	109	111	100
1995	84	116	115	126	96	91	108	93	79	111	100	83	134	108	125	100
1996	83	110	111	122	97	91	107	93	87	105	94	81	127	119	117	100

Mr. Fearn: To ask the Chancellor of the Exchequer what is his Department's estimate of the total value of goods sold in the United Kingdom in the categories of *(a)* private motor vehicles, *(b)* white goods and *(c)* personal computers in each of the last five years for which figures are available. [78008]

Dr. Howells: I have been asked to reply.

Estimates of the value of goods sold to consumers in the United Kingdom are published by the Office for National Statistics in "Consumer Trends" and electronically on the ONS databank, which can be accessed by the House of Commons Library. Purchases of private motor vehicles are shown as series CCQI and white goods as series CDDS in table 2.1 of "Consumer Trends". Purchases of computers are not separately identified but are included within series CDGH, audio-visual goods, also in table 2.1.

SOCIAL SECURITY

Income Distribution

Mr. Field: To ask the Secretary of State for Social Security what proportion of households receive their main income from *(a)* work and *(b)* benefits for each decile of the income distribution below average income, and for each of the last 10 years. [78024]

Angela Eagle *[holding answer 22 March 1999]:* The information requested is not available in the format requested. Such information as is available is in the tables.

Percentage of households by main source of income and income decile for households below average income (before housing costs)

	Equivalised income deciles						
Year	*1*	*2*	*3*	*4*	*5*	*6*	*All households below average income*
Benefits							
1994–95	69	79	74	56	32	16	55
1995–96	70	78	72	56	32	18	53
1996–97	70	77	71	55	31	17	52
Employment							
1994–95	19	17	22	37	54	70	36
1995–96	19	18	24	36	53	67	38
1996–97	19	19	24	37	53	68	38
Other							
1994–95	10	4	4	7	14	15	9
1995–96	9	4	4	8	15	15	9
1996–97	10	4	5	9	16	15	10

Percentage of households by main source of income and income decile for households below average income (before housing costs)

	Equivalised income deciles						
Year	*1*	*2*	*3*	*4*	*5*	*6*	*All households below average income*
Benefits							
1988–89	76	82	68	29	11	5	47
1990–91	75	80	68	30	15	7	47
1991–92	72	81	72	41	18	9	49
1992–93	71	80	73	51	22	11	51
1993–94	72	80	71	52	27	15	52
1994–95	73	78	71	49	27	14	51
1995–96	72	77	72	48	28	14	51
Employment							
1988–89	14	15	27	58	75	80	43
1990–91	16	17	28	54	69	76	43
1991–92	16	16	25	48	66	72	41
1992–93	16	16	24	41	62	72	39
1993–94	16	15	24	40	57	70	38
1994–95	16	17	24	40	58	71	38
1995–96	17	18	24	41	57	71	39
Other							
1988–89	9	3	5	13	14	15	10
1990–91	9	3	4	15	17	17	10
1991–92	11	3	3	12	16	19	10
1992–93	12	4	4	9	16	17	10
1993–94	10	5	5	8	15	15	10
1994–95	10	5	5	11	15	16	10
1995–96	10	5	4	11	15	16	10

Notes:

1. All figures are estimates and are taken from the Households Below Average Income (HBAI) data set which is based on either the Family Resources Survey (FRS-table 1) or the Family Expenditure Survey (FES-table 2). Unlike the FES, the FRS does not cover Northern Ireland.
2. FRS based HBAI data are not available prior to the financial year 1994–95. For this reason, FES based data (based on combined financial years, where 1995–96 denotes the combined financial years 1995–96 and 1996–97) back to 1988–89 have been provided as a supplementary table.
3. In previous years, HBAI data were mainly derived from the FES. Following a DSS methodological review in 1995, it was recommended that information from the FRS should be introduced into the HBAI series and that it should replace the FES as the main source of information on low-income households.
4. For the purposes of this analysis, 'main source of income' is defined as being the largest of the three sources of income outlined in the table above.
5. The income measure used is weekly net (disposable) equivalised household income (that is to say income that is adjusted to reflect the composition of the household).
6. The seventh decile (where decile one is the bottom decile) only partially falls below the average income figure; for this reason, figures relating to it have been excluded from the analysis.
7. It should be noted that the results are subject to year on year sampling variation and that more emphasis should be placed on looking at longer-term trends as opposed to annual variations.

Sources:

Family Resources Survey 1994/95–1996/97
Family Expenditure Survey 1988/89–1995/96.

Civil Servants (Appraisal)

Mr. McDonnell: To ask the Secretary of State for Social Security what were the appraisal performance markings awarded to civil servants in 1998 for *(a)* each agency in this Department and *(b)* the Department broken down by (i) grade, (ii) gender, (iii) ethnicity, (iv) part-time/full-time working and (v) disability; and for (1) each agency and (2) the Department whether the Cabinet Office's four fifths rule for detecting potential adverse impact was applied to the appraisal markings of civil servants in the 1998 report round. [78146]

Mr. Timms: The information is not available in the format requested. Such information as is available has been placed in the Library.

The Cabinet Office's "four fifths" rule is not intended to be an absolute measure and in this Department it is used to complement other tests of statistical significance.

Carers

Mr. Kidney: To ask the Secretary of State for Social Security (1) what steps he is taking to ensure that staff who operate *(a)* the Single Work Focused Gateway and *(b)* the Housing Benefit Service are trained to identify carers and advise them of the services available; [78546]

(2) what steps he is taking to ensure that staff who operate the Single Work Focused Gateway are trained to identify carers and advise them of the services available. [78550]

Angela Eagle: All Single Gateway staff, including those who work for local authorities, will undergo a comprehensive training programme which will ensure that they have the necessary balance of skills in order to deal with a wide range of clients, including carers. The Carers' National Association and other groups are involved in the training of Single Gateway staff.

Jobseeker's Allowance

Mr. Healey: To ask the Secretary of State for Social Security what plans he has to treat as income money granted from a college access fund where a jobseeker's allowance claimant is studying under the part-time study concession. [78728]

Angela Eagle: Arrangements for the treatment of payments from college Access Funds have been in place since the Funds were introduced in the 1990–91 academic year.

Up to £20 per week of any regular payments from Access Funds may be disregarded in the calculation of Jobseeker's Allowance paid to part-time students. Any remainder is taken into account as income. One-off lump sum payments are treated as capital. Entitlement to Jobseeker's Allowance is not affected unless a person's capital or savings exceeds £3,000.

There are no plans to change these arrangements.

Pensions

Mr. Webb: To ask the Secretary of State for Social Security if he will estimate the highest earnings level at which entitlement to the proposed state second pension will equal entitlement to SERPS, during the first phase of operation of the state second pension; and if he will set out the basis of his calculation. [78875]

Mr. Timms: We are currently consulting on our proposals for the State Second Pension. Final decisions, including those on earnings thresholds at which different pension accrual rates apply, will take account of responses received.

Miss H. McNulty

Mr. Winnick: To ask the Secretary of State for Social Security when Miss H. McNulty (DSS ref: PSC(AE)/107) can reapply for a Social Fund payment for a mobility scooter (Benefits Agency ref: PQ681/2/3/4 and 696/7 98/99). [78784]

Angela Eagle: The administration of the Social Fund is a matter for Peter Mathison, Chief Executive of the Benefits Agency. He will write to my hon. Friend.

Letter from Peter Mathison to Mr. David Winnick, dated 26 March 1999:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking when Miss H McNulty can re-apply for a Social Fund payment for a mobility scooter.

Miss McNulty can re-apply for a payment at any time. The effect of the Secretary of State's Social Fund Direction 7 in its current form, however, means that if her circumstances remain unchanged from the earlier application, a Social Fund Officer cannot make an award for an item that has already been refused within 26 weeks of the date of the earlier application.

Changes to Social Fund Directions from 5 April 1999 mean that there will be no time-limits placed on repeat applications for Budgeting Loans. However the restrictions will continue to apply to Community Care Grants and Crisis Loans.

The first date Miss McNulty can apply for a Community Care Grant or Crisis Loan payment without being affected by Direction 7 is therefore 29 June 1999.

I hope this is helpful.

Benefit Claimants

Mr. Field: To ask the Secretary of State for Social Security how he defines the well-being of claimants, as referred to in paragraph 2.11 of Safeguarding Social Security. [79228]

Mr. Timms: The word is used in its ordinary sense of health, success, contentment or welfare. In the context of welfare reform, we consider that this is best achieved by promoting work for those who can, whilst providing security for those who cannot.

Benefit Fraud

Mr. Field: To ask the Secretary of State for Social Security which benefit rules are being examined to establish whether their design contributes to *(a)* fraud and *(b)* error. [79233]

Mr. Timms: We are currently examining the rules listed in chapter five of the Green Paper "Beating Fraud is Everyone's Business: securing the future" (Cm 4012). In each case, we are assessing the extent to which their design contributes to both fraud and error.

Mr. Field: To ask the Secretary of State for Social Security what the budget is for the next five years for providing staff with the information technology required to beat fraud. [79229]

Mr. Timms: We will be investing in new technology to modernise the administration of Social Security and to make payments more secure against fraud and error. It is not possible to distinguish the costs of security from those of administration.

Mr. Field: To ask the Secretary of State for Social Security what assessment he has made of the effect of the proposals contained in Safeguarding Social Security upon benefit administration costs. [79219]

Mr. Timms: Delivering a secure system is an integral part of good benefit administration. It is therefore not always possible to specify costs solely directed at safeguarding Social Security. Modernising our computer systems, for example, will deliver a better, as well as a more secure, service to the public.

Mr. Field: To ask the Secretary of State for Social Security what target the National Audit Office proposed for reducing fraud and error in income support and jobseeker's allowance. [79216]

Mr. Timms: None.

Mr. Field: To ask the Secretary of State for Social Security what monetary incentive will remain for local authorities to detect fraud and error in benefits once the proposals in the Green Paper "Safeguarding Social Security" have been put in place; and if he will make a statement. [79230]

Mr. Timms: We have reformed the local authority anti-fraud incentive scheme to ensure that authorities submit valid claims for additional subsidy payments arising from the detection of genuine cases of benefit fraud. It is equally important to prevent fraud from entering the system. An additional £100 million will be made available to local authorities over the next three years to encourage them to adopt the Verification Framework. Through a series of additional checks, carried out throughout the life of a benefit claim, the Verification Framework will help to prevent benefit fraud and error before it has a chance to occur.

For the longer term we are working with local authorities on the measurement of levels of fraud, the effectiveness of anti-fraud strategies and the whole local authority funding regime.

Mr. Field: To ask the Secretary of State for Social Security what plans he has to adopt a civil law definition of fraud for the purposes of measuring the level of fraud. [79232]

Mr. Timms: We have no such plans.

Single Gateway

Mr. Field: To ask the Secretary of State for Social Security if single mothers using the Single Gateway will be expected to provide the necessary information for pursuing child maintenance payments on their first interview. [79215]

Angela Eagle: The Single Gateway will build on the existing close working relationship between the Benefits Agency and the Child Support Agency. Since last year, lone parents have been helped to complete a child support application when they are visited by Benefits Agency staff at the start of their Income Support claim. Likewise, under the new arrangements, we will help parents with care to pursue child support at the earliest possible stage.

Securing regular child maintenance is one of the keys to helping lone parents move from benefit back into the labour market by providing them with a portable income which will supplement their earnings.

Computer Systems

Mr. Field: To ask the Secretary of State for Social Security how many different computer systems are operated by his Department's agencies for the purposes of recording data on claimants, payments and contributions. [79224]

Angela Eagle: The information is in the table.

Mainframe computer systems used for recording data on claimants, payments and contributions

Agency	*Computer system*
Benefits Agency	Audit Trail Analysis System
	Child Benefit Computer System
	Customer Accounting and Payment Strategy
	Departmental Central Index
	Disability Living Allowance/Attendance Allowance
	Earnings Top Up
	Electronic Stop Notice System
	Family Credit/Disability Working Allowance
	Invalid Care Allowance/Attendance Allowance
	Incapacity Benefit
	Income Support Computer System
	Jobseeker's Allowance Payments System
	National Unemployment Benefit System
	Payment Accounting Strategy
	Pensions Strategy Computer System
	Social Fund Computer System
Child Support Agency	Child Support Computer System
Contributions Agency	National Insurance Records System (2)
War Pensions Agency	War Pensions Computer System

Notes:

1. The Social Security Agency Northern Ireland makes use of the UK systems for the purpose of recording data on claimants, payments and contributions.

2. Where two services are shown in the Computer System Column, e.g. Disability Living Allowance/Attendance Allowance, the two sets of data are held on one system.

Mr. Field: To ask the Secretary of State for Social Security if he will list the benefits covered by the Personal Details Computer System. [79217]

Mr. Timms: The Personal Details Computer System (PDCS) will provide the Department with a consistent set of customer personal details for use by all benefit systems. This will improve the accounting and security of benefit expenditure.

At present, all personal details previously held by the Child Benefit and Income Support computer systems and on Jobseeker's Allowance, plus all details from new claims to these benefits, are being maintained on PDCS.

New personal details relating to claims for Retirement Pension, short-term and incapacity benefits, Widows Benefit, Maternity Benefit and Severe Disablement Allowance are also being maintained on PDCS, and we have started the transfer of existing records for these benefits.

At present there are over 13.7 million records on this system.

Work-focused Interviews

Mr. Field: To ask the Secretary of State for Social Security at what intervals claimants will be required to attend repeat work-focused interviews. [79218]

Angela Eagle: I refer my right hon. Friend to the written answer I gave him on 15 February 1999, *Official Report*, column *556*.

National Insurance Numbers

Mr. Field: To ask the Secretary of State for Social Security how long it will take under the proposals in paragraph 3.18 of Safeguarding Social Security to check the integrity of all National Insurance numbers. [79222]

Mr. Timms: There are two proposals in paragraph 3.18. The first will involve the checking of 1.8 million individual payroll items against the Departmental Central Index by April 2000.

The second is about more active management of dormant National Insurance accounts. This would of necessity be a continuing activity because the status of accounts change over time.

Mr. Field: To ask the Secretary of State for Social Security (1) what proprietorial checks have been carried out on existing staff involved in the issue of national insurance numbers; [79307]

(2) what reforms have been set in hand to unify the responsibility of staff for the issue of national insurance numbers as described in paragraph 2.10 of Safeguarding Social Security; and if he will make a statement; [79221]

(3) what checks are in place for the recruitment of new staff involved in the issuing of national insurance numbers. [79223]

Mr. Timms: We undertake a range of rigorous recruitment checks which follow Cabinet Office guidelines on all staff prior to employment. All existing Departmental staff are bound by strict rules on propriety which cover, for example, possible conflicts of interest.

We have recently reviewed all of our recruitment and proprietorial checks and found them to be generally sound. However, we are currently undertaking a risk assessment of posts across the Department (including posts involving the allocation of National Insurance numbers) to determine those that are particularly sensitive and may require further checks. In addition, we are already implementing a number of improvements, including even tougher employment checks for new staff, new mandatory management checks to ensure the correct procedures are fully complied with. To provide a further level of assurance our internal audit will carry out their own checks.

Measures have been put in place to strengthen the security and control of National Insurance numbers. To improve management control, the number of staff who can issue National Insurance numbers has been reduced by two thirds from 1,500 to 500. We have also introduced an approvals system whereby all new staff have to be approved by a designated manager.

New Claims

Mr. Field: To ask the Secretary of State for Social Security what changes have been made to clearance time targets to allow for checks on new claims, [79227]

Mr. Timms: There has been no change to stated clearance time targets to allow for checks on new claims. However, on Income Support claim clearance times are now measured only from the time that a fully completed claim form and all necessary supporting evidence have been received.

Minimum Funding Requirement

Mr. Heathcoat-Amory: To ask the Secretary of State for Social Security how and when the review of the minimum funding requirement was announced. [79397]

Mr. Timms: Our intention to review the minimum funding requirement was announced in the Green Paper "A new contract for welfare: Partnership in Pensions", which was published on 15 December 1998.

The announcement of the terms of reference of the review was by means of a press release on 3 March. On the same day details of the terms were sent to the National Association of Pension Funds, Confederation of British Industry, Trades Union Congress, the Association of British Insurers and the members of the Faculty and Institute of Actuaries.

Identification

Mr. Field: To ask the Secretary of State for Social Security what instructions will be given to staff on the documents necessary to prove *(a)* a claimant's identity and *(b)* a claimant's partner's identity. [79231]

Mr. Timms: Departmental guidance for establishing a customer's identity is available in the form of a guide which is held in all DSS offices; it is called the Evidence of Identity guide. It lists examples of documents that may be used by a customer in order to help establish their identity in order to trace or allocate a National Insurance number.

The same guide is used to guide staff on establishing the identify of a customer's partner or any other adult included in the claim.

Current procedures require staff to look at documentary evidence provided and ask questions specifically directed at the customer to enable the DSS to get a complete picture of the customer's history.

Leaflet GL25 (previously BAL4), available to the customer in all DSS offices, assists customers by telling them the sort of documents that would be helpful to bring in to a DSS office when trying to establish identity.

Married Couples Allowances

Mr. Duncan Smith: To ask the Secretary of State for Social Security what would be the net impact on a two parent single earner family with two children receiving one and half times average household income, taking into account the increase in child benefit, if the married couples allowance was abolished. [74747]

Dawn Primarolo *[holding answer 4 March 1999]:* I have been asked to reply.

A two parent single earner family with two children receiving one and a half times median household income will lose £207 from the abolition of married couple's allowance, but will gain £416 from the Children's Tax Credit in 2001–02.

HOME DEPARTMENT

Justice and Home Affairs Council

Mr. Maclean: To ask the Secretary of State for the Home Department, pursuant to his answer of 15 March 1999, *Official Report*, column *499*, for what reasons he has not yet reported to the House on the outcome of the Justice and Home Affairs Council meeting on 12 March. [78427]

Mr. Straw: I reported to the House on the outcome of the Justice and Home Affairs Council meeting on 22 March 1999, *Official Report*, columns *23–26*.

Asylum Seekers (Oxfordshire)

Mr. Baldry: To ask the Secretary of State for the Home Department further to paragraph 3.8 of "Asylum Seekers Support", if the trust has suggested that *(a)* Cherwell District and *(b)* other districts in Oxfordshire satisfy the criteria set out in paragraph 3.1. [78583]

Mr. Mike O'Brien: It is too early to say which areas satisfy the criteria in paragraph 3.1 of the Information Document. That document invited expressions of interest from potential support providers. Responses will inform the choice of location of cluster areas.

Earlsfield Police Station

Mr. Cox: To ask the Secretary of State for the Home Department if he will make a statement on the *(a)* current and *(b)* future use of Earlsfield Police Station, Wandsworth. [78538]

Kate Hoey: The Commissioner of Police of the Metropolis tells me that Earlsfield Police Station is currently used as a base by officers of the Area Major Investigation Pool (AMIP), and for local sector officers; for meetings of the local Sector Working Group; and, as necessary, for the storage of lost or stolen motor vehicles.

Earlsfield is part of Wandsworth Police Division, which is amalgamating with Battersea Division as part of the Metropolitan Police's overall move to Borough based policing. This amalgamation may lead to a review of the use of Earlsfield as a sector base and for meetings of the Sector Working Group. It is envisaged that the AMIP officers will remain at Earlsfield and that it will continue to be used as necessary for the storage of lost or stolen vehicles.

Asylum Seekers

Mr. Coleman: To ask the Secretary of State for the Home Department if he will make a statement on the monitoring arrangements and assessment standards he plans for the support arrangements set out in Part VI of the Immigration and Asylum Bill. [78883]

Mr. Mike O'Brien: The support arrangements are likely to be provided under contract either to local authorities, housing associations, private sector or voluntary sector organisations. Responsibility for monitoring all aspects of the contractual arrangements will fall to the Asylum Support Directorate which will be set up as new body within the Immigration and Nationality Directorate at the Home Office.

Mr. Coleman: To ask the Secretary of State for the Home Department what cash payment he proposes to meet the cost of sanitary protection for female asylum seekers. [78790]

Mr. Mike O'Brien: The proposals for non-accommodation support provisions are set out in paragraphs 4.18–4.21 of the Information Document "Asylum Seekers Support" which I published on 22 March. It will be for asylum seekers to use this provision to meet all their essential living needs. In circumstances where support is provided wholly in kind, we would expect contractors to make suitable provision for essential living needs.

Mr. Coleman: To ask the Secretary of State for the Home Department which retail and supermarket chains have been consulted over the generic voucher scheme proposed in paragraph 4.17 of the document "Asylum Seekers Support", published by his Department on 23 March. [78947]

Mr. Mike O'Brien: Inquiries have been made of a number of potential suppliers and local authorities who use voucher schemes. The Information Document itself continues that consultation process and is intended to identify potential providers with an interest in supplying a voucher scheme.

Mr. Coleman: To ask the Secretary of State for the Home Department, pursuant to paragraph 5.18 of the document "Asylum Seekers Support", published on 23 March by his Department, under what circumstances families with children will not continue to receive support while they lawfully remain in the country. [78949]

Mr. Mike O'Brien: Families with children who are recognised as refugees or granted exceptional leave to remain will, if they are eligible, be transferred to the main benefits system. Those whose application for asylum is rejected will normally continue to be supported while they lawfully remain in the country. Support would be withdrawn only in exceptional circumstances, for example, if the families were to leave the accommodation provided or were seriously to abuse it.

Mr. Coleman: To ask the Secretary of State for the Home Department what proposals he has for support arrangements for asylum seekers whose cases are not dealt with in the six month time scale set down in the Asylum and Immigration Bill. [78798]

Mr. Mike O'Brien: There is no such time scale set out in the Bill. The White Paper "Fairer, Faster and Firmer—A Modern Approach to Immigration and Asylum", indicated in paragraph 8.9, that the Government were aiming to ensure that by April 2001 most initial asylum decisions will be made within two months of receipt and that most appeals to adjudicators will be heard within a further four months.

The support arrangements will be introduced before those targets are met, but are considered to be suitable for cases which take longer than six months overall, provided that such a support arrangement does not continue for several years.

Mr. Coleman: To ask the Secretary of State for the Home Department when he intends to make an announcement concerning the level of cash payment available to asylum seekers under the Asylum and Immigration Bill. [78795]

Mr. Mike O'Brien: This information is set out in paragraph 4.20–4.21 of the Information Document "Asylum Seekers Support" which I published on 22 March. The Government have concluded that adult asylum seekers should receive £7 per week; children aged 3–18 should receive £3.50 per week; and children aged under 3 years should receive £7 per week in cash.

Mr. Coleman: To ask the Secretary of State for the Home Department how many staff will be employed in the new Asylum Support Directorate. [78948]

Mr. Mike O'Brien: The Home Office commissioned KPMG to conduct a study of the structure and size of the Directorate required to manage the proposed new asylum seeker support arrangements. We are currently assessing the recommendations in that report, but initial indications suggest that approximately 300 staff will be required.

Mr. Coleman: To ask the Secretary of State for the Home Department, pursuant to paragraph 4.12 of the document published on 23 March entitled, "Asylum Seekers Support", if he will list the component elements of essential living needs. [78950]

Mr. Mike O'Brien: It is not my intention to specify the individual elements of essential living needs. These will vary for different asylum seekers according to circumstances. The non-accommodation provision listed in paragraphs 4.18–4.21 of the Information Document are intended to cover essential living needs, but it is for asylum seekers to determine how they use the resources available to them.

Mr. Coleman: To ask the Secretary of State for the Home Department what plans he has to introduce for asylum seekers wishing to make inquiries to the Immigration and Nationality Directorate offices at Croydon *(a)* a freephone service, *(b)* a free post service and *(c)* methods by which they can be reimbursed for the cost of telephone and postage for such inquiries; and if he will make a statement. [78799]

Mr. Mike O'Brien: The provision in paragraphs 4.18–4.21 of the Information Document "Asylum Seekers Support" which I published on 22 March set out the non-accommodation support provision. This provision is intended to cover any telephone and postage costs incurred by the asylum seeker. Where support is provided mainly in kind, providers will need to provide these services at no cost to the asylum seeker.

Mr. Clappison: To ask the Secretary of State for the Home Department (1) what assessment he has made of the number of asylum seekers who claimed asylum in England and subsequently moved to Scotland in each of the last five years; [78645]

(2) what proportion of asylum seekers applied for asylum in *(a)* England and Wales, *(b)* Scotland and *(c)* Northern Ireland in each of the last 10 years for which figures are available. [78646]

Mr. Mike O'Brien: I regret that the information requested is not available.

Mr. Clappison: To ask the Secretary of State for the Home Department what was the average cost in staff-hours of effecting the removal of a failed asylum applicant in each of the last five years for which figures are available. [78658]

Mr. Mike O'Brien: The amount of staff time spent on removals is extremely difficult to quantify. Cases may, depending on their type and complexity take only a few hours to conclude, or many months. Cases might be completed and removal effected, at the port of entry, but many cases will involve appeals, judicial reviews of periods of detention. All incur costs in staff time. An attempt to quantify the staff cost of effecting an asylum removal could, therefore, be obtained only at disproportionate cost.

Mr. Clappison: To ask the Secretary of State for the Home Department how many asylum claimants were removed to a safe third country as a result of him issuing a certificate under section (2)(1)(a) of the Asylum and Immigration Act 1996 in the last year for which figures are available. [78619]

Mr. Mike O'Brien: In 1998, 750 asylum seekers were removed to a safe third country following the issue of a certificate under section 2 of Asylum and Immigration Act 1996. Numbers have risen over recent months. In the first two months of this year, over 180 asylum seekers were removed to safe third countries.

Mr. Clappison: To ask the Secretary of State for the Home Department what is his estimate of the current annual cost of supporting an asylum seeker. [78637]

Mr. Mike O'Brien: I refer the hon. Member to the reply given by my right hon. Friend the Home Secretary to my hon. Friend the Member for Dover (Mr. Prosser) on 22 March 1999, *Official Report*, column *30*, which gives the available information on costs of supporting asylum seekers.

Mr. Clappison: To ask the Secretary of State for the Home Department (1) how many claims for asylum were made by persons who had previously made unsuccessful appeals against a refusal of leave to enter or remain in the United Kingdom in the last year for which figures are available; [78674]

(2) how many persons in possession of a visa or other form of entry clearance applied for asylum following entry to the UK in each of the last five years for which figures are available; and in how many such cases *(a)* asylum and *(b)* exceptional leave to remain was granted. [78643]

Mr. Mike O'Brien: I regret that the information requested is not available.

Mr. Clappison: To ask the Secretary of State for the Home Department how many refusals of *(a)* a claim for asylum and *(b)* an appeal against a refusal of a claim for asylum have been followed by an application for judicial review in each of the last five years for which figures are available. [78673]

Mr. Mike O'Brien: The available information is given in the table:

	1996	*1997*
Application for leave to move for Judicial Review[1,2]	1,225	1,350
Decisions[1]	915	1,250
Of which granted leave to move[1]	190	320

[1] Figures rounded to the nearest 5
[2] Excludes appeals lodged by the Secretary of State
[3] Estimates based on Crown Office data

Mr. Clappison: To ask the Secretary of State for the Home Department in how many cases penalties paid by *(a)* airlines and *(b)* other carriers were refunded as a result of applications for asylum being granted in each of the last five years. [78688]

Mr. Mike O'Brien: Charges amounting to £937,000, relating to 566 individual cases have been refunded over the last five years. A breakdown is as follows:

Year	*£*
1994	72,000
1995	38,000
1996	86,000
1997	380,000
1998	361,000

All of the refunds related to payments made by airlines. Some of the cases arose prior to the increase in the charge from £1,000 to £2,000 per passenger (i.e. July 1999).

Voting Arrangements

Mr. Nigel Jones: To ask the Secretary of State for the Home Department (1) if he will make it his policy to allow all citizens of pensionable age who wish to do so to vote by post in *(a)* local, *(b)* national, *(c)* European elections and *(d)* referendums; and if he will make a statement; [78931]

if he will make it his policy to allow all citizens who wish to do so to vote by post in local national and European elections, and in referendums; and if he will make a statement. [78932]

Mr. George Howarth: My Working Party on Electoral Procedures is currently looking at possible changes to absent voting arrangements to encourage participation in the electoral process.

Immigration and Nationality Directorate

Mr. Malins: To ask the Secretary of State for the Home Department if he will estimate how many letters at the Immigration and Nationality Directorate offices in Croydon are unopened. [79300]

Mr. Mike O'Brien: The number of unopened letters in the Immigration and Nationality Directorate (IND) offices fluctuates from day to day with the volume of the postbag. However, as at 19 March there were approximately 3,900 unopened letters in IND offices. Of these, 3,600 were new applications which are readily identifiable from their envelopes and which are routinely sent unopened to caseworkers designated to deal with them, which allows the caseworker to open and deal with correspondence

more promptly. An earlier backlog of 18,000 unopened items has now all been opened and sorted. Most letters sent to IND are now opened on the day of receipt.

Mr. Malins: To ask the Secretary of State for the Home Department what is the average time that is taken to answer a telephone call to the Immigration and Nationality Directorate offices in Croydon. [79301]

Mr. Mike O'Brien: Calls which connect to the Immigration and Nationality Directorate switchboard are held in a queue until an agent is free to take the call. The average time a caller waits in the queue before their call is dealt with is two and a half minutes.

Mr. Clappison: To ask the Secretary of State for the Home Department what representations he has received from *(a)* foreign Governments, *(b)* employers and *(c)* others in the last three months regarding delays by the Immigration and Nationality Directorate in dealing with applications made by foreign nationals in the UK. [78662]

Mr. Mike O'Brien: I have received a number of representations from interest groups and from the business community about the current delays in processing applications to the Immigration and Nationality Directorate. To set out all the details of such representations for the hon. Member would divert staff from the more important task of improving levels of service.

Mr. Clappison: To ask the Secretary of State for the Home Department how many staff were employed in the Immigration and Nationality Directorate at the most recent date for which figures are available. [78657]

Mr. Mike O'Brien: The total for March 1999 was 5,293.

Immigration Officers (Ports and Airports)

Mr. Malins: To ask the Secretary of State for the Home Department what plans he has to reinstate immigration offices at airports to check the documentation of outgoing passengers; and if he will make a statement. [79290]

Mr. Mike O'Brien: The previous Administration had already removed, in 1994, embarkation controls for passengers travelling from ferry ports and small airports to destinations within the European Union/European Economic Area, with the consequence that some 40 per cent. of all departing passengers were not seen by an immigration officer. There has never been an embarkation control for Channel Tunnel services.

What was left of the control was, therefore, ineffective in terms of providing a reliable immigration record of a person's departure, and we have since introduced new arrangements following my announcement on 16 March 1998. The new system involves a close partnership between the control authorities and port operators, and is based on intelligence and target led embarkation checks, including the increased use of Closed Circuit Television.

Resources previously engaged in operating embarkation checks have been re-deployed to improve arrivals control. There are no plans to reinstate routine embarkation controls, although immigration officers will continue to retain their powers to examine departing passengers if circumstances require.

Mr. Clappison: To ask the Secretary of State for the Home Department what assessment he has made of the number of non-immigration offences detected as a result of questioning by an immigration officer in the course of dealing with a person seeking leave to enter at a port of entry. [78642]

Mr. Mike O'Brien: When an Immigration Officer discovers evidence of a non immigration offence during the course of an examination, the matter is referred to the appropriate authority (e.g. Her Majesty's Customs and Excise or the Police). This is reflected in the standing instructions to the Immigration Service. No separate assessment of the number of such references, or their outcome, has been made.

Mr. Clappison: To ask the Secretary of State for the Home Department on how many occasions immigration officers exercised their powers to require the captains of ships or aircraft arriving in the United Kingdom to furnish information under the provisions of paragraph 27(2) of Schedule 2 to the Immigration Act 1971. [78672]

Mr. Mike O'Brien: It is common practice for immigration officers to use these powers in the general administration of the immigration control and to meet the requirements of the Immigration Carriers Liability Act. No separate record of the number of such requests has been made.

Mr. Clappison: To ask the Secretary of State for the Home Department how many persons were examined by *(a)* an immigration officer and *(b)* a medical inspector or other qualified person under the provisions of paragraphs 2 and 3 of Schedule 2 of the Immigration Act 1971 in the most recent year for which figures are available. [78654]

Mr. Mike O'Brien: All passengers seeking to enter the United Kingdom are subject to examination by an immigration officer, under paragraph 2(1) of Schedule 2, in order to establish their claim to admission. In 1998, this amounted to some 84 million passengers, including British citizens and other European Economic Area nationals.

No central record is kept of the number of passengers examined by a medical inspector under paragraph 2(2).

There has been no comprehensive embarkation control for examinations under paragraph 3 of Schedule 2 at cross-Channel ports since 1994 and at all other ports since April 1998.

Greenwich (Millennium Celebrations)

Mr. Austin: To ask the Secretary of State for the Home Department what assessment he has made of the additional demands upon fire services arising from the millennium celebrations in Greenwich; what additional resources have been made available to the London Fire and Civil Defence Authority; and if he will make a statement. [79288]

Mr. George Howarth: I refer my hon. Friend to the reply which I gave to the hon. Member for Twickenham (Dr. Cable) on 19 January 1999, *Official Report*, column *410*. It is for the fire and civil defence authority to set a budget which will enable it to discharge its statutory responsibilities. Her Majesty's Fire Service Inspectorate

are currently undertaking an independent assessment of the preparedness for the Millennium of all fire brigades in England and Wales. This includes the plans that brigades are making to deal with foreseeable increases in demands, major public events and any problems that may arise affecting essential agencies and utilities.

Immigration Officers (Arrests)

Mr. Clappison: To ask the Secretary of State for the Home Department (1) how many persons were arrested by immigration officers exercising a power of arrest under section 24(2) of the Immigration Act 1971 in the most recent year for which figures are available; [78652]

(2) how many persons were arrested by immigration officers exercising a power of arrest under section 25(3) of the Immigration Act 1971 in the most recent year for which figures are available. [78653]

Mr. Mike O'Brien: Immigration officers have hitherto used their powers of arrest under sections 24(2) and 25(3) of the 1971 Act sparingly, both as a matter of policy and because of the practical difficulties which arise because these powers do not have associated powers of search and entry. Information about the number of occasions on which these powers have been used is not recorded centrally and there is no requirement for it to be recorded locally.

Immigration (Appeals)

Mr. Clappison: To ask the Secretary of State for the Home Department (1) how many appeals against deportation orders have been allowed in the case of persons who have been in the United Kingdom for *(a)* more than seven years and *(b)* less than seven years in each of the last 10 years; [78681]

(2) how many persons appealed against a refusal to vary or extend leave to remain by an adjudicator in the last five years for which figures are available; [78668]

(3) how many appeals were *(a)* made and *(b)* allowed against his decision to make a deportation order following a recommendation of a court in the last five years for which figures are available; [78696]

(4) how many appeals against the refusal of him to revoke a deportation order were *(a)* made and *(b)* allowed in cases where the deportation order had been made following a recommendation of the court in the last five years for which figures are available; [78682]

(5) how many persons who were refused leave to enter the United Kingdom at a time when they held an entry visa or other form of entry clearance appealed against such refusal in each of the last five years for which figures are available; and in how many such cases the appeal was allowed; [78640]

(6) how many appeals against a refusal by him to revoke a deportation order were *(a)* made and *(b)* allowed in the last five years for which figures are available; [78693]

(7) how many persons in respect of whom a deportation order had been signed appealed against destination; and in how many such cases the appeal was successful in the last five years for which figures are available. [78683]

Mr. Mike O'Brien: The available information is given in the table.

I regret that it is not possible separately to identify those appeals against deportation recommended by a court, the destination of deportation or where the appellant was in possession of a valid visa or other leave to enter the United Kingdom.

Nor is it possible to determine the period of residence preceding an appeal against deportation.

Outcome of appeals to the Immigration Adjudicators by selected category, 1993–97

Number of appellants

	1993		1994		1995		1996		1997	
Appeal category	*Total dealt with*	*of which allowed*	*Total dealt with*	*of which allowed*	*Total dealt with*	*of which allowed*	*Total dealt with*	*of which allowed*	*Total dealt with*	*of which allowed*
All appeals	29,220	4,170	28,620	3,730	21,810	2,440	26,990	2,720	34,950	4,320
Refusal of entry clearance:										
for temporary purposes	12,500	2,630	9,250	1,840	1,940	460	930	190	1,100	240
for employment, business or independent means	200	30	150	20	100	20	140	20	270	60
for wives, children and persons for immediate settlement	2,420	400	2,750	480	2,980	550	2,920	710	3,380	1,000
for female fiancees	230	60	150	40	180	50	170	50	200	70
for husbands	2,330	480	2,190	550	2,380	610	2,740	740	3,410	1,230
for male fiances	480	150	520	90	200	450	170	50	150	60
Refusal of certificate of entitlement	490	80	830	110	380	70	250	30	250	30
Exclusion										
Appeal at port	290	20	200	10	140	10	100	10	180	20
External appeal	1,020	60	800	60	200	10	170	20	120	10
Refusal of asylum	n/a	n/a	2,300	90	6,830	230	13,660	520	21,050	1,180
Variation of landing conditions	1,240	50	870	30	760	20	670	40	310	30
Refusal to vary leave to enter	6,470	160	7,070	320	4,100	290	3,890	290	3,550	360
Decision to make a deportation order	1,460	40	1,480	90	1,550	80	1,100	60	890	50
Refusal to revoke a deportation order	30	–	40	–	50	–	40	–	30	10
Other enforcement decisions	40	–	30	–	30	0	40	0	70	–

[1] Figures rounded to 10 with – = to 5 or less.

[2] Figures are a count of individual appellants, not cases, except for 'Refusal of asylum'.

n/a = not available

Source:

Immigration Research and Statistics Service RDS, 26 March 1999

Mr. Clappison: To ask the Secretary of State for the Home Department in how many cases an application for judicial review was *(a)* made and *(b)* granted following a refusal of leave to appeal by Immigration Appeal Tribunal in the last year for which figures are available. [78687]

Mr. Mike O'Brien: I regret that the information requested is not available.

Mr. Clappison: To ask the Secretary of State for the Home Department (1) in how many cases *(a)* leave to appeal was granted and *(b)* an appeal was allowed following an appeal from an adjudicator to the Immigration Appeal Tribunal over a decision (i) to refuse entry clearance or a visa, (ii) to refuse entry to the United Kingdom, (iii) to refuse to vary or extend leave to remain and (iv) to remove a person as an illegal entrant; and what was the average waiting time in each case in the last year for which figures are available; [78666]

(2) how many applications for leave to appeal to the immigration tribunal against a decision of an immigration adjudicator in an asylum case were made *(a)* in 1998 and *(b)* in each of the preceding 10 years; and in how many of these cases an appeal was (i) allowed and (ii) remitted to the immigration tribunal. [78677]

Mr. Mike O'Brien: The available information, relating to asylum Tribunal appeals, is given in the table.

I regret that there is no comparable information available regarding non-asylum Tribunal cases.

Appeals to the Immigration Tribunal in asylum cases, excluding dependants, 1994 to 1997

	Number of principal applicants			
	1994	*1995*	*1996*	*1997*
Applications for leave to appeal to the Tribunal				
Total applications	1,410	3,070	5,620	8,680
Of which granted leave to appeal	320	460	970	1,340
Appeals to the Tribunal				
Total determined	270	390	900	1,320
Of which allowed	10	20	55	90
Remitted	190	240	550	730

Estimated figures rounded to 10.

Excludes appeals lodged by the Secretary of State.

Mr. Clappison: To ask the Secretary of State for the Home Department what is the average cost of processing and determining an appeal against refusal of a visa or other form of entry clearance. [78692]

Mr. Mike O'Brien: The available information is shown in the table:

Cost of processing and determining entry clearance appeals

	Cost (£)
Foreign and Commonwealth Office (FCO)	No information available
Immigration Appellate Authority	357.08
Home Office	126.61

FCO costs of processing appeals are only available on an individual post basis.

This is an average unit cost, excluding accommodation costs, for all types of appeal. There is no separate information available for entry clearance appeals.

This is an average unit cost of presenting all appeals. There is no separate information available for entry clearance appeals.

Mr. Clappison: To ask the Secretary of State for the Home Department (1) what was the average waiting time for the determination of appeals against refusal of a visa or other form of entry clearance in each of the last five years; [78691]

(2) what is the average length of time taken for an appeal against a decision to make a deportation order from the notice of appeal to the determination by an adjudicator. [78679]

Mr. Mike O'Brien: I regret that the information requested is not available in the form requested.

Mr. Clappison: To ask the Secretary of State for the Home Department what is the average waiting time for *(a)* a decision on leave to appeal from an Immigration Appeal Tribunal and *(b)* where leave to appeal is granted, an appeal hearing before the Immigration Appeal Tribunal in cases where an appellant seeks leave to appeal to the Immigration Appeal Tribunal following a decision of a special adjudicator in each of the last five years. [78676]

Mr. Mike O'Brien: I regret that it is not possible to determine the average time between the dismissal of an appeal by an adjudicator and the determination of any appeal to the Tribunal without examining individual files.

Immigration (EEA)

Mr. Clappison: To ask the Secretary of State for the Home Department if he will list the bodies in other European Economic Area states which regulate the provision of *(a)* advice and *(b)* services corresponding to immigration advice and services. [78615]

Mr. Mike O'Brien: We do not hold a list of the bodies in other European Economic Area (EEA) states which regulate the provision of advice and services corresponding to immigration advice and services. Under Part V of the Immigration and Asylum Bill, it will be a matter for the Immigration Service Commissioner to decide what information he or she will need to obtain in order to consider the cases of advisers whose services may be regulated by an EEA body, and the Commissioner will be entitled to expect any such advisers to provide evidence of the nature of any scheme under which their services are regulated.

Deportation Orders

Mr. Clappison: To ask the Secretary of State for the Home Department how many deportation orders were *(a)* signed and *(b)* enforced in each of the last three months for which figures are available. [78635]

Mr. Mike O'Brien: The information requested is given in the Table. It should be noted that a deportation order enforced in one period may have been signed in an earlier period.

Deportation action, October to December 1998

	Number of persons		
	October	*November*	*December*
Deportation orders signed	80	65	40
Deportation orders enforced	55	55	45

1998 data are provisional.

A deportation order enforced in one period may have been signed in an earlier period.

Note:

All figures are rounded to the nearest 5.

Mr. Clappison: To ask the Secretary of State for the Home Department (1) how many persons who have been detained following a recommendation for deportation after a criminal conviction applied for and were granted bail in the last year for which figures are available; [78680]

(2) how many cases an application to him to revoke a deportation order whilst the applicant was still in the United Kingdom was *(a)* made and *(b)* granted in each of the last five years; [78685]

(3) how many applications he *(a)* received and *(b)* granted for the revocation of a deportation order in the last five years for which figures are available. [78694]

Mr. Mike O'Brien: The information requested can be obtained only at disproportionate cost.

Mr. Clappison: To ask the Secretary of State for the Home Department how many persons were removed from the United Kingdom in *(a)* the last three months, *(b)* the last year and *(c)* the last three years for which figures are recorded. [78650]

Mr. Mike O'Brien: The latest three months for which a provisional removals total is available are December 1998 to February 1999. During that period, some 9,210 persons were removed, or departed voluntarily from the United Kingdom, under port or enforcement procedures.

The annual totals for the last three years are 26,800 in 1996, 31,110 in 1997 and 34,850 (provisional) in 1998.

Mr. Clappison: To ask the Secretary of State for the Home Department how many failed asylum applicants were *(a)* removed and *(b)* deported voluntarily from the UK in each of the last five years; and what proportion of the total number of failed asylum applicants they represented. [78663]

Mr. Mike O'Brien: The available information on the numbers of asylum refusals, and removals and voluntary departures of persons who have applied for asylum at some stage, in the last five years is given in the table. It should be noted that: the figures for refusal of asylum and exceptional leave relate to initial decisions by the Immigration and Nationality Directorate (IND) and do not take account of the outcomes of appeals or other subsequent decisions; and a removal or voluntary departure in one year may relate to a decision to refuse asylum and exceptional leave, or the withdrawal of an asylum application or appeal, in an earlier year. Furthermore, some failed asylum seekers may leave the United Kingdom without the knowledge of IND, or before enforcement action has been initiated, and will not be recorded in the removals and voluntary departures figures. As the available information on refusals and removals of asylum seekers is not therefore directly comparable, it is inappropriate to these figures to calculate removals and voluntary departures as a proportion of refusals.

A person cannot be removed until all rights of appeal in the United Kingdom have been exhausted and thereafter significant barriers to removal may exist, such as a lack of documentation, judicial review or absconding.

Refusals [1], removals and voluntary departures of asylum applicants, excluding dependants, 1994 to 1998 [4]

	Number of persons				
	1994	*1995*	*1996*	*1997*	*1998* [5]
Refused asylum and exceptional leave	16,500	21,300	31,670	28,945	22,315
Removed [2]	1,640	2,270	3,680	5,340	[3]5,020
Departed Voluntarily [2]	580	900	1,140	1,790	[3]1,770

[1] Information relates to initial asylum decisions excluding the outcomes of appeals or other subsequent decisions.
[2] A removal or voluntary departure in one year may relate to a decision to refuse asylum and exceptional leave taken in an earlier year.
[3] 1998 removed and departed voluntarily figures are estimated.
[4] 1998 data are provisional.
Note:
All figures are rounded.

Mr. Clappison: To ask the Secretary of State for the Home Department how many recommendations for deportation he received from the courts; and how many he signed in the last year for which figures are available. [78695]

Mr. Mike O'Brien: In 1998, some 340 recommendations for deportation were received from the courts. During the same year, 270 deportation orders were signed following a court recommendation for deportation. These data are provisional. It should be noted that a deportation order signed in one year may relate to a court recommendation received in an earlier year and some sentences may be for more than one year and so the deportation may be signed before their release some time later.

Mr. Clappison: To ask the Secretary of State for the Home Department in how many cases applications for asylum following a decision by him to make a deportation order in respect of the person concerned were *(a)* received and *(b)* granted in the last five years for which figures are available. [78686]

Mr. Mike O'Brien: The information requested is given in the table. It should be noted that a grant of asylum in one year may relate to an application lodged in an earlier period.

Persons applying for asylum after a deportation order had been signed against them [1], number of applications and number of grants of asylum, 1994 to 1998

		Number of persons
Year	*Asylum applications received*	*Grants of asylum* [2]
1994	195	4
1995	250	0
1996	145	[3]—
1997	70	[3]—
1998 [4]	25	0

[1] Asylum application made at least one day after a deportation order had been signed
[2] Applications data are round
[3] It should be noted that a grant of asylum in one year may relate to an application lodged in an earlier period
[4] 1998 data are provisional
[5] Represents 1 or 2

Illegal Immigrants

Mr. Clappison: To ask the Secretary of State for the Home Department what is his estimate of the current total number of persons living in the UK who have no legal right to do so; and, of these, how many *(a)* have had enforcement action initiated against them but not completed, *(b)* have not yet had enforcement action initiated against them and *(c)* have absconded. [78665]

Mr. Mike O'Brien: There is no estimate of the total number of persons living in the United Kingdom who have no legal right to do so. There is no figure for the number of persons in the United Kingdom who have no right to be here but against whom enforcement action has not been initiated.

As at January 1999, the number of persons against whom enforcement action has been initiated but not completed (including absconders) stood at 67,000. But some of these may still have outstanding legal appeals which means they cannot be removed yet.

As at the end of November 1998 the number of known absconders was 31,500. This covers persons subject to port or enforcement action who had breached conditions of temporary admission, temporary release or restriction order, or were otherwise known to be out of contact with the Immigration and Nationality Directorate (IND). Some persons recorded as absconders may have departed from the United Kingdom without the knowledge of IND.

Mr. Clappison: To ask the Secretary of State for the Home Department what estimate he has made of the proportion of lorry drivers who report clandestine entrants to *(a)* the police and *(b)* other authorities on discovery of such persons in their vehicles in the UK. [78698]

Mr. Mike O'Brien: Without having some idea of the number of drivers who actually discover clandestine entrants in their vehicle, any estimate of the proportion who report the matter can only be speculation. Many clandestine illegal entrants already report to the authorities of their own accord. Our aim should be to prevent them arriving in the first place.

Mr. Clappison: To ask the Secretary of State for the Home Department how many persons were granted leave to enter the United Kingdom in *(a)* 1997 and *(b)* 1998 after being removed from the United Kingdom as a result of a breach of immigration law in the preceding three years. [78601]

Mr. Mike O'Brien: I regret that the information requested is not available.

Mr. Clappison: To ask the Secretary of State for the Home Department what research he has *(a)* commissioned or *(b)* evaluated into the carrying out of checks by lorry drivers for the presence of clandestine entrants in their vehicles. [78699]

Mr. Mike O'Brien: I have had a number of meetings with representatives of the road haulage industry, in the course of which we have discussed possible precautionary measures; and I have made it clear that I am happy to have further discussions if this would be helpful. However, the Home Office has not commissioned any independent research into this subject and has not yet participated in the evaluation of research by others, but officials have advised on the work they have done in this area.

Mr. Clappison: To ask the Secretary of State for the Home Department what assessment he has made of the proportion of road haulage operators and lorry drivers who have experienced incidents involving clandestine entrants. [78701]

Mr. Mike O'Brien: Over 9,000 cases of clandestine illegal entry were detected or otherwise came to light during 1998. It is not possible to make an assessment of the proportion of road haulage operators and drivers who were responsible for bringing them into the country. It is not possible either to assess the proportion who were involved in unsuccessful attempts to gain entry to their vehicles.

Mr. Clappison: To ask the Secretary of State for the Home Department what assessment he has made of the proportion of road haulage operators with procedures in place for the prevention of clandestine entrants. [78700]

Mr. Mike O'Brien: I am aware that the Road Haulage Association (RHA) has issued guidance to its members on this subject. It is not possible to judge how many will have acted on that advice or obtained advice from elsewhere and, of course, not all operators entering the United Kingdom will be members of the RHA.

Mr. Clappison: To ask the Secretary of State for the Home Department how many persons were arrested under the provisions of Schedule 2 of the Immigration Act 1971 in the last year for which figures are available. [78655]

Mr. Mike O'Brien: Information on the number of people arrested under the provisions of Schedule 2 is not collected centrally.

Provisional figures for 1998 indicate that 27,600 passengers were refused leave to enter and removed, 16,460 illegal entrants were detected and 3,920 people were served with a notice of intention to deport for overstaying or breaching conditions. However, by no means all of these would have been arrested under Schedule 2. Some would have come to light as the result of an application for leave to enter or remain, others may have come to light after being arrested in connection with other matters.

Mr. Clappison: To ask the Secretary of State for the Home Department how many clandestine entrants were discovered concealed in a vehicle by (i) immigration officials, (ii) port authorities and (iii) the police *(a)* at a port of entry and *(b)* subsequently in the last five years for which figures are available. [78618]

Mr. Mike O'Brien: Details of the total number of clandestine illegal entrants who were detected or who brought themselves came to notice during each of the past five years are given in the following table. We do not distinguish between cases detected at port of entry and those who come to light subsequently, neither do we distinguish according to who detected them.

Year	*Number of clandestine illegal entrants*
1994	1,810
1995	3,360
1996	4,110
1997	4,040
1998[1]	9,320

[1] Provisional estimate

Mr. Clappison: To ask the Secretary of State for the Home Department what assessment he has made of the prevalence of clandestine entrants in vehicles gaining access to the vehicle through its roof. [78617]

Mr. Mike O'Brien: I am aware that in some cases there is evidence that entry was gained by this route but we have made no comparative assessment of method of access.

Mr. Clappison: To ask the Secretary of State for the Home Department how many persons were *(a)* convicted of an offence under (i) section 24 and (ii) section 25 of the Immigration Act 1971 and *(b)* sentenced to imprisonment as a result of such a conviction in the last year for which figures are available. [78605]

Mr. Mike O'Brien: Information for 1997 held on the Home Office Court Proceedings Database is given in the table.

Persons convicted and persons sentenced to immediate custody at all courts for offences[1] under sections 24 and 25 of Immigration Act 1971 by type of offence, England and Wales, 1997

Section	*Offence description*	*Total convicted*	*Sentenced to immediate custody*
24(1)(a)	Entering UK in breach of a deportation order	2	1
24(1)(a)	Entering UK without leave	16	10
24(1)(aa)	By means of deception obtains or seeks leave to enter or remain in UK	—	—
24(1)(b)(i), 24(1)(c)	Overstaying time limit of leave	11	6
24(1)(b)(ii), 24(1)(d)	Failure to observe conditions of leave	5	—
24(1)(c)	Failure to observe restrictions under Schedule 2 or 3 as to reporting to police or an Immigration Officer as to residence	2	—
24(1)(f)	Disembarks in the UK from ship or aircraft after being placed on board with a view to removal from UK	1	—
24(1)(g)	Embarks in contravention of a restriction imposed by Order in Council	—	—
25(1)(a)[2]	Knowingly facilitating the entry of an illegal entrant	130	101
25(1)(b)[2]	Knowingly facilitating the entry of an asylum claimant	—	—
25(1)(c)[2]	Knowingly facilitating leave to remain of persons by means of deception	1	—
25(2)	Knowingly harbouring an illegal entrant or person who is in breach of the conditions of his leave	3	—

[1] Principal immigration offence
[2] As added by section 4 of the Asylum and Immigration Act 1996
[3] As added by section 5 of the Asylum and Immigration Act 1996

Immigration Advisers

Mr. Clappison: To ask the Secretary of State for the Home Department if he will list those who responded to the consultation document on control of unscrupulous immigration advisers; which consultees were *(a)* in favour of, *(b)* in favour subject to specific criticisms of and *(c)* against, the proposals in the document. [78634]

Mr. Mike O'Brien: The Government's consultation document on the control of unscrupulous immigration advisers did not present a single set of proposals, but invited views on a range of issues and options for change. Of 53 respondents to the paper, all were in favour of regulating those who provide immigration advice for profit and are not already subject to a regulatory system; 22 were in favour of the independent regulation of solicitors; 22 were against regulation of solicitors, but 11 of these expressed some concerns or reservations about the adequacy of the current regulation of solicitors in this field of work.

Child Asylum Seekers

Mr. Clappison: To ask the Secretary of State for the Home Department what plans he has to change the time limit for further representations following interviews in the case of unaccompanied child asylum applicants. [78597]

Mr. Mike O'Brien: Children are an extremely vulnerable group and therefore, unaccompanied children will not normally be interviewed about the substance of their claim if it is possible to obtain sufficient information to decide the claim from written representations or other sources.

In the event that an interview was necessary in a particular case, normal time limits would apply, but as in all other cases an extension would normally be granted if there was a good reason for the delay, and full account would be taken of the applicant's vulnerability. Obviously, any undue delay in deciding an application once the circumstances are known would not be in the child's interest.

Bogus Marriages

Mr. Clappison: To ask the Secretary of State for the Home Department (1) how many marriages have been reported by the Registrar General to his Department as marriages entered into for the purpose of breaching immigration control since 1994; [78604]

(2) how many reports of sham marriages from the Registrar General to his Department have resulted in action being taken against one or both of the parties for breach of immigration law or control in each year for the last 10 years. [78603]

Mr. Mike O'Brien: The number of marriages reported by the Registrar General in each of the past 5 years is given in the following table:

Year	*Number of marriages reported*
1994	404
1995	467
1996	519
1997	354
1998	450

It is not possible to identify those cases where enforcement action has occurred as a result of this notification as these are not distinguished from other enforcement cases. The information is not available centrally and could be obtained only at disproportionate costs.

Leave to Remain

Mr. Clappison: To ask the Secretary of State for the Home Department (1) how many applications for *(a)* leave to remain in the United Kingdom, *(b)* variation of leave to enter or remain in the United Kingdom and *(c)* fixing an indefinite leave stamp on an applicant's passport or travel document as the result of the removal or replacement of a previous passport were there in each of the last five years; [78639]

(2) how many persons in receipt of limited leave *(a)* applied for a variation or extension of their leave to remain and *(b)* had such an application granted in 1998. [78622]

Mr. Mike O'Brien: The available information relates to initial decisions on applications for an extension of stay, excluding dependants. The numbers of such decisions, excluding those in respect of an asylum application, were:

Year	*Number*
1994	185,000
1995	169,000
1996	180,000
1997	173,000
1998	157,000

151,000 of the decisions in 1998 were grants of an extension of stay, including indefinite leave to remain. I regret that the other information requested is not available.

Mr. Clappison: To ask the Secretary of State for the Home Department what estimate he has made of the current cost of processing applications for *(a)* leave to remain in the United Kingdom, *(b)* the variation of leave to enter or remain in the United Kingdom and *(c)* the fixing of an indefinite leave stamp on an applicant's passport or travel document as a result of the removal or replacement of a previous passport. [78671]

Mr. Mike O'Brien: Our estimate of the average cost of dealing with applications for *(a)* and *(b)* is £90. This includes direct costs and overheads, including accommodation. The cost of fixing an indefinite leave stamp on a passport will be significantly less than this.

Embarkation Control

Mr. Clappison: To ask the Secretary of State for the Home Department how many persons were charged with an offence after being stopped at embarkation controls *(a)* in each of the three years before April 1998 and *(b)* since April 1998. [78651]

Mr. Mike O'Brien: I regret that the information requested is not available in the form requested.

Mr. Clappison: To ask the Secretary of State for the Home Department how many airlines were waiting for an application for approved gate check status at a port of embarkation to be dealt with on *(a)* 1 May 1997 and *(b)* according to the latest figures which are available. [78608]

Mr. Mike O'Brien: The figure for 1 May 1997 is not available. The current number is 46 (from 19 airlines).

Mr. Clappison: To ask the Secretary of State for the Home Department what was the average waiting time for an application for approved gate check status at a port of embarkation to be dealt with on *(a)* 1 May 1997 and *(b)* according to the latest figures which are available. [78606]

Mr. Mike O'Brien: All applications for approved Gate Check (AGC) status are actioned upon receipt. A site visit is invariably required before AGC status can be granted. The estimated average waiting time for a decision on routine applications is: *(a)* on 1 May 1997—173 days and *(b)* currently—144 days.

Citizenship

Mr. Clappison: To ask the Secretary of State for the Home Department what is the average waiting time for an application for British Citizenship in the last year for which figures are available. [78660]

Mr. Mike O'Brien: Applications for British Citizenship fall into two categories: naturalisations or registrations. As at the end of February 1999, naturalisations are taking 20 months on average to complete, whilst registrations are taking 7 months. The overall average time is currently 18 months.

Unlawful Discrimination

Mr. Clappison: To ask the Secretary of State for the Home Department what research he has *(a)* commissioned and *(b)* evaluated into alleged unlawful discrimination arising out of Section 8 of the Asylum and Immigration Act 1996. [78620]

Mr. Mike O'Brien: The Commission for Racial Equality, the Joint Council for the Welfare of Immigrants and the Trades Union Congress have separately recounted to us instances of alleged unlawful discrimination reported to them, but the Home Office has not separately commissioned research.

Mr. Clappison: To ask the Secretary of State for the Home Department what consultations he carried out with *(a)* business organisations and *(b)* others regarding a code of practice for the avoidance of unlawful discrimination by employers who seek to comply with the provisions of section 8 of the Asylum and Immigration Act 1996. [78621]

Mr. Mike O'Brien: A Code of Practice for the avoidance of unlawful discrimination was proposed in the White Paper "Fairer, Faster and Firmer—A Modern Approach to Immigration and Asylum", published last July. Comments from business organisations and others were invited at the time of publication.

No business organisations have been directly consulted since then but consultations on the proposal have taken place with the Commission for Racial Equality, (CRE) the Trades Union Congress and other interested organisations. The current proposals provide for the CRE and

organisations or associations representative of employers and workers to be consulted on the preparation of the draft code of practice.

Family Visitors

Mr. Clappison: To ask the Secretary of State for the Home Department how many family visitors were refused an entry clearance *(a)* as a visitor, *(b)* in order to follow a course of study of not more than six months duration and *(c)* with the intention of studying but without having been accepted for any course of study in the last year for which figures are available. [78667]

Mr. Mike O'Brien: I regret that the information is not available in the form requested. In 1998, 78,600 persons were refused entry clearance for travel to the United Kingdom other than for settlement, of whom 9,600 were students or prospective students.

Forfeiture Orders

Mr. Clappison: To ask the Secretary of State for the Home Department how many orders for forfeiture were made under section 25(6) of the Immigration Act 1971 in each of the last five years. [78669]

Mr. Mike O'Brien: Information taken from the Home Office Court Proceedings Database is given in the table.

Number of offenders given forfeiture orders under subsection 25(6) of the Immigration Act 1971, England and Wales, 1993–97

Year	*Offenders*
1993	—
1994	—
1995	1
1996	3
1997	14

not available

Work Permits

Mr. Clappison: To ask the Secretary of State for the Home Department how long he expects the concession to employees requiring work permits for prospective employers in respect of work permit delays to continue. [78703]

Mr. Mike O'Brien: For as long as it is needed. We will keep its operation under review.

Asylum Seekers (Slovakia)

Mr. Clappison: To ask the Secretary of State for the Home Department what proportion of asylum claims from Slovakian nationals were certified in the last year for which figures are available. [78656]

Mr. Mike O'Brien: Of 335 initial decisions made in applications for asylum by nationals of the Slovak Republic in 1998, 27 per cent. were certified.

Asylum Seekers (Eurostar)

Mr. Clappison: To ask the Secretary of State for the Home Department what representations he has made to the French Government about the arrival in the UK of asylum seekers on Eurostar. [78704]

Mr. Mike O'Brien: My right hon. Friend is in close contact with his French counterpart, M Chevènement, about this matter. At their last meeting in Paris on 11 March, they discussed a range of options to deal with the problem, including imposing charges under the carriers' liability arrangements.

Mr. Clappison: To ask the Secretary of State for the Home Department how many foreign nationals have claimed asylum at *(a)* Waterloo Station and *(b)* elsewhere after arriving in the UK on a Eurostar service since 1 January. [78705]

Mr. Mike O'Brien: 535 asylum applications, excluding dependants, were made at Waterloo in January and February 1999. I regret that information on how many asylum applications were made elsewhere after arriving in the United Kingdom on a Eurostar service is not available.

Lost Passports

Mr. Clappison: To ask the Secretary of State for the Home Department how many complaints he received regarding the loss of passports of foreign nationals by the Immigration and Nationality Directorate in *(a)* the last three months and *(b)* 1998. [78649]

Mr. Mike O'Brien: Complaints received by the Immigration and Nationality Directorate are not recorded centrally on the basis of subject matter. Information kept centrally is in respect of the number of compensation claims dealt with as a result of maladministration.

In 1998, 62 claims for compensation were dealt with, the majority of which arose because of lost documents. During 1999, 19 claims for compensation have so far been dealt with. A number of claims received in 1998 and this year remain to be determined.

Forged Documents

Mr. Clappison: To ask the Secretary of State for the Home Department what assessment he has made of the number of persons seeking to obtain entry to the UK through the use of forged visas or entry clearance documents; and how many such forgeries were detected, in the last year for which figures are available. [78638]

Mr. Mike O'Brien: During 1998, there were 6,338 recorded forgery detections at ports: these include the attempted use of forged or counterfeit documents, the use of fraudulently obtained documents and instances of attempted impersonation. There were 362 cases involving the use of a forged or counterfeit visa. We have not attempted any assessment of the number of forged visas which are not detected.

Visas

Mr. Clappison: To ask the Secretary of State for the Home Department what plans he has to introduce the stamping of visas to indicate when they have been used. [78689]

Mr. Mike O'Brien: None. The stamping of visas would slow down the immigration control process. One of the aims of the planned reforms set out in the Immigration and Asylum Bill is to develop a flexible and streamlined system of immigration control to enable bona fide travellers to pass through more quickly. We have

made provision in the Bill for measures to be introduced to achieve these aims and, in particular, to provide for the issue of a visa or other entry clearance to have the effect of also granting leave to enter. In taking these flexibility measures forward, we will be looking at greater simplification of visa processes and how these and our operations in general might be improved by technological developments in immigration control.

Racist Incidents

Mr. Clappison: To ask the Secretary of State for the Home Department what assessment he has made of the incidence of *(a)* racial and religiously motivated attacks and *(b)* other criminal offences committed against asylum seekers. [78600]

Mr. Mike O'Brien: Information on racist incidents is collected centrally, but asylum seekers are not separately identifiable in the statistics.

Airlines (Carrier's Liability)

Mr. Clappison: To ask the Secretary of State for the Home Department how much is owed in penalties arising out of carrier's liability incurred by airlines more than *(a)* three months, *(b)* six months, *(c)* 12 months and *(d)* two years after the penalty was incurred. [78609]

Mr. Mike O'Brien: As at 24 March 1999, the amounts owed by airlines were as follows:

(a) more than three months: £6,620,480

(b) more than six months: £4,658,480

(c) more than twelve months: £3,772,480

(d) more than two years: £3,058,480.

These amounts include £1.8 million which is the subject of legally binding agreements, and £1.1 million is covered by outstanding writ action.

Entry Clearance

Mr. Clappison: To ask the Secretary of State for the Home Department how many persons with an entry visa or other form of entry clearance were refused leave to enter on arrival in the United Kingdom in the last five years for which figures are available. [78641]

Mr. Mike O'Brien: Information is available only on entry clearance holders refused leave to enter and removed at the 13 largest ports. The figures for 1995–98 are as follows:

Year of removal	*Number*
1995	530
1996	640
1997	740
1998	720

Immigration Detainees (Bail Applications)

Mr. Clappison: To ask the Secretary of State for the Home Department how many applications for bail by persons held in detention for immigration reasons under *(a)* the Immigration Act 1971 and *(b)* any other provision were made to (i) an adjudicator and (ii) the Immigration Appeal Tribunal; and how many such applications were granted in each year for the last five years. [78670]

Mr. Mike O'Brien: The information requested can be obtained only at disproportionate cost.

Police Officers

Sir Norman Fowler: To ask the Secretary of State for the Home Department if he will list the number of police officers employed in *(a)* the National Crime Squad and *(b)* the National Criminal Intelligence Service as at 30 September 1998; if he will list the number of police officers employed at 30 September 1997 on a basis which permits a comparison with *(a)* and *(b)* above; and if he will make a statement. [79196]

Mr. Boateng: The information requested is set out in the table:

Number of police officers

	National Crime Squad	*National Criminal Intelligence Service (NCIS)*
30 September 1997	1,325	253
30 September 1998	1,344	238

Information on the number of police officers in NCIS for 30 September 1997 has been provided by the Director General.

The funding of the National Crime Squad and the National Criminal Intelligence Service will increase by 13.8 per cent. and 8.8 per cent. respectively in 1999–2000.

Sir Norman Fowler: To ask the Secretary of State for the Home Department when he expects to announce the strength of police forces in England and Wales as recorded in March 1999; and if he will make a statement. [79195]

Mr. Boateng: This information will be collected in accordance with normal procedures. Once all the returns have been received from police forces and validated, the statistics will be placed in the Library. I expect this information to be available in early June, on the basis of last year's timetable.

Correspondence

Sir Brian Mawhinney: To ask the Secretary of State for the Home Department when the right hon. Member for North-West Cambridgeshire can expect a reply to his letter of 3 February to the Under-Secretary, the hon. Member for North Warwickshire (Mr. O'Brien), on behalf of his constituent Mr. Perry. [79168]

Mr. Mike O'Brien: A reply to the right hon. Member's letter of 3 February will be sent this week.

Special Adjudicators

Mr. Clappison: To ask the Secretary of State for the Home Department in how many of the appeal cases before a special adjudicator a certificate was issued by him and on what grounds, in the last year for which figures are available. [78684]

Mr. Mike O'Brien: The information requested is given in the table.

Certified asylum adjudicator appeal outcomes, excluding dependants, by category[1,2] 1997

Certified category	
Para 5(2)	3,075
Para 5(3)a	420
Para 5(3)b	810
Para 5(4)a	205
Para 5(4)b	35
Para 5(4)c	225
Para 5(4)d	5
Para 5(4)e	20
Total	4,790

[1] Figures rounded to nearest 5.
[2] Figures are estimates based on cases for which information is records.

Key to category codes
Para 5(2) Designated country of destination
Para 5(3)a Failure to produce without reasonable explanation, a passport on arrival
Para 5(3)b Applicant gained or attempted entry using a false passport
Para 5(4)a Claim did not show fear of persecution
Para 5(4)b Claim was manifestly unfounded or where grounds have fallen away
Para 5(4)c Claim was made after refusal of leave to enter
Para 5(4)d Claim was manifestly fraudulent/evidence was manifestly false
Para 5(4)e Claim was frivolous or vexatious

Mr. Clappison: To ask the Secretary of State for the Home Department (1) what was the average time taken for an adjudicator to determine an appeal against refusal of leave to enter in each of the last three years; [78623]

(2) what is the average waiting time for an appeal to a special adjudicator in an asylum case between when the claim is refused to the determination of the appeal, according to the most recent figures. [78625]

Mr. Mike O'Brien: The available information is that, on average, the waiting time, over the last six months, for a special adjudicator to determine an asylum appeal is estimated to be 13 months. This relates to the date of the receipt of the appeal at the Independent Appellant Authority not the date of the refusal as requested. Information on non-asylum appeals is not recorded centrally.

Drugs Prevention Initiative

Angela Smith: To ask the Secretary of State for the Home Department when he will publish a report on the progress of his Department's Drugs Prevention Initiative. [79552]

Mr. George Howarth: I am publishing on 30 March, the Home Office Drugs Prevention Initiative's (DPI) eighth and final progress report.

This report reflects the Initiative's valuable contribution to advancing the case for effective community based drugs prevention over the last 9 years. That contribution was fully recognised in the Government's White Paper on Drugs, "Tackling Drugs to Build a Better Britain", published in April last year. The work of the Initiative, in terms of its good practice findings from its rigorously evaluated demonstration projects, has helped influence thinking and improve the evidence base for drugs prevention.

The Initiative reaches its planned conclusion on 31 March 1999. The White Paper recognised the need for successor arrangements to the Initiative, to support the Government's 10 year anti-drugs strategy. I am pleased to announce that the Home Office Drugs Prevention Advisory Service (DPAS) will replace the DPI from 1 April 1999. The new service will cover the whole of England and will work closely with all Drug Action Teams to encourage good drugs prevention practice and to support their work in delivering the national strategy.

I am placing a copy of the final DPI report in the Library tomorrow at 10.30 am.

Prisoners (Health Care)

Angela Smith: To ask the Secretary of State for the Home Department what was the outcome of the joint Prison Service and NHS Executive review on the future organisation of prisoners' health care; and if he will make a statement. [79553]

Mr. Straw: A copy of the Report by the Joint Prison Service and NHS Executive Working Group on the future organisation of prisoners' health care has been placed in the Library, along with a Table giving a detailed response to the recommendations and action points.

The Report identifies a range of weaknesses with the current organisation and provision of healthcare to prisoners. While there is good work being done, looked at as a whole, there is considerable variation in the organisation, funding, delivery and quality of prisoner health care, with variable links to the NHS. The Report makes clear that this situation is largely the product of a historic legacy of ad hoc development and relative isolation from the NHS. This means that, on the whole, prison health care is reactive rather that proactive; and well developed primary care teams, health needs assessments and appropriately planned services, are the exception rather than the rule.

The Government accept the recommendations and action points set out in the Report and reaffirm the existing aim of prison health care to give prisoners access to the same quality and range of health services as the general public receives from the NHS. The reform of prison healthcare poses problems and issues of a complex nature and will take place against the background of NHS reform. This means that change must be carried out in stages. The Government's response combines immediate action to improve service delivery, with a joint approach to future policy development and further work on identification of prisoner needs, priorities, timescales for improvement and organisation.

First, the Report has identified a number of areas where priority action is needed, and which can begin to be addressed within the existing comprehensive spending settlement. As a start, the Government intend that, by the end of 1999, work will have been carried out to pilot a new prison reception health screening tool. This will help staff more effectively to identify the health needs and status of each individual prisoner and plan how to meet their individual treatment needs. In parallel with this

work, a health needs assessment template will be developed to help prisoners and health authorities determine the health needs of their prison population.

With immediate effect, doctors newly appointed to undertake any kind of primary care in prisons will be required to hold a certificate from the Joint Committee on Postgraduate Training for General Practice (JCPTGP) or have recognised equivalent accreditation to practice primary care medicine. Doctors currently providing primary care services who do not hold the JCPTGP certificate will be encouraged to work towards obtaining it. The Government also accept the case made in the Report that nursing care in prisons should be under the direction of registered nurses. Where this is not the case, Prison Service establishments will work towards achieving it as soon as possible.

The Report draws particular attention to the needs of the large number of prisoners with mental health problems. Within the framework of radical reform set out in the Government's White Paper "Modernising Mental Health Services—Safe, sound and supportive", published in December 1998, the needs of prisons will be taken into account when planning all inpatient mental health services including high and medium secure services. And, in order to support prisoners for whom a transfer to hospital would not be appropriate, Health Authorities will ensure that service agreements with NHS Trusts include outreach services for prisoners. These services will aim to provide appropriate mental health care for persons in prison custody and to achieve continuity of care when moving between secure prison accommodation and community mental health services.

Secondly, the Government in particular welcome the proposal for greater joint working between the Prison Service and the NHS. This is in keeping with the Government's broader policy initiative, "Modernising Government", by removing barriers and disincentives to cross-departmental working where that is necessary for the delivery of better and more effective services.

Ministerial and departmental accountabilities will remain as now: the Prison Service being accountable for the provision of primary care and the NHS for specialist services and for care provided in NHS hospitals. But future planning and delivery of prisoner health care will be underpinned by joint working and planning at national, regional and local levels. Practical benefits on the ground are likely to include the proper integration of health promotion and health care into prison regimes, and arrangements to ensure continuity of health care on receipt into custody, transfer to hospital, or on release back to the community. Health improvement programmes will be expected to reflect these objectives.

In order to put the joint organisation and planning of prison health care on a firm footing, the Chief Executive of the NHS Executive and the Director General of the Prison Service, will, as recommended in the Report, establish in the course of 1999 a Joint Prison Health Policy Unit and a Joint Prison Health Care Task Force. These Units, working with the Prison Service and the NHS will lead and manage the process of change.

The Joint Prison Health Policy Unit will be expected to set overall standards and policy, provide clear strategic direction for prison healthcare, and to advise both Home Office and Health Ministers. This Unit will replace the current Prison Service Directorate of Healthcare and will be physically located in the NHS Executive in the Department of Health. The Prison Healthcare Task Force will draw on staff of appropriate experience from the Prison Service, the NHS and other organisations. Its principal roles will be to offer expert advice and support the joint work that prisons and health authorities will need to do in identifying and implementing plans to improve health services to prisoners and in making the best use of available resources. The publication of this Report signals the importance that the Government attach to establishing joint working arrangements between each prison and their local health authority. Prisons and health authorities will be asked to start their joint work in the course of this summer.

Thirdly, this reorganisation will not only greatly strengthen the co-ordination of prison health care, but form the basis for further work, including an assessment of how budget-setting might best reinforce effective care, the identification of prisoner health needs, the formulation of improvement plans and consequent financial implications, and advice on priorities so as to achieve the effective use of resources.

The Report notes that the scale of the problem with prison health care will not become clear until health authorities and prisons have jointly assessed the local health needs and have formulated improvement plans. It is not, therefore, possible at this stage to say when all the objectives set out in the Working Group's Report can be achieved. However, the Government will be taking steps to identify the scale of the problem and the resources needed to improve performance against standards comparable to those available in the community. The Task Force will aim to provide advice on good practice. Also, through pilots and in other ways, it will help to identify different organisational models of local delivery that meet the primary health needs of prisoners and that are cost effective. In the course of next year a formal review will be carried out to assess structural issues, priorities, timescales and future possible resource requirements.

While the arrangements set out above will apply to England, there is a need to ensure consistency throughout the Prison Service including the four prisons in Wales. The Secretary of State for Wales fully endorses the principles behind the Report's recommendations. The Welsh Office, and in due course the Welsh Assembly, will be working with the Department of Health and Prison Service to implement proposals to improve prison health care in ways compatible with Welsh circumstances.

Written Answers to Questions

Tuesday 30 March 1999

DEFENCE

Strategic Defence Review (Joint Initiatives)

Ms Beverley Hughes: To ask the Secretary of State for Defence what progress he has made on implementation of the Strategic Defence Review joint initiatives. [79609]

Mr. George Robertson: The Joint Rapid Reaction Forces (JRRF) concept builds on the Joint Rapid Deployment Force to provide a pool of highly capable force elements, maintained at high and very high readiness and trained to undertake short notice force projection operations of all kinds. We plan to have this larger, much improved and more balanced capability in place by October 2001. The forces that are needed to meet the JRRF requirement have already been identified and an initial operational capability will be achieved on 1 April 1999.

The Joint Force Headquarters, which is co-located at Northwood with the Permanent Joint Headquarters in peacetime, will be expanded to enable it to command two simultaneous operations. It will be provided with a dedicated signals squadron drawn from 30 Signal Regiment based at Bramcote in Warwickshire.

The authority of the Chief of Joint Operations, based at Northwood, will be increased and he will assume greater responsibility for Joint training, standards and exercises. To assist him in this task, a new 2* post, that of Chief of Joint Force Operational Readiness and Training (CJFORT) will be created from 1 April 1999.

To meet the need for increased deplorability and flexibility in ground-based air defence, a Joint Rapier Training Unit will be formed at RAF Honington on 1 April 1999.

Recognising that the proliferation of biological and chemical weapons programmes presents a continuing threat to our deployable forces, a Joint NBC Regiment will be established from 1 April 1999, initially at RAF Honington for at least four years. The Regiment will consist of Army personnel mainly from 1st Royal Tank Regiment and RAF personnel from the RAF Regiment. It will also include elements of the Territorial Army and Royal Auxiliary Air Force.

A Defence NBC HQ will be established at Winterbourne Gunner on 1 April 1999. It will control both the Joint NBC Regiment and the Defence NBC Centre, command responsibilities for which will transfer from the Army Training and Recruiting Agency to RAF Strike Command on 1 April 1999.

A Joint Doctrine and concepts Centre will be formed, located at Shrivenham. An Implementation Team will form at the beginning of April in London and will establish an Initial Capability at Shrivenham from September this year. It is planned to achieve a full capability from April 2000.

Reserve Forces

Mr. Borrow: To ask the Secretary of State for Defence what plans he has to continue to call out reservists to support military operations. [79665]

Mr. Doug Henderson: A new call-out order will be made under Section 54 of the Reserve Forces Act 1996. This will allow members of the reserve forces to continue to be called out to support operations in Yugoslavia and in the region of Iraq. The order will cease to have effect on 31 March 2000.

Chemical Defence Programme

Ms Squire: To ask the Secretary of State for Defence if he will make a statement about the United Kingdom's chemical defence programme. [79669]

Mr. Doug Henderson: The UK's defence programme is designed to protect against the use of chemical weapons. Such a programme is permitted by the Chemical Weapons Convention, with which the United Kingdom is fully compliant. Under the terms of the Convention, we are required to provide information annually to the Organisation for the Prohibition of Chemical Weapons. In accordance with the Government's commitment to openness, a copy of the summary which has been provided to the Organisation outlining the UK's chemical defence programme for 1998 has been placed in the Library of the House.

Armed Forces (Uniforms)

Mr. Hoyle: To ask the Secretary of State for Defence if he will list the countries whose textile companies have been awarded contracts from his Department for armed forces uniforms for the last five years. [77469]

Mr. Doug Henderson *[holding answer 18 March 1999]:* Textile companies from the following countries have been awarded contracts by my Department for Armed Forces uniforms over the past three years:

United Kingdom
Germany
Belgium
Italy
Spain
Canada

Details are available for the last three years only as before this time information on clothing and textiles procurement was not recorded centrally.

Training Costs

Mr. Hancock: To ask the Secretary of State for Defence what is the average cost of training a new recruit in each of the armed services. [78782]

Mr. Doug Henderson: I will write to the hon. Member and a copy of my reply will be placed in the Library of the House.

Military Transmissions (Interference)

Mr. Nigel Jones: To ask the Secretary of State for Defence what assessment he has made of potential interference to military transmissions from the

development of technology to deliver high-speed internet connections via powerlines; and if he will make a statement. [78868]

Mr. Spellar: The Ministry of Defence and the Radiocommunications Agency have investigated the potential for such technology to interfere with military communications. The indications are that it has the potential to interfere with military and other users of the radio spectrum. I understand that the Radiocommunications Agency is consulting affected parties and is preparing to place limits on levels of emitted radio interference to safeguard military and other transmissions.

Iraq

Mr. Llew Smith: To ask the Secretary of State for Defence what has been the cost to date of the bombs dropped on Iraq by British forces in Operation Desert Fox and subsequent military actions over Iraq. [78972]

Mr. George Robertson: The costs to date of bombs dropped on Iraq by British forces in Operation Desert Fox and subsequent military actions over Iraq is approximately £4 million.

Mesothelioma

Mrs. Curtis-Thomas: To ask the Secretary of State for Defence how many service personnel have *(a)* been diagnosed as suffering from and *(b)* died from mesothelioma in the last five years. [77638]

Mr. Doug Henderson *[holding answer 29 March 1999]:* There have been no recorded incidents of Service personnel suffering or dying from mesothelioma in the last five years.

Plutonium Processing

Mr. Corbyn: To ask the Secretary of State for Defence (1) what capital spending is planned on plutonium processing *(a)* by his Department and *(b)* by Hunting Brae in Aldermaston; and if he will make a statement; [79512]

(2) what environmental impact assessment has been made of the effect of new plutonium reprocessing at Aldermaston; what consultation there has been with the Environment Agency; and if he will make a statement. [79511]

Mr. Spellar: I will write to my hon. Friend and place copies of my letters in the House of Commons Library.

RAF Wittering (Air Crash)

Mr. Corbyn: To ask the Secretary of State for Defence when he expects to publish the report on safety procedures in respect of the crash of an RAF harrier at RAF Wittering on 31 October 1997. [79509]

Mr. Spellar: The RAF Board of Inquiry process into the accident involving a RAF Harrier GR7 on 31 October 1997 is nearing completion and a summary of its findings will be published in the next few months.

Chinook Helicopter

Mr. Key: To ask the Secretary of State for Defence (1) if the Air Accident Investigation Branch was able to extract a complete full authority digital engine control fault history from the digital electronic control unit that was destroyed on impact following the crash of RAF Chinook ZD576 in June 1994; [78422]

(2) if the full authority digital engine control system fitted to the Chinook Mk2 was validated before it was brought into operational service; [78423]

(3) if the surviving digital electronic control unit retrieved from the wreckage of RAF Chinook ZD576 in June 1994 had the capacity to record the complete full authority digital engine control fault histories of both engines. [78424]

Mr. Spellar: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Departmental Food (Sourcing)

Mr. Keith Simpson: To ask the Secretary of State for Defence what percentage of pigmeat consumed by his Department's personnel is sourced from outside the United Kingdom. [79337]

Mr. Spellar: The procurement of food for the Armed Forces is contracted to Booker Foodservice who import some 50 per cent. of the bacon and gammon required by the Armed Forces. The balance of the requirement for bacon and gammon and 100 per cent. of the pork requirement is presently sourced in the UK.

MOD Police

Mr. Key: To ask the Secretary of State for Defence with whom he has entered into agreements or contracts or signed memorandums of understanding which extend to Ministry of Defence police officers the powers and privileges of constables *(a)* on land in respect of which he has agreed to provide the services of the Ministry of Defence police under notices published in the London, Belfast and Edinburgh Gazette and *(b)* in relation to matters connected with anything done for the purposes of the Ministry of Defence or the Defence Council. [75276]

Mr. Doug Henderson: The Secretary of State for Defence has agreed to provide the services of the Ministry of Defence Police to:

(a) the Royal Mint, Llantrisant, concerning which a notice was placed in the *London Gazette* on 5 May 1987;

(b) Devonport Dockyard, concerning which a notice was placed in the *London Gazette* on 3 March 1997;

(c) Rosyth Dockyard, concerning which a notice was placed in the *Edinburgh Gazette* on 28 January 1997.

The Secretary of State does not have to enter into an agreement for members of the MOD Police to have the powers and privileges of constables in relation to matters connected with anything done under a contract entered into by him for the purposes of his Department or the Defence Council: jurisdiction is conferred by section 2(2) or section 2(3) of the Ministry of Defence Police Act 1987.

FOREIGN AND COMMONWEALTH AFFAIRS

Overseas Territories

Mr. Thompson: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his statement of 17 March 1999, *Official Report*, columns 1125–27, if he will list the British overseas territories that meet in full international standards on money laundering, transparency in regulation of their financial sectors, co-operation with law enforcement authorities and independent financial regulation. [78002]

Mr. Tony Lloyd *[holding answer 23 March 1999]:* None at present meets all these requirements. The Overseas Territories are at differing stages of developing regulatory regimes which are acceptable to the international community.

The White Paper on the Overseas Territories expands on the measures we consider necessary to ensure the OTs meet accepted international standards of financial regulation by the end of 1999. HMG will monitor progress in the OTs and continue to provide them with advice and support in drafting and effectively implementing legislation.

An independent review of financial regulation will be conducted in the OTs to check what progress has been made in implementing these measures. The review will also make recommendations on how to deal with issues outstanding and to what timetable. If any OTs are found to be inactive or behind, HMG will seriously consider whether to use our powers to ensure the standards are met.

Exports

Mr. Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer to the hon. Member for Wirral, South (Mr. Chapman) of 12 March 1999, *Official Report*, columns *399–400*, on exports, what the role of British Trade International will be in respect of the promotion of the export of British nuclear technologies. [78975]

Mr. Fatchett: British Trade International will support the promotion of the export of British nuclear technologies, as Overseas Trade Services did in the past, in conformity with our export and non-proliferation obligations.

Arms Sales

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs what action he proposes to take in response to Recommendation 1382 (1998) of the Parliamentary Assembly of the Council of Europe concerning the drawing up of a European code of conduct on arms sales. [78874]

Mr. Tony Lloyd: Recommendation 1382 (1998) calls for a number of actions by the Committee of Ministers of the Council of Europe. The Committee of Ministers has instructed the Ad Hoc Committee of Legal Advisers on Public International Law to prepare an opinion on the Recommendation. It is our understanding that there will be no further consideration of the Recommendation by the Committee until the opinion has been received.

Falklands (Human Rights)

Mr. Ben Chapman: To ask the Secretary of State for Foreign and Commonwealth Affairs how many suspected or actual cases of human rights violations connected with vessels operating in the waters surrounding the Falklands took place in each of the last three years. [79039]

Mr. Tony Lloyd: No cases of human rights abuses involving fishing vessels were recorded by the Royal Falkland Islands Police in 1996. In 1997, three incidents were reported in which mistreatment of seamen was suspected. These were pursued to the extent possible, but legal action could not be taken. Of two reported incidents in 1998, one resulted in the successful prosecution of the Captain of a fishing vessel. Both HMG and FIG take human rights violations seriously and continue to monitor the situation.

Democratic Republic of Congo

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs for what reasons the four British officials who were expelled on 7 March were visiting the Democratic Republic of Congo. [79165]

Mr. Tony Lloyd: Three of the officials were in Kinshasa to conduct a routine review of the Embassy's civil contingency plan, the fourth (a State Department employee on an exchange programme with the Foreign and Commonwealth Office) was there to provide temporary cover for staff absences in the Embassy.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs what evidence the Democratic Republic of Congo presented to his Department in support of the detention and expulsion of British Embassy staff and four British officials on 7 March. [79164]

Mr. Tony Lloyd: None.

Algeria

Dr. Starkey: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will urge the Algerian Government, bilaterally and through the EU, to co-operate with the UN Working Group on Enforced and Involuntary Disappearance and to facilitate a visit to the country in order to conduct an independent investigation of disappearance cases. [79014]

Mr. Fatchett: We will continue to urge the Algerian Government to co-operate with all UN human rights mechanisms, including the UN Working Group on Enforced and Involuntary Disappearances, both in our bilateral dialogue and through the EU.

Dr. Starkey: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Algerian Government calling on them to release all prisoners held in secret and unacknowledged detention unless they are to be charged with recognisably criminal offences. [79068]

Mr. Fatchett: We regularly raise with the Algerian Government our concerns about alleged human rights violations, both bilaterally and through the EU. To this end we support the work of the UN Working Group on Enforced Disappearances and urge the Algerian Government to honour their obligations to co-operate with this and all other UN human rights mechanisms.

Dr. Starkey: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will press for a resolution on Algeria at the United Nations Commission for Human Rights at Geneva. [79013]

Mr. Fatchett: We are our EU partners are considering our positions for this year's Commission on Human Rights, which runs until the end of April. Much will depend on the position taken by the Algerian Government to acknowledge their obligations under the UN Charter and agree to allow in UN Special Rapporteurs on Extra-judicial Executions and on Torture, and co-operate with all UN human rights mechanisms.

Dr. Starkey: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the current human rights situation within Algeria. [79012]

Mr. Fatchett: The human rights situation in Algeria continues to cause us concern. In its latest report, the Working Group on Enforced Disappearances of the United Nations Economic and Social Council lists 731 cases of disappearances in Algeria since 1991. Only 11 have been addressed by the Algerian government to the Working Group's satisfaction. Over the same period there have also been numerous allegations of extra-judicial executions and torture by the Algerian security forces.

It is fair to say that the number of new disappearances cited by the UN in the last 12 months is well down on previous years. But this is no substitute for independent investigations into all cases. We continue to urge the Algerian Government to allow independent UN Special Rapporteurs free access to the country to investigate all alleged human rights violations, as they are obliged to do under the UN Charter.

Ambassadors for British Business

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to appoint additional business ambassadors. [79153]

Mr. Fatchett: A small number of Ambassadors for British Business will be retiring from their main business employment in 1999. We may consider replacements for them during the year.

Diplomatic Posts

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs how many posts in his Department at *(a)* ambassadorial and *(b)* Consul-General level have been advertised in the last year. [79073]

Mr. Tony Lloyd: No Ambassadorships were advertised in the last year. The post of Director General Trade and Investment US and Consul General New York, was advertised in September 1998.

Yemen

Mr. Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on relations between Britain and Yemen. [79072]

Mr. Fatchett: Our long-standing relations with Yemen have been strained by recent incidents of kidnap involving British tourists, one of which resulted in the death of three British nationals, and by the arrest in Yemen of eight British nationals on terrorist-related charges. We are determined not to allow these set backs to cloud otherwise friendly relations. The Prime Minister wrote to Prime Minister Iriyani again on 24 March to help maintain dialogue at the most senior level, and to press our concerns about serious shortcomings in the legal process in the trial of the British nationals in Aden.

Task Forces

Dr. Tony Wright: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) if he will list all those task forces and policy reviews with external members established by his Department since May 1997 which have set up *(a)* sub-groups, *(b)* working parties and *(c)* other subsidiary committees; [79265]

(2) if he will list for all task forces and policy reviews with external members established by his Department since May 1997 *(a)* their dates of establishment, *(b)* those which have issued final reports and their dates of publication, *(c)* those which have been terminated and their dates of termination and *(d)* for those bodies still in existence, expected reporting and termination dates. [79285]

Mr. Fatchett: None.

Ascension Island

Mr. Ben Chapman: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the US Government's contribution to the central fund on Ascension. [79401]

Mr. Tony Lloyd: The US Government do not contribute to any central fund on Ascension. The Base on Ascension was built by the US Air Force during the Second World War and is provided free from rent and charges under the terms of the Agreement between the UK and US Governments Concerning the Extension of the Bahamas Long Range Proving Ground by the Establishment of Additional Sites in Ascension Island signed in 1956, as amended.

Sierra Leone

Dr. Kumar: To ask the Secretary of State for Foreign and Commonwealth Affairs how the United Kingdom will apply the £10 million worth of new assistance for Sierra Leone which he announced on 2 March; what assurances he has received about its use; and what is Her Majesty's Government's policy with regard to arms sales to Sierra Leone. [79670]

Mr. Tony Lloyd: My right hon. Friend the Foreign Secretary announced on 2 March 1999, *Official Report*, columns *854–901*, a new UK commitment of £10 million to promote stability in Sierra Leone. The objectives are to help the West African Peacekeeping Forces, ECOMOG,

push back the rebels; to encourage the rebels to lay down their arms and return to civilian life; and to create a professional and democratically accountable Sierra Leone Army.

Access to this new £10 million package of assistance is conditional upon matching pledges of support from other international donors. I am pleased to report that we have now received the full amount of £10 million in matching donations as a response to our lead in the promotion of lasting peace in Sierra Leone.

Our new package of £10 million will be used as follows:

> We have already given substantial logistic support to ECOMOG to enable it to consolidate the security situation. We have decided that £5 million will now be made available to provide further equipment for ECOMOG. Deliveries of equipment for ECOMOG forces will be arriving shortly;
>
> £4.5 million will be used to fund a UK programme to train and equip a new Sierra Leone Army. A small UK military advisory team has been deployed to oversee basic training of the new Sierra Leone Army and to assess their longer-term training requirements. As part of this train and equip programme, we will be providing boots and uniforms. We will also be providing rifles and ammunition. We will be delivering this equipment shortly.

As a condition for proceeding with this programme, we have sought and secured assurances from President Kabbah that he will pursue a twin track—diplomatic and military—approach to obtaining a lasting political peace; that recruitment for the new Sierra Leone Army will take place without ethnic discrimination; that children will not be used by the Sierra Leone Armed Forces or the Civil Defence Force; and that equipment supplied by the UK to the Government of Sierra Leone will be used only in accordance with international human rights standards and international humanitarian law.

President Kabbah is also in the process of consulting ECOWAS to ensure that the supply of arms by the UK does not breach the ECOWAS small arms moratorium of October 1998.

UN Security Council Resolution 1171 prohibits the sale or supply of arms and related material to Sierra Leone, other than to the Government of Sierra Leone through named points of entry. There is also an exemption to allow the sale of arms for the sole use in Sierra Leone of ECOMOG or the United Nations. The United Nations Arms Embargo (Amendment) (Sierra Leone) Order 1998 implements the United Nations Arms Embargo on Sierra Leone in the UK. Applications for licences under the Order in Council relating to the sale or supply of arms and related material to the Government of Sierra Leone or ECOMOG or the UN are considered on a case-by-case basis.

Kosovo

Mr. Blunt: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the implications of the closure of the Kosovo-Macedonian border to Kosovan refugees; and if he will make a statement. [79507]

Mr. Tony Lloyd: We welcome the reopening of the border between Macedonia and the Federal Republic of Yugoslavia on 24 March, following representations by the EU Presidency and others. This will facilitate the work of the UN High Commissioner for Refugees (UNHCR) in helping those who are fleeing Kosovo. The UNHCR can count on the support of the international community.

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions have been held with the Government of the Russian Federation on the situation in Kosovo. [79515]

Mr. Tony Lloyd: As fellow members of the Contact Group, we have remained in close touch with the Russians throughout the Kosovo crisis. The Prime Minister last discussed Kosovo with Russian Prime Minister Primakov on 25 March. The Foreign Minister discussed Kosovo with Russian Foreign Minister Ivanov on 29 March.

We will gladly take any opportunity to discuss this subject with the Russians. This is a subject on which we want to stay closely in touch.

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs on what date requests were made by the UK representative at the UN for a meeting of the Security Council to discuss the situation in Kosovo. [79516]

Mr. Tony Lloyd: We took the lead in bringing the situation in Kosovo before the Security Council in the late summer and autumn of 1998. The Security Council has been kept fully informed of developments since then. As Co-Chairs, we briefed the Council on the outcome of the negotiations which took place at Rambouillet and in Paris in February and March.

The Security Council debates on 24 and 26 March demonstrated the strength of support for NATO action.

Mr. Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what undertakings were given to the Government of Montenegro *(a)* at the Rambouillet Conference and *(b)* afterwards, concerning military action by NATO forces. [79514]

Mr. Tony Lloyd: No undertakings have been given to the Government of Montenegro concerning NATO military action. However, we have expressed strong support for the political and economic stability of Montenegro, particularly at this critical time for Yugoslavia and Montenegro.

TRADE AND INDUSTRY

Task Forces

Dr. Tony Wright: To ask the Secretary of State for Trade and Industry if he will list for all task forces and policy reviews with external members established by his Department since May 1997 *(a)* their dates of establishment, *(b)* those which have issued final reports and their dates of publication, *(c)* those which have been terminated and their dates of termination and *(d)* for those bodies still in existence, expected reporting and termination dates. [79286]

Mr. Byers: The information requested is set out in the table.

Review/Task Force	*Date established*	*Actual or expected date of final report*	*Actual or expected termination date*
Review of Company Law	4 March 1998	Spring 2001	Spring 2001
DTI/HMT review of company rescue mechanisms	29 January 1999	July 1999	July 1999
President's Advisory Group	23 July 1997	No written report—advice given orally at meetings.	30 June 1998
Competitiveness Working Parties	1 December 1997	6 April 1998	6 April 1998
Tech Stars Steering Group	December 1997	Not expected to produce written report	Anticipated to be Summer 1999
Oil and Gas Industry Task Force	17 November 1998	Summer 1999	September 1999

Dr. Tony Wright: To ask the Secretary of State for Trade and Industry if he will list all those task forces and policy reviews with external members established by his Department since May 1997 which have set up *(a)* sub-groups, *(b)* working parties and *(c)* other subsidiary committees. [79264]

Mr. Byers: Two task forces and policy reviews with external members established by my Department since May 1997 have set up working groups

The Review of Company Law's independent Steering Group has set up six working groups, looking at the purpose of company law and the needs of small and closely-held firms; company formation, capital maintenance and regulation and boundaries of the law; international issues and information and communications technology; vehicles and structure; corporate governance (directors); and corporate governance (shareholders).

The Oil and Gas Industry Task Force has set up seven working groups, looking at long-term vision; competitiveness; fiscal issues; regulation and licensing; skills and training; innovation and technology; and sustainable development.

Caribbean Countries (Trade)

Mr. Nicholas Winterton: To ask the Secretary of State for Trade and Industry what steps were taken by his Department to revise European Union policy to protect the United Kingdom's trading relationship with Caribbean countries within World Trade Organisation rules during the period of the United Kingdom presidency. [79096]

Mr. Wilson: The UK's trading relationship with the Caribbean forms part of the wider EU relationship with the ACP countries (sub-Saharan Africa, the Caribbean and Pacific) enshrined in the Lomé Convention. This provides a framework for trade, aid and political relations with the ACP. Under Lomé, ACPs have open access to the EU market for industrial goods and for a wide range of agricultural products.

The current (fourth) Lomé Convention expires in 2000. A negotiating mandate for a new Convention was adopted under the UK Presidency at the General Affairs Council (GAC) on 29 June 1998. The Commission's draft mandate suggested that these new arrangements, after a 5-year roll-over of current arrangements to 2005, should be in the form of Free Trade Areas between the EU and groups (yet to be defined) of ACP countries. In response to the concerns of the UK and some other member states, the mandate as agreed by the Council commits us to examine the position of those ACPs not able to join in FTAs, in order to provide a new framework for trade which will offer them equivalent access to the EU market as at present under Lomé. Whatever the final balance of arrangements, the EU will of course have to ensure that they are compatible with WTO rules.

Those ACP countries who are unable or unwilling to enter into FTA negotiations will still be eligible for the EU Generalised System of Preferences scheme which offers entry into the EU market with reduced import tariffs. However, these provisions are not as generous as Lomé and the ACP have expressed concern that they will lose their market access. The UK as Presidency worked hard to ensure a mandate which clearly indicated that the ACP would retain equivalent market access under the GSP and that GSP terms would need to be improved during the review of the scheme in 2004.

We believe that these revisions reflect the interests of the Caribbean and our other Lomé partners.

Departmental Staff (Ethnic Origin)

Mr. Vaz: To ask the Secretary of State for Trade and Industry if he will provide a breakdown, in numerical and percentage terms, of the ethnic origin, at 1 March, of *(a)* his private office, *(b)* Government special advisers, *(c)* his Policy Unit and *(d)* staff in total. [78506]

Mr. Byers: *(a)* On 1 March 1999, the DTI employed 71 staff in Private Offices and Parliamentary and Correspondence Sections, of whom 15 were known to be of ethnic minority origin (i.e. 21 per cent.).

(b) I refer my hon. Friend to the reply given by my right hon. Friend the Prime Minister on 22 February 1999, *Official Report*, column *39*.

(c) The Department does not have a separate Policy Unit.

(d) My right hon. Friend, the Minister for the Cabinet Office and Chancellor of the Duchy of Lancaster will provide information in a written answer shortly.

Parental Leave

Mr. Maclean: To ask the Secretary of State for Trade and Industry (1) what estimate he has made of the number of employees of *(a)* small and medium enterprises and *(b)* larger companies who will opt to take paternity leave each year; [76670]

(2) what estimate he has made for *(a)* small and medium enterprises and *(b)* larger companies of the number of man hours that will be spent each year administering the new paternity leave directive; [76671]

(3) if he will estimate the average annual cost to *(a)* a small or medium enterprise and *(b)* a larger company of employing and training additional staff to cover for employees on paternity leave. [76791]

Mr. Byers *[holding answer 16 March 1999]:* We shall be consulting on the detailed implementation. Only when this has been completed can a realistic estimate be made of the Parental Leave Directive.

Millennium Compliance

Mr. Nigel Jones: To ask the Secretary of State for Trade and Industry what assessment he has made of the effect on British companies and information technology users of the legislation introduced in the United States of America limiting the liability and damages that can be awarded in millennium bug-related cases. [78871]

Mr. Wills: The so-called 'Good Samaritan' legislation in the United States of America, which provides companies with limited liability protection for certain statements regarding Year 2000 compliance, is designed to stimulate public disclosure of those companies' millennium bug preparations. It has been suggested that this limited protection may lead companies and individuals to seek redress in overseas countries such as the UK. My Department has considered this issue and concluded that there is no substantive evidence to suggest that UK companies will as a result be exposed to a greater risk of litigation. I believe that, in practice, the 'Good Samaritan' legislation has to date provided no protection for US companies in lawsuits about the Bug.

Mr. Nigel Jones: To ask the Secretary of State for Trade and Industry if he will assess the advantages and disadvantages of introducing legislation to limit the liability and damages that can be awarded in millennium bug-related cases. [78870]

Mr. Wills: This issue has been addressed within my Department in consideration of preparations for the millennium. It is possible that the introduction of limitations of this type would encourage companies to divulge additional information on their state of readiness, but this could unreasonably limit the availability of existing remedies available to consumers under, for example, the Sale of Goods Act 1979. The issue of disclosure in the UK is being addressed by Action 2000's Pledge 2000, whereby companies can make declarations of intent confirming their commitment to exchange information to allow others in their supply chains to prepare for the Year 2000, and to using dispute resolution outside the courts wherever possible. I believe that, on balance, the case for further legislation of this type has not been made.

Export Controls

Mr. Flynn: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 15 March 1999, *Official Report*, column *475*, on export controls, what amount of the debt arising from Export Credits Guarantee Department claims were repaid between November 1997 and February 1999 by the Governments of *(a)* Algeria and *(b)* Jordan. [78951]

Mr. Wilson: In the period from 1 November 1997 to 28 February 1999 Algeria paid £1 million of principal and £19 million of interest under the UK/Algeria Debt Agreements. Under the current UK/Jordan Debt Agreements principal repayments do not commence until June 1999. Interest paid during the period amounted to some £23 million.

Competitiveness

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry if he will list the business leaders who have contributed to the six competitiveness working parties. [77790]

Mr. Byers *[holding answer 25 March 1999]:* The following people were members of the six competitiveness Working Parties:

Encouraging Innovation Competitiveness Working Party

Bevan Braithwaite, Chairman, TWI

Dr. Peter Doyle, Director, Zeneca Group plc

John Golding, Chairman, Hewlett-Packard Ltd.

Anthony Greener, Joint Chairman, Diageo plc

Jan Hall, Partner, Spencer Stuart and Associates Ltd.

Dr. Sue Ion, Director, Technology and Operations, BNFL

Stephen Lusty, Managing Director, Airmaster Engineering Ltd.

Roy McNulty, Chairman, Short Brothers plc

Dr. George Poste, Chief Scientific and Technology Officer, SmithKline Beecham plc

Professor Sir Gareth Roberts, Vice Chancellor, Sheffield University

Jonathan Sands, Managing Director, Elmwood Design Ltd.

Dan Sequerra, Chief Executive, Kirklees Metropolitan Borough Council

John Sorrell, Chairman, Interbrand Newell and Sorrell, and Chairman, Design Council

Promoting Best Practice Competitiveness Working Party

Alec Daley, Chairman, Anite Group plc and Chairman, CBI National Manufacturing Council

James Dyson, Managing Director, Dyson Appliances Ltd.

Sir Tom Farmer, Chairman and Chief Executive, Kwik-Fit Holdings plc

Jackie Kernaghan, World-Wide Sales Director, Forte UK Ltd.

Tina Mason, Business Manager, Dutton Engineering (Woodside) Ltd.

Professor Colin New, Deputy Director, Cranfield School of Management, Cranfield University

Mrs. Amber Paul, Director, Caparo Industries

Rosemary Radcliffe, Head of Economics, Coopers & Lybrand

John Saunders, Chief Executive, Hereford and Worcester, Business Link

Fiona Skinner, Business Development Manager, R. F. Brookes Ltd.

Cob Stenham, former Chairman, Arjo Wiggins Appleton plc

Lynn Williams, National Officer, Amalgamated Engineering & Electrical Union

Information Age Competitiveness Working Party

Sir Jeremy Beecham, Chairman, Local Government Association

Alan Calder, Chief Executive, Business Link London City Partners

Julia Collins, Partner, Coopers & Lybrand

Sue Davidson, Director BT Business Connections, BT plc

Brian Davis, Chief Executive, Nationwide Building Society

Ron Dunn, Chairman and Chief Executive, Ascada Ltd.

Mike Fischer, President, Research Machines plc

Balram Gidoomal, Chairman, Winning Communications Ltd.

Nigel Hartnell, Managing Director, ICL Services

James Hehir, Chief Executive, Ipswich Borough Council

Terry Leahy, Chief Executive, Tesco plc

William Sargent, Joint Managing Director, FrameStore

Peter Swann, Professor of Economics and Management of Innovation, Manchester Business School

Suzanna Taverne, Group Strategy Director, Pearson plc

Tony Young, Secretary General, Communication Workers Union

Workforce Development Competitiveness Working Party

Brendan Barber, Deputy General Secretary, Trades Union Congress

Bruce Collings, General Manager, Ethicon Endo-Surgery Ltd.

David Compston, Managing Director, Allott & Lomax

Jeremy Crook, Chief Executive, Black Training and Enterprise Group

Jeannie Drake, Deputy General Secretary, Communication Workers Union

Anthony Dubbins, General Secretary, GMPU

John Edmonds, General Secretary, GMB

Professor Alan Gibb, Chairman, Small Business Centre, Durham University Business School

Allan Johnston, Personnel Director, British Steel plc

Mike Kinski, Director, Scottish Power plc

Anne Minto, Deputy Director General, Engineering Employers Federation

Tony Morgan, Managing Director, Industrial Society

Stephen Moss, Chairman, Springboard

John Oliver, Chief Executive, Leyland Trucks Ltd.

Bryan Sanderson, Managing Director, The British Petroleum Company plc

Peter Smith, Chief Executive, Wigan Borough Council

Ann Toler, Head of Personnel, Boots The Chemists Ltd.

Perween Warsi, Managing Director, S&A Foods Ltd.

Cecilia Wells, HR Consultant

Gwenda Williams, Human Resource Manager, Hyder plc

Business Investment Competitiveness Working Party

Sir David Barnes, Chief Executive, Zeneca Group plc

Professor S. K. Battacharya, Director, Warwick Business School

Ronald Cohen, Chairman, APAX Partners & Co. Ventures Ltd.

Dr. Chris Evans, Director, Merlin Scientific Services Ltd.

Amelia Fawcett, Managing Director and Chief Administrative Officer, Morgan Stanley Group (Europe)

Robert Fleming, Operations Director, Pace Micro Technology plc

Alan Hughes, Director, ESRC Centre for Business Research, University of Cambridge

Judy Lever, Director, Blooming Marvellous Ltd.

Roger Lyons, General Secretary, MSF

John Melbourn, Deputy Chairman, 3i Group plc

Magnus Mowat, Non Executive Director, Allen Plc

Helen Murlis, Director, Hay Management Consultants Ltd.

Tom O'Neill, Managing Director, Pilkington Optronics

John Rose, Chief Executive, Rolls Royce plc

Dominic Shorthouse, Managing Director, E. M. Warburg, Pincus & Co. International Ltd.

Malcolm Taylor, Managing Director European Operations and Senior Vice President, Bridgeport Machines Ltd.

David Watson, Group Treasurer, The British Petroleum Company plc

Competitiveness in Europe Working Party

Peter Agar, Deputy Director-General, Confederation of British Industry

Keith Bogg, Divisional Director, Marks & Spencer plc

Sir John Carter, Chief Executive, Commercial Union plc

C. K. Chow, Chief Executive, GKN plc

Iain Evans, Chairman, Hyder plc

Donald Hepburn, Senior Business Economist, Unilever plc

John Langston, Chief Executive Officer—Automotive, TI Group plc

Peter Lehmann, Commercial Director, Centrica plc

Christopher King, Chairman, Avon Rubber plc

Henry Manisty, Head of Government and Regulatory Affairs, Reuters Ltd.

Keith McCullagh, Chief Executive Officer, British Biotech plc

John Mellon, Director, Reed Elsevier plc.

Market Reports

Mr. Baldry: To ask the Secretary of State for Trade and Industry what plans he has to change the current scale of charges for market reports; and if he will make a statement. [78433]

Mr. Wilson: The Export Forum report, placed in the Library of both Houses, concluded that the current level of prices was close to what the market will bear. A review of the chargeable services themselves is planned to start in April and the new Chief Executive of British Trade International, Sir David Wright (current Ambassador to Tokyo), will wish to consider the outcome of the review before decisions are taken.

Export Promotion

Mr. Baldry: To ask the Secretary of State for Trade and Industry what steps he has taken to increase *(a)* awareness and *(b)* take-up of the Export Marketing Research Scheme; and what funding has been made available for the (i) current and (ii) next financial year. [78431]

Mr. Wilson: The Scheme's budget for the current financial year is £1,195,000. £1,550,000 has been allocated for 1999–2000. My officials and the Scheme's contractor (British Chambers of Commerce) have drawn

up and are implementing a comprehensive action plan to increase awareness and take-up of the Scheme. This includes:

Direct mail to eligible companies of more than 20 employees

8,000 letters sent out; 400 have contacted BCC asking for additional information and 18 applications have been received to date

The placing of editorial material in relevant publications

Ensuring presence at organised events and speaking at export clubs

EMRS was represented at 28 events (exhibitions, seminars etc) in 1998

An Internet presence:

www.britishchambers.org.uk

Staging regional "Showcase" events for companies

10 showcases presented to 285 companies; 19 applications have arisen

The publication of a regular EMRS Newsletter which is distributed to over 3000 past and prospective customers as well as intermediaries.

Steps are also being taken to refresh intermediaries' knowledge of the scheme through:

3 half day showcases held in 1998 completing national coverage for intermediaries and export advisers (52 attended)

4 two-day training courses in export marketing research specifically tailored to the business advisers (50 attended)

Direct mail to 300 trade associations. BCC are currently discussing projects with 20 different trade associations.

Mr. Baldry: To ask the Secretary of State for Trade and Industry if he proposes to continue support from his Department for the Languages for Export Advisory Scheme. [78432]

Mr. Wilson: The Languages for Export Advisory Scheme is currently being reviewed as part of the normal evaluation programme for DTI schemes. The Chief Executive and board of British Trade International will consider the future of the Scheme after the review is completed.

Overseas Postings

Mr. Baldry: To ask the Secretary of State for Trade and Industry if he will place in the Library a list of staff of his Department currently posted overseas identifying *(a)* the capacity in which they are posted, *(b)* their grade and *(c)* their terms of service. [78439]

Mr. Wilson: At senior levels (Range 10 and above) 26 managers are in post overseas. Below that level, 12 officers are in posts under the Overseas Attachment Training Scheme. A small number of additional staff are likely, at any time, to be in posts overseas. Details of these are not kept centrally in a form which enables the data readily to be aggregated.

It would not be appropriate to list individuals' appointments and terms of conditions as requested. Most of these staff are on loan to the Foreign and Commonwealth Office, usually on FCO terms of service. Others are on secondment or detached duty, for example to the European Commission, on the terms of the receiving organisation.

Sterling Rates

Mr. Redwood: To ask the Secretary of State for Trade and Industry what assessment he has made of the impact of each one per cent. increase in sterling against the euro on *(a)* industrial profits and *(b)* jobs in manufacturing. [77591]

Mr. Byers: I refer the right hon. Member to the answer I gave him on 11 February 1999, *Official Report*, column *403*.

Fixed Rate Export Finance Scheme

Ms Keeble: To ask the Secretary of State for Trade and Industry if he will make a statement on the future of ECGD's Fixed Rate Export Finance Scheme. [79666]

Mr. Wilson: Over the past year, the Government have been undertaking a fundamental review of ECGD's financing support for UK exports, including the FREF arrangements which have been scheduled to expire on 31 March 1999. The review has included a formal consultation process and follow-up work involving ECGD, Treasury and Bank of England officials as well as representatives from the UK exporting community. A number of options are being evaluated. More time is needed to complete the review and for ECGD to negotiate with the banks an appropriate successor to the current scheme. The current arrangements are, therefore, being rolled forward for a further 6 months.

Objective 2 Areas

Dr. Ladyman: To ask the Secretary of State for Trade and Industry if he will make a statement about the eligibility of areas under Objective 2. [79667]

Mr. Llew Smith: To ask the Secretary of State for Trade and Industry when he expects to make an announcement on the distribution of EU structural funds for the regeneration of deprived areas. [78990]

Mr. Wills: The discussions between Member States and the Commission on the reform of the Structural and Cohesion Funds were concluded at the Berlin Council on 25 March.

I am pleased to say that the UK has negotiated an outcome that is fair and affordable to all future and existing Member States, including the UK. One notable success for the UK was the securing of the safety net which maintains two thirds of the existing Objective 2 and 5b population coverage.

The Government will consult widely with all those with an interest, principally local and regional bodies, on the determination of proposed areas and the criteria to be used to ensure that we target the areas of greatest need. Careful consideration will be given to the relative needs of different areas across the UK. I am issuing today a public consultation document which will set out the basis on which interested parties will be invited to make their submissions. I am also placing copies of the document in the Library of the House and the Vote Office.

Those wishing to make representations should do so to the appropriate Government Office in England, the Scottish Office, the Welsh Office and the Department of Finance and Personnel in Northern Ireland. Other Departments with an interest include the Ministry of Agriculture, Fisheries

and Foods for fisheries and rural areas and the Department of Culture, Media and Sport for tourist-dependent areas, the Department of the Environment, Transport and the Regions and the Department for Education and Employment.

In order to meet the likely deadline of mid-June for submission of the proposed Objective 2 areas to the European Commission by each Member State, the public consultation will end on 25 May 1999.

Renewable Energy Generation

Mr. Chaytor: To ask the Secretary of State for Trade and Industry (1) when he expects to publish his consultation paper on renewable energy generation; and if he will make a statement; [79085]

(2) what targets he has established for the generation of electricity from renewable sources. [79086]

Mr. Battle: I have today published a consultation paper "New and Renewable Energy—Prospects for the 21st Century" which reports on the outcome of the Government's review of new and renewable energy policy.

The Renewables Review paper demonstrates that there is tremendous potential for renewables to become a fully competitive part of UK energy supply. Renewables make an important contribution to secure, sustainable and diverse energy supplies in the UK. They are an essential element of a cost-effective climate change programme and will help the Government meet their environmental objectives at the least cost to the customer. Renewables play a vital role in enabling the UK to meet its environmental targets of reducing greenhouse gases by 12.5% by 2012, and the goal of reducing carbon dioxide emissions by 20% by 2010.

The document shows that producing 10% of UK electricity from renewables appears to be feasible. The Government intend working towards a target of renewable energy providing 10% of UK electricity supplies, cost effectively, as soon as possible. I want to achieve this by 2010. However, this should not be seen as an end in itself, but a step forward on the road to making renewables a strong, world-beating industry.

There are already considerable benefits of the renewables industry. The UK industry employs 3,500 people. Through creating an export drive, and by further developing the industry and the UK market, up to 45,000 jobs could be created.

The Non-Fossil Fuel Obligation (NFFO) has already provided over £600 million of support for renewables. Support for renewables under NFFO will accelerate in the first decade of the next century and could rise to around £150 million a year. NFFO has played a major part in stimulating the industry and bringing down the costs of renewables. As a result of NFFO, an industry of some 700 organisations has been developed. This is why the Government want to see how NFFO can evolve, and to see how it can help the industry to thrive even more.

The review document therefore presents options for possible ways to support renewables while they are reaching market prices. It looks at both the costs and benefits of moving towards a greater use of renewables. In particular, it looks at options for a revised NFFO in the competitive energy markets of the future.

In addition, the Government have provided an increased budget for DTI's New and Renewable Energy Support Programme. They have allocated £43.5 million over the next three years for R&D to help achieve its aim.

The Government are pressing ahead with reform—electricity liberalisation, for instance, is giving consumers the ability to choose their electricity supplier—including green electricity. Suppliers are now offering green tariffs and the Government hope consumers will take up this opportunity to stimulate growth in renewables.

Solar energy also has real potential in the longer term. This is why the Government have recently asked for industry's involvement in taking forward three major new photovoltaic initiatives. In addition, last year I switched on the first solar panel system for a British school, as part of the Government's Foresight Scolar programme. I believe that such schemes can play a valuable part in the development of the UK renewables industry.

This report identifies key issues and challenges which the Government and industry would need to pursue. Issues examined in the paper include: planning arrangements; opportunities for developing energy crops; and arrangements to ensure that embedded generators—those directly connected to local distribution systems, often the case with renewables producers—receive a fair price for their electricity. It seeks views on the issues raised to enable the Government to frame their future policy.

I look forward to receiving those views, and plan to make a further announcement about the way forward in due course. The Government are committed to encouraging sustainable development, to ensure a better quality of life for all.

PRIME MINISTER

Royal Household

Kali Mountford: To ask the Prime Minister if he will make a statement on the future of the grant-in-aid to the Royal Household for communications and information work. [79671]

The Prime Minister: Subject to the approval of Parliament, from 1 April 1999 the Government intend to merge the small grant-in-aid that was established last year on the COI vote with the property services grant-in-aid on the vote of the Department for Culture, Media and Sport. This will avoid the circularity of the COI providing the Royal Household with the funds to purchase specialist services partly from itself. Communications and information expenditure will be separately identifiable in the Report of the merged grant-in-aid prepared by the Royal Household, copies of which the Secretary of State will place annually in the Libraries of both Houses of Parliament. As now, the Memorandum of Understanding will make clear that the Department does not have any responsibility for the functions and engagements undertaken by The Queen and Members of the Royal Family or for the Royal Household's decisions on the content of the communications and information provided from the grant-in-aid.

OSCE

Kali Mountford: To ask the Prime Minister if there are any changes in the composition of the United Kingdom delegation to the Parliamentary Assembly of the Organisation on Security and Co-operation in Europe. [79672]

The Prime Minister: The right hon. and learned Member for North-East Fife (Mr. Campbell) becomes a full representative of the delegation in place of the hon. Member for Richmond Park (Dr. Tonge), who now becomes a substitute member.

ATTORNEY-GENERAL

Diarmuid O'Neil

Mr. Coleman: To ask the Attorney-General when the Crown Prosecution Service will take a decision about whether criminal charges should be brought as a consequence of the police investigation into the death of Diarmuid O'Neil. [78964]

The Attorney-General: The investigation report of the Metropolitan Police is being carefully considered by the Crown Prosecution Service in accordance with the tests set out in the Code for Crown Prosecutors. A decision on whether any criminal charges should be brought will be made as soon as possible after the case has been reviewed.

Hamilton *v.* Al Fayed Judgment

Mr. Dismore: To ask the Attorney-General if he will place a copy of the authorised transcript of the judgment in the Hamilton *v.* Al Fayed appeal in the Library. [79838]

The Solicitor-General: A copy of the *Times Law Report* is held in the Library. A copy of the authorised transcript will be placed in the Library as soon as it is available.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Planning Costs

Mrs. Brinton: To ask the Secretary of State for the Environment, Transport and the Regions if the proposed Town & Country Planning (Control of Major Accident Hazards) Regulations will be devolved matters for *(a)* the National Assembly of Wales and *(b)* the Scottish Parliament. [77213]

Mr. Meale: Not for the part of the Control of Major Accidents Hazards Regulations (COMAH) which relates to health and safety. COMAH also contains environmental requirements. Environment matters are to be devolved in Scotland. Ministerial functions in connection with the provision of information by the competent authority, insofar as the exercise of these functions concerns the environment in Scotland, are transferred to Scottish Ministers by virtue of section 53 of the Scotland Act 1998.

Commission for Integrated Transport

Ms Kelly: To ask the Secretary of State for the Environment, Transport and the Regions when he will announce the appointments to the Commission for Integrated Transport; and if he will make a statement. [79571]

Mr. Prescott: I have today appointed David Begg as Chair and Sir Trevor Chinn as Vice-Chair of the new Commission for Integrated Transport. The selection process for the other members of the Commission is still under way, but I hope to be able to announce the complete composition of the Commission by May. It will then begin its work of building on the consensus established around last year's Transport White Paper.

David Begg, who was prominent in advising the Government during the preparation of the White Paper, has established a reputation for action in tackling Edinburgh's transport problems, and has the dynamism and commitment to make the Commission an influential voice in realising the objectives of the White Paper. Sir Trevor, who is Chairman of the motor services group Lex, will support Professor Begg by bringing an understanding of people's attitudes to transport, including the views of motorists.

I am delighted that Professor Begg and Sir Trevor have agreed to work together to lead the Commission. The Commission's success in helping put integrated transport into practice will depend on it having the authority and energy to press transport policy forward. It will need to bring with it all those involved in providing transport services and all of us affected by its impacts. Professor Begg and Sir Trevor, coming from different backgrounds but sharing the same goal of a better, more sustainable transport system, are the right combination to ensure the Commission makes a real difference. Together they constitute a balanced team who look forward to establishing an effective Commission and adding real value to the transport debate.

Departmental Cash Limits

Ms Dari Taylor: To ask the Secretary of State for the Environment, Transport and the Regions what proposals he has to change his Department's cash limits for 1998–99. [79771]

Mr. Prescott: The cash limit for Class VI, Vote 4 (local government and regional policy, England) will be reduced by £2,300,000 from £32,294,969,000 to £32,292,669,000. This decrease reflects savings on special grant in support of Private Finance Initiative projects, resulting from delays in starting some projects. It will allow increases of £1,000,000 in the DETR/LGR (local government reorganisation) non-voted cash limit and £1,300,000 in the DETR/LACAP(E) (local authority capital—environment) non-voted cash limit.

The DETR/LGR (local government reorganisation) non-voted cash limit will be increased by £1,000,000 from £127,300,000 to £128,300,000, to meet increased demand for supplementary credit approvals in connection with the commutation of annual loan charges and grants to local authorities on 1 October 1992.

The DETR/LACAP(E) (local authority capital—environment) non-voted cash limit will be increased by £1,300,000 from £928,232,000 to £929,532,000, to provide other capital support for the London Borough of Haringey.

The Housing Action Trusts' external finance limit will be increased by £2,000,000 from £89,000,000 to £91,000,000. Changed spending priorities within the Single Regeneration Budget mean that a proposed transfer from the Housing Action Trusts to the Challenge Fund is no longer necessary.

The DETR/ERDF (European regional development fund) non-voted cash limit will be increased by £26,450,000 from £208,550,000 to £235,000,000, to allow for increased spending resulting from changes in policy to allow payments in advance of receipts.

The DETR/OES (other environmental services) non-voted cash limit will be increased by £12,624,000 from £19,841,000 to £32,465,000 to provide for supplementary credit approvals to local authorities to cover their capital contributions to the Commission for the New Towns under road cost sharing arrangements. The DETR/NT (New Towns) non-voted cash limit will consequently be reduced by £12,624,000 from minus £115,600,000 to minus £128,224,000.

Balloon Safety

Mr. Grogan: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to improve the safety of passengers in balloons. [78319]

Ms Glenda Jackson: The operation of commercial passenger balloons is regulated by the Civil Aviation Authority Safety Regulation Group (CAA SRG). While the safety standards and requirements for these flights are well-established they remain under constant scrutiny by the CAA. Consequently, ballooning operates to a very high safety standard and there has been only one fatal accident in the last 10 years.

One additional safety measure to be implemented soon will require Balloon Air Operator Certificate Holders to produce and operate to a Company Safety Management System. The CAA will provide advice and assistance in establishing this system which is part of an introductory programme for all aircraft undertaking public transport operations.

Mr. Grogan: To ask the Secretary of State for the Environment, Transport and the Regions how many accidents there have been involving power lines and passenger balloons in each of the last 10 years. [78320]

Ms Glenda Jackson: The Civil Aviation Authority have provided accident figures for commercial balloons involving power lines as follows:

		Injuries		
Year	*Collision with cables*	*Fatal*	*Serious*	*Minor*
1989	0	0	0	0
1990	0	0	0	0
1991	1	0	0	0
1992	4	0	3	3
1993	5	0	1	3
1994	2	0	1	0
1995	2	0	2	0
1996	3	0	2	1
1997	2	1	8	4
1998	2	0	0	2
Total	21	1	17	13

Mr. Grogan: To ask the Secretary of State for the Environment, Transport and the Regions how many *(a)* fatalities and *(b)* injuries have resulted from accidents involving passenger balloons in each of the last 10 years. [78318]

Ms Glenda Jackson: The Civil Aviation Authority have provided accident figures for commercial balloons as follows:

		Injuries		
Year	*Total accidents*	*Fatal*	*Serious*	*Minor*
1989	0	0	0	0
1990	0	0	0	0
1991	8	0	4	5
1992	11	0	9	13
1993	11	0	7	5
1994	11	0	7	18
1995	7	0	5	0
1996	6	0	4	2
1997	6	1	12	20
1998	6	0	3	3
Total	66	1	51	66

Cyclists

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to make it an offence for motorists to advance to a cyclists' advance stop line at traffic lights. [78732]

Ms Glenda Jackson: It is an offence, under section 36 of the Road Traffic Act 1988 and by virtue of the Traffic Signs Regulations 1994, to proceed beyond any stop line as shown in diagram 1001 in those Regulations and placed in conjunction with light signals when the red signal is showing. At junctions where an advance stop line for cyclists is provided Rule 154 of the current Highway Code instructs motorists that they must wait behind the first white line reached.

Insurance Cover (Local Authorities)

Mr. David Atkinson: To ask the Secretary of State for the Environment, Transport and the Regions what *(a)* representations and *(b)* requests for assistance he has received from local authorities on the withdrawal of insurance cover due to the threat of the millennium bug; and if he will make a statement. [79211]

Mr. Meale: We have received one representation—from Bournemouth Borough Council—seeking assistance on the withdrawal of insurance cover due to the threat of the Millennium Bug. It is a matter for each individual council to put in place such arrangements as it considers appropriate and practicable to meet the risks posed by the Millennium Bug.

Fluoridated Drinking Water

Mr. David Atkinson: To ask the Secretary of State for the Environment, Transport and the Regions what proportion of the UK population receives fluoridated drinking water; what measures are being taken to ensure

that the systems for the control of dosage will not be affected by the millennium bug; and if he will make a statement. [79016]

Mr. Meale: About 10 per cent. of the population receives fluoridated drinking water supplies. The Drinking Water Inspectorate, during its inspections of water companies in England and Wales in 1998, examined the companies' general arrangements for maintaining the wholesomeness and quality of their supplies both during and after the millennium. The Inspectorate was satisfied with the progress being made by companies and will continue to keep the matter under surveillance during 1999.

Yaverland Sewerage Works

Dr. Brand: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the timing of the introduction of secondary sewage treatment at the sewerage works under construction at Yaverland, Sandown, Isle of Wight. [78571]

Mr. Meale *[holding answer 26 March 1999]:* The Government have said that we wish to see secondary treatment installed on the Isle of Wight as soon as practicable. Southern Water need various consents from Government to proceed with the works. They are currently in the process of providing the necessary supporting information and we are putting pressure on them to do so as soon as possible.

Council Houses

Mr. Hunter: To ask the Secretary of State for the Environment, Transport and the Regions how many local authority owned dwellings are empty in each English shire county; and if he will make a statement. [78905]

Mr. Raynsford *[holding answer 26 March 1999]:* I have placed in the Library a table presenting the latest information on the number of vacant dwellings owned by local authorities in each English shire county (as in existence before the creation of unitary authorities), and reported by them at 1 April 1998.

Planning Applications

Mr. Ottaway: To ask the Secretary of State for the Environment, Transport and the Regions how many planning applications since May 1997 he has called in following a resolution by the relevant local planning authority to refuse planning permission. [79160]

Mr. Raynsford: None.

Carbon Dioxide Emissions

Dr. Cable: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of *(a)* the quantity and *(b)* the trend rate of growth of annual United Kingdom CO_2 emissions generated by (i) the household sector, (ii) industry excluding power generators, (iii) power generators, (iv) the service sector and (v) other sectors. [79190]

Mr. Meale: The following table gives estimates of CO_2 emissions in 1997 and 1998 from the UK's greenhouse gas emissions inventory. The 1998 data are provisional. The table also gives estimated growth rates based on the trends observed since 1990.

	Emissions in 1997 (million tonnes carbon)	*Emissions in 1998 (million tonnes carbon, provisional)*	*Trend (% per year)*
Household Sector	23	23	0.3
Industry excluding power generators	41	41	0.3
Power generators	40	41	−3
Service sector	9	8	0.2
Other sectors	43	43	0.1

Other sectors include transport, land use change and waste. The land use change emissions estimates are currently under review.

Dr. Cable: To ask the Secretary of State for the Environment, Transport and the Regions what is the current estimate of *(a)* the quantity and *(b)* the trend rate of growth of annual CO_2 emissions in respect of (i) power generation as a whole, (ii) gas-powered generators, (iii) coal-powered generators and (iv) other power producers. [79191]

Mr. Meale: The following table gives estimates of CO_2 emissions in 1997 and 1998 from the UK's greenhouse gas emissions inventory. The 1998 data are provisional. The Table also gives estimated growth rates based on the trends observed since 1990, rounded to the nearest per cent.

	Emissions in 1997 (million tonnes carbon)	*Emissions in 1998 (million tonnes carbon, provisional)*	*Trend (% per year)*
Power generation as a whole	40	41	−3
Gas powered generators	12	12	+50
Coal powered generators	27	27	−6
Other power producers	1	1	−10

Other power producers include oil powered generators and the incineration of municipal solid waste.

Dr. Cable: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the effect on the level of carbon dioxide emissions of *(a)* the moratorium on gas-powered electricity generation, and *(b)* the use of a fuel mix chosen solely on cost grounds. [79234]

Mr. Meale *[holding answer 29 March 1999]:* The environmental impact of the Government's programme of reform of the electricity market is discussed in Annex H of the White Paper 'Conclusions of the Review of Energy Sources for Power Generation and Government response to fourth and fifth Reports from the Trade and Industry Committee' (Cm 4071). This makes clear that the new policy does not aim to achieve any particular outcome on fuel mix. The Government have therefore not sought to provide a quantification of the effect of the policy on CO_2 emissions or fuel mix relative to what would have occurred in its absence. The Department of Trade and Industry is currently developing a set of scenarios on future CO_2 emissions from energy use in the United Kingdom. These scenarios will take the new policy on fuels for electricity generation into account and will be

used to inform decisions on the scope and nature of additional policies to meet our commitments on reducing emissions of carbon dioxide and other greenhouse gases.

School Buses (Fuel Duty)

Mr. Pollard: To ask the Secretary of State for the Environment, Transport and the Regions if he will extend fuel duty rebate to coach operators who operate contracted school bus services. [79402]

Ms Glenda Jackson: I have at present no plans to change the eligibility arrangements for fuel duty rebate. Bus services which only take pupils to or from school are not eligible for rebate. However, bus services provided or secured by a local education authority are eligible for rebate if they are registered with the Traffic Commissioner as a local bus service, and if they are normally available to, and are used by, members of the general public.

Departmental Web Site

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions on which dates in 1999 the Department's web site relating to releases into the environment was updated; how frequently he plans to update the site; and if he will make a statement. [79093]

Mr. Meale: The DETR's Web site updated information from the Advisory Committee on Releases to the Environment on the following dates: 26 January, 3 February, 9 February, 10 February, 18 February, 22 February, 24 February and 16 March. These pages are amongst the top ten most popular of this site's environmental information pages. The Web site will continue to be updated as and when required.

British Rail

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions how many staff are currently employed by British Rail; and what are their functions. [78981]

Ms Glenda Jackson: I understand from the British Railways Board that the latest (March 1999) staff in post figure is 2,363. Of these, 2,194 work for the British Transport Police. The remaining 169 staff are largely employed on the administration, and sale where appropriate, of the BR property estate, on other residual BR functions and central services such as finance and legal.

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what was the total wages bill for British Rail for the last 12 month for which figures are available. [78

Ms Glenda Jackson: The total staff costs of the BR Board for the year to 31 March 1998 are shown on page 21 of the BR Annual Accounts 1997–98. Total salaries and wages in that year were £83.7 million. This related to an end year employment figure of 2,386, down from 4,328 at end 1996–97.

Water Prices

Mr. Coaker: To ask the Secretary of State for the Environment, Transport and the Regions what progress is being made in respect of the future regulation of water prices; and if he will make a statement. [79102]

Mr. Meale: On 1 March 1999 Ministers announced their guidance to the Director General of Water Services on the programmes of investment in environmental and water quality improvements by water and sewerage companies that he should assume in setting their price limits for the period 2000–01 to 2004–05. While the setting of price limits is the responsibility of the Director, the required investment programme of some £8 billion of quality improvements over five years should allow room for significant price reductions in 2000–01. The Director will announce his provisional determinations of price limits in July.

Under proposals in the Water Industry Bill, currently before Parliament, household water customers would gain increased choice in the method of calculation of their individual bills. The Bill also proposes new powers for the Director and Ministers to regulate the provisions of companies' charges schemes.

Heavy Goods Vehicles

Dr. Marek: To ask the Secretary of State for the Environment, Transport and the Regions if he will introduce regulations to limit Heavy Goods Vehicles to the inside lane on busy commuter motorways. [78960]

Ms Glenda Jackson: Goods vehicles with a maximum laden weight exceeding 7.5 tonnes are already banned from the outside lane of motorways with three or more lanes. We do not believe that a further restriction to the inner lane is justified for road safety reasons. It would cause a queue to form in the inner lane, moving at the speed of the slowest. Journey times are often a significant factor for hauliers, and drivers might be tempted to divert from motorways to less suitable roads through towns where accident rates are higher and there are more vulnerable road users, such as pedestrians and cyclists.

Health and Safety at Work, etc. Act 1974

Mr. Laxton: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to mark the 25 anniversary of the laying of the Health and Safety at Work, etc. Act 1974. [79664]

Mr. Prescott: I intend to take forward a strategic appraisal of health and safety to mark the 25th anniversary of the Health and Safety at Work, etc. Act 1974. This legislation has delivered significant improvement in standards of health and safety at work. But we cannot be complacent: people continue to lose their lives and suffer serious injury at work. Not only does this have a terrible human cost, but it also jeopardises the competitiveness of our economy.

It is not my intention to revisit the basic structures of the Act, but I want to inject new impetus and relaunch the health and safety agenda. We also need to make sure that our approach to regulation continues to be appropriate

for the changing world of work as we enter the next millennium, but without simply adding new and unnecessary regulatory burdens to business, especially small and medium-sized enterprises. Our aim must be to reduce the rate of workplace accidents and ill-health still further, crucially by working with all stakeholders to demonstrate that a healthy, well protected workforce is not only right, but is good for business and good for society.

I will launch a public consultation document, jointly with the Health and Safety Commission, in the summer to open up a debate on this important issue.

Opencast Coal Mining

Mr. Healey: To ask the Secretary of State for the Environment, Transport and the Regions when he proposes to publish revised planning guidance for opencast coal mining. [79770]

Mr. Caborn: We have published revised Mineral Planning Guidance on Coal Mining and Colliery Spoil Disposal today. This meets the major concerns expressed in the 10 Point Plan for Opencast Coal issued before the General Election and firmly puts the interests of protecting the environment and local communities first.

The revised guidance takes account of our pre-election commitments, the final conclusions of the Energy review published in October 1998 and the responses to the draft guidance issued for public consultation in October 1998.

The guidance will ensure that planning permission for opencast coal mining is only given where the development is environmentally acceptable or provides over-riding local or community benefits. If neither of these requirements is met, there should be a presumption against opencast coal.

Landfill Tax Credit Scheme

Mr. Colman: To ask the Secretary of State for the Environment, Transport and the Regions under the Landfill Tax Credit Scheme which organisations have been registered under the Group Environmental Body Scheme; and how much has been awarded to environmental bodies under this scheme. [78556]

Ms Hewitt: I have been asked to reply.

This is a matter for the Regulator for the environmental bodies credit scheme. I have passed on my hon. Friend's question to them and asked them to reply direct. The Regulator is:

Entrust Ltd.,
Suite 2, 5th Floor,
Acre House,
2 Town Square,
Sale,
M33 7WZ.

Mr. Colman: To ask the Secretary of State for the Environment, Transport and the Regions under the Landfill Tax Credit Scheme how much has been awarded under the Group Environmental Body Scheme to *(a)* Albany Architecture Heritage Trust, *(b)* Enventure, *(c)* Global Balance Trust, *(d)* Global Wildlife Trust, *(e)* Triedar Ltd., Salisbury, *(f)* Cory Environmental Trust, Thurrock, and *(g)* Cory Environmental Ltd.; and if he will list the environmental projects which have been supported by these organisations. [78582]

Ms Hewitt: I have been asked to reply.

The information requested is best provided by the Regulator for the environmental bodies credit scheme. I have passed my hon. Friend's question to them and asked them to reply direct. The Regulator is:

Entrust Ltd.,
Suite 2, 5th Floor,
Acre House,
2 Town Square,
Sale,
M33 7WZ.

Mr. Colman: To ask the Secretary of State for the Environment, Transport and the Regions under the Landfill Tax Credit scheme how much has been awarded to environmental bodies since January; and what percentage of this total is a voluntary donation from landfill operators. [78555]

Ms Hewitt: I have been asked to reply.

Entrust, who is the Regulator for the environmental bodies scheme, has been notified by the environmental bodies of awards of £6.56 million since 1 January 1999. All donations by landfill site operators through the scheme are voluntary, although they can receive landfill tax credits of 90 per cent. against their donations.

CULTURE, MEDIA AND SPORT

Guest Houses and Hotels

Mr. David Atkinson: To ask the Secretary of State for Culture, Media and Sport what representations he has received on the six bed-space rule relating to the business rate for small guest houses and hotels; and if he will make a statement. [78429]

Janet Anderson: I received representations on this subject during a recent meeting with the Chairman of the National Council of Hotels Associations. The matter has also been raised with me by tourism business people during visits to various parts of England. The Government have no current plans to amend the "six-person test" for non-domestic rates, although matters such as these are kept under review.

Millennium Festival Bids

Ms Kelly: To ask the Secretary of State for Culture, Media and Sport if he will list the successful bids for millennium festival awards in the north-west. [78785]

Janet Anderson: A list of successful bids is shown in the following table. This information is also available on the Millennium Commission's website (www.millennium.gov.uk). In addition, the North West has benefited from Watson Steel of Bolton winning the contract to provide the steel for the structure of the Dome.

North west Millennium Festival grants by county

Organisation	*Project*	*Award £*
Cheshire		
The Millennium Commission		
Cheshire County Council	The Cheshire Pilgrimage: Journeys of Commitment for the 3rd Millennium	70,000
Crewe and Nantwich Borough Council	Crewe and Nantwich Celebrates	60,000
Macclesfield Museums Trust	Macclesfield Silk Museum	25,000
Macclesfield Borough Council	Making the Most of the Millennium in Macclesfield	25,000
Winsford 2000/Winsford Now	'Representing Winsford'—A Year in Photographs	8,500
Heritage Lottery Fund		
Cheshire Wildlife Trusts	Celebrating Nature	37,000
Chester Civic Trust	2000 Years of Building	30,000
Halton Borough Council	Park Life—2000	19,800
National Library for the Blind	Unseen History	12,300
Arts Council of England		
Chester Gateway Theatre	The Polychronicon	23,200
Congleton Borough Council	Light Year 2000	20,000
Chester and District Festival of Trees	Chester and District Tree Festival 2000	19,900
Rodewald Concert Society/Ensemble 10:10	AMAHL 2000	15,900
Chester Literature Society	Literative For All Seasons	12,800
English Sports Council		
Cheshire Sports Trust	Cheshire Millennium Youth Games	TBA
Cumbria		
The Millennium Commission		
The Spirit of Cumbria Consortium	The Spirit of Cumbria Millennium Festival	300,000
Heritage Lottery Fund		
Environ (Trust) Ltd.	Sacred Cumbria	28,900
Barrow and District Council for Voluntary Service	Voyager—Taking History into the Future	21,900
Arts Council of England		
Cumbria Theatre Trust Ltd.	Equinox	28,500
Dancetales	The Linking of the Chain	22,000
Welfare State International	The Sky's the Limit	20,000
North Pennine Highlights	North Pennine Dance Highlights—Marking Time	17,000
Prism Arts	'Breaking the Mould'	11,700
Changeling Productions	Tempus Fugit	10,000
Eden Arts	Eden Arts Trust	9,500
English Sports Council		
Cumbria County Council	Cumbria CC	TBA
The Millennium Commission		
Millennium Waterfronts Steering Group	Millennium Waterfronts (Salford, Manchester, Tameside and Oldham)	300,000
Manchester City Council	Manchester Coming Home	200,000
Moss Side and Hulme Business Federation	The Millennium Carnival Programme	45,000
Wigan Metropolitan Borough Council	'Mapping the Millennium' Festival	40,000
Oldham Education and Leisure Services	'One World One Oldham' Festival	30,000
All Saints Church, Micklehurst	Threads	30,000
Disabled Living	Looking Good, Feeling Good, 2000 (Manchester)	27,500
Salford Open Theatre	Walkden Millennium Community Play	20,000
Heritage Lottery Fund		
National Museum of Labour History	People's History for the Third Millennium	82,200
National Lottery Charities Board		
BETA—Basic Education and Training for Adults	—	30,000
Groundwork Rochdale Oldham and Tameside	—	30,000
The Pankhurst Trust	—	29,970
Dr. Kershaw's Hospice	—	12,000
Arts Council of England		
Halle Concerts Society	Inner Spark	27,000
Full Circle Arts	@ 2000	23,600
The Whitworth Art Gallery	The Times Of Our Lives	23,200
Class Street Outreach	New Generation, New Millennium, A Visual Arts Experience	20,700
Independence Festival (to become IF Ltd.)	Independence Festival 2000	20,700
Community Arts North West	'Inquotation'	16,000
The Bridgewater Hall Community Education Trust	Saxophony 2000	12,000
English Sports Council		
Greater Manchester Youth Games	Greater Manchester Millennium Youth Games	TBA

North west Millennium Festival grants by county

Organisation	*Project*	*Award £*
Lancashire		
The Millennium Commission		
Blackburn with Darwen Borough Council	Celebrating the Millennium in East Lancashire	80,000
Lancashire County Council	Millennium Celebrations for Lancashire	50,000
Hyndburn Borough Council	Hyndburn Millennium Timeline	30,000
Disability Services (Blackpool, Wyre and Flyde)	I'm Not Asking To Be Einstein	30,000
The Chorley Partnership	Chorley Millennium Celebrations	29,300
Mela Festival Committee	Mela Millennium Festival (Preston)	25,000
Pendle Borough Council/Pendle Partnership	Remembering Pendle—A History of the Last 2000 Years Through the Eyes	25,000
Heritage Lottery Fund		
Lancashire County Millennium Exhibition Committee	Story of Christianity in Lancashire	90,000
North West Museums Service	Discover for Yourself!	40,000
Rochdale Metropolitan Borough Council	Telling Tales, Rochdale	29,700
National Lottery Charities Board		
Blackpool, Wyre and Fylde Council for Voluntary Service	—	50,000
Lancashire Development Education Group	—	50,000
Lancashire Development Education Group	—	37,560
Arts Council of England		
Ludus Dance Agency	Our Future, On Reflection	25,000
M6 Theatre Company	'Visioning the Future'	24,000
Folly Gallery	Lancaster Digital Arts Festival	23,100
Turnpike Community Theatre	Epic Millennium Community Play	21,400
Indian Association Oldham	Indian Association Oldham Millennium Festival Celebrations	21,400
Lancaster and Morecambe Arts Promotion Network	Time and Tide	21,000
Mid Pennine Arts	L2L2K	20,000
Mossley Community Arts Ltd.	Festival of Fire	16,000
Little World Ltd. (Horse and Bamboo)	Feeding The Dragon	15,000
Burnley Youth Theatre	Spirit	13,200
Rais Academy	3 Generations	5,600
Longridge Millennium Committee	Longridge Millennium Stone Cross	5,000
English Sports Council		
Lancashire County Council	Lancashire Millennium Youth Games	TBA
Merseyside		
The Millennium Commission		
Liverpool Architecture and Design Trust (LADT)	The River of Light Millennium Celebrations	200,000
The Greenhouse Multi-Cultural Play and Arts Project	Lighting Up Bidston Hill	30,000
The Blackie/Great Georges Community Cultural Project	Ganes for the New Years	25,000
HOPES: The Hope Street Association (Liverpool)	The Hope Street Millennium Public Arts Route	25,000
Heritage Lottery Fund		
Groundwork St. Helens, Knowsley and Sefton	Sankey Canal Festival	30,000
Mersey Film and Video	Mersey Films: Present from the Past to the Future	30,000
Mersey Heritage Trust	Millennium Liverpool May Horse Parade	30,000
Friends of Leasowe Lighthouse	Leasowe Lighthouse—Local Educational Network Link	6,200
National Lottery Charities Board		
Blackburne House	—	30,000
The Groundwork Trust	—	30,000
The Groundwork Trust	—	22,000
Arts Council of England		
Merseyside Dance Initiative	Quantum Leap	25,000
Foundation for Arts and Creative Technology	Access All Areas	24,000
Liverpool John Moores University	Wow 2000! Writing On The Wall—2000: A National and International Writing Festival	21,200
Mockbegger Theatre Company	Time For Together	20,400
The Windows Project	Stonepoems	20,000
Circle of Literary Friends	Asian Diaspora 2000	14,800
English Sports Council		
Merseyside Sport	Merseyside Sport Millennium Youth Games	TBA
West Lancashire		
Arts Council of England		
West Lancashire District Council	District Visions	23,900

National Lottery

Mr. Spring: To ask the Secretary of State for Culture, Media and Sport how much money has been allocated to good causes each year since the inception of the National Lottery. [79239]

Mr. Banks *[holding answer 29 March 1999]:* The table shows total income for the good causes (including interest) by calender year since the inception of the National Lottery:

Year	£
1994	82,605,591
1995	1,342,426,919
1996	1,591,480,120
1997	1,865,661,561
1998	1,955,875,555

The first National Lottery draw took place on November 1994.

NORTHERN IRELAND

Aghalane Bridge

Mr. Maginnis: To ask the Secretary of State for Northern Ireland when the previous Aghalane Bridge was destroyed; and what was the purpose of destroying it. [78271]

Mr. Ingram: Aghalane Bridge was destroyed in an explosion on 21 November 1972 by a person or persons unknown, but believed to have been a Loyalist paramilitary group.

Mr. Maginnis: To ask the Secretary of State for Northern Ireland what is the projected cost for the reconstruction of the Aghalane Bridge; what proportion of the bridge is in Northern Ireland; and what are the respective shares of the total cost of reinstatement to be borne by British and Irish Republic public funds. [78274]

Mr. Ingram: The projected cost of the contract for the reconstruction of Aghalane Bridge is expected to be £862,000. The British Government are bearing the full cost of the reconstructed bridge and have received £500,000 grant aid from the European Regional Development Fund, Special Support Programme for Peace and Reconciliation.

In addition to the projected cost of £862,000, the scheme to reconstruct the bridge has attracted additional costs arising out from the geotechnical investigation, consultant's fees and laboratory charges, which are estimated to amount to £45,000. These costs have been included as part of the road-works for the northern approach to the bridge.

The reconstructed bridge is 30 metres long, 15 metres of which is on the Northern Ireland side of the border.

Mr. Maginnis: To ask the Secretary of State for Northern Ireland what has been the cost of approach roadworks relating to the Aghalane Bridge reconstruction for each year since preparations commenced; and to what extent approach works in the Irish Republic have been *(a)* managed, *(b)* paid for and *(c)* subsidised by the Department of the Environment (NI). [78273]

Mr. Ingram: DEO(NI) Roads Service has been involved only in the construction of the Northern approach to the bridge, including such work on the Southern side of the Woodford River as was necessary to construct the bridge. To date, the cost of these roadworks is estimated to be £1,930,720, including a projected expenditure of £292,152 in the coming financial year. In addition to the construction costs, this estimate includes the cost of geotechnical investigations, consultant's fees and laboratory charges, as well as an allowance for land acquisition and landscaping.

Roads Service expect to receive a grant from the European Regional Development Fund, Special Support Programme for Peace and Reconciliation, to the value of £1,061,250.

The costs each year are as follows:

Year	*Expenditure (£)*
1995–96	2,777
1996–97	20,025
1997–98	543,955
1998–99	1,071,811
1999–2000	292,152
Total	1,930,720

Projected

Apart from the works necessary to construct the bridge, indicated above, Roads Service have not managed, paid for or subsidised any of the approach works in the Republic of Ireland.

Mr. Maginnis: To ask the Secretary of State for Northern Ireland how many terrorist attacks took place on civilians on the road between Aghalane Bridge and Teemore Cross *(a)* prior to and *(b)* after the destruction of the previous bridge; if she will give details of the deaths and injuries inflicted; and what was the total compensation paid by the Northern Ireland Office as a result. [78272]

Mr. Ingram: RUC records indicate that one terrorist incident took place in that immediate area, the murder of Thomas (part-time UDR) and Emily Bullock at their home at Killynick on 21 September 1972. The Northern Ireland Office did receive claims, which I understand were later withdrawn.

National Sports Stadium

Mr. Donaldson: To ask the Secretary of State for Northern Ireland if she will provide details of the membership of the Working Group established to investigate the possibility of a national sports stadium for Northern Ireland; what are its terms of reference; and when the Working Group intends to hold its first meeting. [79343]

Mr. McFall: The membership of the Working Group to be established to investigate the possibility of a national sports stadium for Northern Ireland will represent the following interests:

Chairman:

To be appointed by the Sports Council for Northern Ireland

Members:

Representative from the Department of the Environment

Representative from the Belfast City Council

Two representatives from the Private Sector

One representative from each of Rugby, Soccer, Gaelic Sports and Athletics.

The Working Group's terms of reference are:

To explore the need for, and feasibility of providing a national stadium, in particular:

- to consult with relevant sporting interests to determine their willingness to participate in the promotion and operation of a national stadium
- to identify a potential promoter/owner/operator
- to assess the potential regenerative impact of a national stadium
- to examine the capital and recurrent funding implications and associated locational issues
- to examine the potential relationships and linkages with relevant public and private sector organisations
- to construct an outline business case
- to determine what further steps should be taken.

The Working Group intends to hold its first meeting in early April.

WALES

Company Licences

Mr. Maclean: To ask the Secretary of State for Wales if he will list for *(a)* small and medium enterprises and *(b)* larger companies (i) all licences and permits issued by his Department and its agencies to companies permitting them to carry out their business, (ii) the cost of each such licence or permit in (A) 1997–98 and (B) 1999–2000 and (iii) the current number of companies which are in receipt of each such licence or permit. [76853]

Mr. Hain *[holding answer 16 March 1999]:* The information is given in the table.

Licences and permits for business for small and medium sized enterprises

Title	*Current number of companies in receipt of licence/permit*
Agriculture	
Post Chernobyl Sheep Movement Consents	360
Heather and Grass Burning Licence	None
Licences to kill or take piscivorous birds	None
Licences to kill or take non-piscivorous birds	4
Licences under the protection of Badgers Act 1992	3
Licence to introduce and or keep in inland waters in England and Wales non-native species of fish	6
Permit to purchase strychnine	60
Authorisation of premises to remove spinal cord of older sheep and goats	27
Fresh meat (Hygiene and Inspection) Regulations 1995	
Red meat slaughterhouses	34
Cutting plants	13
Cold stores	24
The Poultry meat, farmed game bird meat, and rabbit meat (hygiene and inspection) regulations 1995	
Slaughterhouses	13
Cutting plants	13
Cold stores	8
The wild game meat (Hygiene and Inspection) Regulations 1995	
Slaughterhouses	1
Premises licences, carrying agents licence and imports licences issued under the rabies (Importation of dogs, cats and other mammals) Order 1974	3
Import licences under the importation and exportation of birds, poultry and hatching eggs Order 1979	2
Licences issued under the importation of animal products and poultry products Order 1980 (as amended)	4
Artificial insemination of cattle (animal health) (England and Wales) Regulations 1985 (as amended)	902
Independent Schools	
Registered independent schools	51
Provisionally Registered Independent Schools	6
CADW	
Minstrels permit	2
Grazing licences	4
Tea room Castell Coch'	1

For the above, no charges are levied except
Information available for 1997–98 costs are only available at disproportionate costs
Cost of £100 (inc. VAT) for both years
Cost of £500 (inc. VAT) for both years
Cost of £3,000 (inc. VAT) for both years

Note:
Only one larger company is in receipt of a permit issued by the Department: the North Wales tourism (TIC at Conwy Visitor Centre) has a licence to operate from CADW premises. The cost is variable – between £3,000 and £5,000 for both years.

Following the transfer of functions, this issue will be a matter for the National Assembly.

Euro Task Force

Mr. Denzil Davies: To ask the Secretary of State for Wales if he will list the names of the members of the Euro Task Force for Wales. [78348]

Mr. Hain: The information is given in the table.

Members of Euro Task Force for Wales

Member	
Mr. K. Truman (Chairman)	Area Director, Lloyds Bank Commercial Banking
Ms S. Camper	Agent for Wales, Bank of England
Mr. J. Casterton	Euro Taskforce Manager on secondment from Barclays Bank
Mr. K. Cox	Welsh Office Euro Co-ordinator
Mr. B. Dennis	Export Sales Director, Conren International
Ms C. Eva	European Commission for Wales
Mr. R. Forster	Managing Director, Biomet Merck Ltd.
Dr. M. Goble	Managing Director, Gyrus Medical Plc
Mr. P. Graham-Woolard	Director, Manufacturing Operations UK, Rizla UK Ltd.
Ms K. Hartigan	Finance Director, INA Bearings Ltd.
Dr. E. Haywood	Director, Wales, Confederation of British Industry
Mr. G. Jackson	Strategic Policy Director, Welsh Development Agency
Mr. B. Meredith	Wales Euro Information Centre
Mr. R. Palmer	Chairman, Swansea North and Port Talbot, Business Connect
Mr. F. Royle	Director, Finance, British Steel Plc
Mr. P. Saunders	Managing Director, Halo Foods Ltd.
Mr. S. Sivapalan	President, South Wales Association of Certified Accountants
Mr. S. Welch	Chief Executive, North Wales Chamber of Commerce
Mr. A. Winstanley	Pilkington Special Glass Ltd.
Ms V. Winkler	Economic Adviser, Welsh Local Government
Mr. G. Wright	Regional Secretary, Wales TUC

Retail Parks

Mr. Wigley: To ask the Secretary of State for Wales if he will list the expenditure by *(a)* local authorities and *(b)* the WDA on the development of out of town retail parks in the last year for which figures are available. [78229]

Mr. Hain: Information on local authority expenditure on the development of out of town retail parks is not held by my Department.

No WDA expenditure has been put into such developments in the last year.

Following the transfer of functions, this issue will be a matter for the National Assembly.

Inward Investment

Mr. Barry Jones: To ask the Secretary of State for Wales if he will make a statement on the current levels of inward investment in *(a)* Wales and *(b)* Flintshire. [78956]

Mr. Hain: I am delighted with the 17,402 new jobs and associated capital investment of £1.3 billion promised by the inward investment projects recorded for Wales by the Welsh Development Agency since May 1997. Flintshire's contribution of almost 2,400 new jobs and capital investment of £582 million is a tribute to the people of the area.

But, I want to see even greater success in the future in terms of a higher level of inward investment and in terms of the growth of indigenous companies. And I want to see this success distributed throughout Wales.

Following the transfer of functions, this issue will be a matter for the National Assembly.

Badgers

Mr. Barry Jones: To ask the Secretary of State for Wales if he will make a statement concerning badgers and bovine tuberculosis in Wales. [78961]

Mr. Jon Owen Jones: We are greatly concerned about the increased incidence of bovine TB in Wales. The Government's five point strategy based on the recommendations in the Krebs report is the right strategy for dealing with the problem. No one should underestimate the seriousness of bovine TB and we will take the necessary steps to contain it.

Following the transfer of functions, this issue will be a matter for the National Assembly.

A550

Mr. Barry Jones: To ask the Secretary of State for Wales what plans he has to reduce traffic congestion on the A550 Woodbank English Border Junction. [78962]

Mr. Hain: The Woodbank Junction scheme is almost entirely situated in Cheshire, and is the responsibility of the Highways Agency. It will be for the Department of the Environment, Transport and the Regions, in conjunction with the Highways Agency to carry out the route study proposed in the English Roads Review. Progress on this will continue to be closely monitored by the Welsh Office.

Following the transfer of functions, monitoring progress will be a matter for the National Assembly.

Beef

Mr. Barry Jones: To ask the Secretary of State for Wales what measures he has taken to promote Welsh beef. [78959]

Mr. Jon Owen Jones: Beef is a vital part of the livestock industry in Wales and my right hon. Friend the Secretary of State for Wales has taken a number of measures to promote quality beef produced by our farmers. A Welsh Agri-Food Action Plan for the Lamb and Beef sector, drawn up by the industry, was launched on 8 March with the support of the Welsh Office and the WDA.

The Plan sets out to

strengthen the image of Welsh beef as an extensively-reared grass-fed product;

develop export markets and niche markets;

develop stronger marketing arrangements through the marketing support that is available through the Welsh Development Agency and Welsh Lamb and Beef Promotions;

build a bigger stake for farmers in the supply chain;

develop added value processing;

encourage livestock markets to re-appraise their position and plan for the future;

develop farm and supply chain certification as the market demands that assurance schemes are necessary throughout the supply chain.

In addition, the Welsh Office is supporting projects to promote quality beef from Wales:

ADAS—Welsh Beef Industry Viability Project—this project aims to assist beef production systems and promote quality through concentrating on farm assurance, efficient production, traceability, marketing and the establishment of producer groups. The total project cost is some £1.2 million over a period of four years;

Welsh Development Agency—Promotion and Marketing of Welsh Beef—the objective of this project is to stimulate consumer demand for Welsh beef through a strategic marketing and promotional campaign. The total project cost is some £0.821 million; and

Welsh Black Cattle Society—Improving quality and marketing of Welsh Black Cattle. The total project cost is £0.490 million

In future, following the transfer of functions, this issue will be a matter for the Assembly.

Hospitals (Flintshire)

Mr. Barry Jones: To ask the Secretary of State for Wales if he will make a statement on the future of *(a)* the longstay hospital at Meadowsleigh, Penyffordd, Flintshire and *(b)* the Dobshill Hospital, Flintshire; and if he will make a statement. [78953]

Mr. Jon Owen Jones: The future of these hospitals is a matter for North Wales Health Authority. I understand that this Authority is in the process of completing a review, the purpose of which is to establish what community hospital services are currently provided and what are required to support local communities over the next 5 years. The Authority intends to publish and consult upon a 5 year strategic plan shortly.

School Libraries

Mr. Barry Jones: To ask the Secretary of State for Wales what estimate he has made of the amount of money to be made available for school libraries in *(a)* high schools, *(b)* primary schools, *(c)* infant and *(d)* nursery schools in Flintshire in 1999–2000; and if he will make a statement. [78954]

Mr. Hain: This is a matter for the local education authority and for schools to decide in the light of local needs and priorities.

However, school libraries have an important role to play in the drive to raise standards of literacy. As part of the additional £4 million for books announced following the Budget, schools in Flintshire will receive £204,000. In addition Flintshire's share of the money which we are making available through the Grants for Education Support and Training programme in 1999–2000 specifically to support literacy is nearly £110,000.

We have also recognised the contribution which school librarians can make to teaching and learning and they are eligible to receive the training in the use of information and communications technologies funded from the Lottery through the New Opportunities Fund.

Mixed-sex Wards

Mr. Swayne: To ask the Secretary of State for Wales if it is Government policy to reduce the number of mixed-sex wards in NHS hospitals in Wales; and if he will make a statement. [79392]

Mr. Jon Owen Jones: Rather than concentrate on the narrow issue of single sex accommodation, NHS Wales should address the wider and arguably more important area of privacy and dignity.

Some trust hospitals' existing washing and toilet facilities still fall short of the acceptable standards for meeting privacy and dignity, and all trusts are working towards this goal. In addition, trusts bring to the attention of all staff the importance of meeting patients' needs and wishes for privacy and dignity through their induction programmes.

Following the transfer of functions, this issue will be a matter for the National Assembly.

Mr. Swayne: To ask the Secretary of State for Wales if he will estimate the number of mixed-sex wards in NHS hospitals in each local authority area; and if he will make a statement. [79388]

Mr. Jon Owen Jones: An estimate of the number of mixed-sex wards in NHS hospitals in each local authority area could be made only at a disproportionate cost.

Following the transfer of functions, this issue will be a matter for the National Assembly.

Mr. Swayne: To ask the Secretary of State for Wales (1) how many patients are in mixed-sex wards in the Royal Gwent Hospital; [79393]

(2) how many mixed-sex wards there are currently in the Royal Gwent Hospital. [79394]

Mr. Jon Owen Jones: Of the 33 wards at Royal Gwent hospital 29 wards, with 675 beds, are mixed sex. However each ward is made up of bays and each bay is single sex.

Following the transfer of functions, this issue will be a matter for the National Assembly.

Blood Donors

Mr. Swayne: To ask the Secretary of State for Wales how much money was spent by his Department in 1998 to encourage people to give blood. [79391]

Mr. Jon Owen Jones: In addition to the Department of Health's expenditure which benefits both England and Wales, in the 1998–99 financial year the Welsh Office spent just under £6,000 to encourage more blood donors.

Following the transfer of functions, this issue will be a matter for the National Assembly.

Nurse Recruitment

Mr. Swayne: To ask the Secretary of State for Wales how much money his Department will spend in the current financial year on advertisements intended to encourage people to return to the nursing profession. [79389]

Mr. Jon Owen Jones: The Welsh Office has spent £12,000 in the current financial year on its nurse recruitment campaign. As a result of a survey of individual Trusts' needs, advertisements will be placed in local newspapers in the new financial year to attract registered nurses back to the NHS in Wales. These additional costs are as yet unknown.

Following the transfer of functions, this issue will be a matter for the National Assembly.

HOME DEPARTMENT

Spree Offenders

Mr. Brazier: To ask the Secretary of State for the Home Department what proportion of youth crime is committed by spree offenders; and if he will estimate the proportion of such offenders who do not fall under the Government's definition of persistent young offenders. [78776]

Mr. Boateng: It is not possible to provide the information requested, as there is no generally recognised definition of a spree offender. While information is not collected separately on spree offenders, many of the fast-track schemes across the country include spree offenders as well as the Government's definition of persistent young offenders. Some of those regarded as spree offenders will fall within the category of persistent young offenders in any event.

Rape Crisis Networks

Jackie Ballard: To ask the Secretary of State for the Home Department what resources the Government intends to devote to refuge and rape crisis networks for *(a)* 1999 to 2000 and *(b)* future years. [78872]

Mr. Boateng: The main national umbrella organisations for local refuge projects are the Women's Aid Federation of England and its sister organisations in Wales, Scotland and Northern Ireland.

In 1999 to 2000, Women's Aid (England) is to receive a total of £229,795. The Department of Health will contribute £107,500 core funding, £29,205 for an awareness-raising project and £49,000 for a national telephone helpline service. The Department of the Environment, Transport and the Regions will contribute £44,000 under the Special Grants Programme to develop training opportunities, resources and facilities.

Core funding to Welsh Women's Aid is provided by the Welsh Office. Figures for 1999 to 2000 have not yet been finalised.

The Scottish Office has committed £226,000 to Scottish Women's Aid for 1999 to 2000. From 1 July 1999, this will be a matter for the Scottish Parliament.

In Northern Ireland in 1999 to 2000, the Department of Health and Social Services will fund Northern Ireland Women's Aid for core administration work and project funding, to a value of £170,000. The Northern Ireland Office has set aside £30,000 to fund the Women's Aid helpline.

The majority of Government funding for refuges themselves is indirect and, therefore, cannot be quantified. It includes the funding of registered social landlords through the Housing Corporation, some funding through local authorities and the Single Regeneration Budget, and some funding of revenue costs through the payment of housing benefit to residents.

The Department of the Environment, Transport and the Regions, the Department of Health and the Women's Unit have commissioned a package of research into the accommodation and support services available in England to those experiencing domestic violence. This information will be used to assist local authorities in making decisions about what further provision they need to make in their localities.

In Northern Ireland, the Department of the Environment intends to commit £1.8 million capital funding and £1.4 million revenue funding in 1999 to 2000 to women's refuges. In 2000 to 2001, these figures will be £0.6 million capital and £1.4 million revenue, and in 2001 to 2002 they will be £1.7 million capital and £1.4 million revenue.

Rape crisis centres currently receive public funds through, for example, local authorities, rather than central Government funding. The Government's consultation paper "Supporting people", published in December 1998, contains proposals for an improved funding framework for support services of this kind. The consultation period ended on 5 February and the responses are now being analysed. We cannot yet give precise commitments, but we have guaranteed that the total budget in 1999 to 2000 for the new "Supporting people" scheme will be at least the same as what was spent in 1998 to 1999 in the various budgets that the scheme will replace.

In Northern Ireland in 1999 to 2000, the Department of Health and Social Services will provide £31,000 core funding for the Rape Crisis and Sexual Abuse Centre and £54,000 core funding to Nexus, a voluntary organisation providing a counselling service for adult victims of rape and sexual abuse.

Policing (Party Conferences)

Mr. David Atkinson: To ask the Secretary of State for the Home Department how much his Department contributed to the cost of policing the Conservative Party Conference in Bournemouth in 1998; how much it plans to contribute for the Labour Party Conference in Bournemouth in 1999; and if he will make a statement. [79015]

Mr. Boateng: The Dorset Police Authority received a special grant of £750,000 as a contribution to the additional costs the force incurred in policing the Conservative Party Conference at Bournemouth in October 1998. The total additional costs incurred were £829,000.

The Dorset Police Authority will receive special grant of up to £1.6 million for the additional costs of policing this year's Labour Party Conference at Bournemouth. This is against total costs estimated by the force to be £1.7 million.

Drug Treatment and Testing Orders

Mr. Clappison: To ask the Secretary of State for the Home Department how many offenders have been *(a)* assessed for a drug treatment and testing order and *(b)* made subject to such an order in the pilot areas for drug treatment and testing order; and how many of those made subject to an order have subsequently breached the order. [79204]

Mr. George Howarth: As at 26 March 1999:

(a) 130 offenders had been referred for assessment for a drug treatment and testing order in the three pilot areas; and

(b) 38 offenders had been sentenced to a drug treatment and testing order by courts in the pilot areas. Of those orders, seven had been the subject of breach proceedings which, in six cases had resulted in the order being revoked.

Young Offenders

Mr. Clappison: To ask the Secretary of State for the Home Department how many 10 to 17-year-olds were convicted of offences involving *(a)* supply and *(b)* possession of illegal drugs; and how many of such offences involved Class A drugs in the last five years for which figures are available. [79209]

Mr. Boateng: Information taken from the Home Office Court Appearance Databases is given in the table.

Persons aged 10–17 years convicted at all courts of certain drug offences[1], England and Wales, 1993–97

Offence	*1993*	*1994*	*1995*	*1996*	*1997*
Supplying or offering to supply a controlled drug					
Total[2]	73	108	119	125	148
of which, class A:					
Number	44	47	38	37	49
Per cent.	*60*	*44*	*32*	*30*	*33*
Having possession of a controlled drug with intent to supply					
Total[2]	89	109	150	194	197
of which, class A:					
Number	30	30	43	62	58
Per cent.	*34*	*28*	*29*	*32*	*29*
Having possession of a controlled drug					
Total[2]	553	828	992	1,191	1,454
of which, class A:					
Number	64	105	126	134	164
Per cent.	*12*	*13*	*13*	*11*	*11*

[1] Based on principal offence
[2] Total [= 100 per. cent]

Mr. Clappison: To ask the Secretary of State for the Home Department (1) what proportion of offences were committed by persistent young offenders in the last five years for which figures are available; [79206]

(2) how many offences were committed by persistent young offenders in the last five years for which figures are available. [79207]

Mr. Boateng: It is not possible to determine the proportion and number of offences committed by persistent young offenders. It is, however, possible to estimate the proportion of convictions for standard list offences that are accounted for by those aged 10 to 17 with three or more previous court appearances for such offences.

The table contains the relevant available information based on samples of offenders sentenced in the years 1993 to 1997.

Percentage of convictions[1] for standard list offences[2] accounted for by offenders aged 10–17 with three or more previous court appearances for such offences

	Percentage of those convicted aged 10–17	*Percentage of all convictions*
1997	22	3
1997 old basis[3]	22	3
1996	20	2
1996 old basis[3]	20	3
1995	21	3
1994	21	3
1993	25	3

[1] Counting one conviction per court appearance
[2] Standard list offences consist of all indictable offences and some of the more serious summary offences
[3] Excluding standard list offences added to the list on 1 January 1996

The Government's definition of a persistent young offender is: a young person aged 10–17 who has been sentenced by any criminal court in the United Kingdom on three or more separate occasions for one or more recordable offence, and within three years of the last sentencing occasion is subsequently arrested or has information against him for a further recordable offence.In this context, "recordable" means the class of offences that must be recorded on the Police National Computer. This class of offences is generally broader than the "standard list". This means that the percentages quoted above relate to a category of persistent young offenders that is more restrictive than the Government definition. It should also be noted that it is not possible to determine the percentage of convictions and cautions accounted for by this group.

Mr. Clappison: To ask the Secretary of State for the Home Department how many offences were committed by 10 to 17-years-old offenders *(a)* in total and *(b)* as a proportion of all offences in the last five years for which figures are available. [79208]

Mr. Boateng: It is not possible to present a full picture of the offences committed by young people aged 10 to 17 because much crime is not reported and not all reported crime is cleared up. The best indicator we have of youth crime is the number of young people known to have been involved in offending, that is, who have been cautioned by the police for, or convicted by the courts of, a crime.

The available information, as given in the table, is taken from the Home Office Cautions and Court Proceedings Databases.

Number of offenders aged 10–17 years cautioned or convicted of all offences as a proportion of all offenders, England and Wales, 1993–1997

Thousand

	All offenders[1] (=100%)	*Offenders aged 10–17*	
		Number	*Percentage*
1993	1,736.6	176.9	10
1994	[2]1,733.1	186.7	11
1995	[2]1,721.0	188.4	11
1996	[2]1,727.0	187.8	11
1997	1,667.9	183.6	11

[1] Includes 'others' ie public bodies, companies etc.
[2] Figures adjusted to take account of shortfalls in the provision of data on magistrates' courts proceedings.

Life Sentence (Murder)

Mr. Gibb: To ask the Secretary of State for the Home Department, pursuant to his answer of 24 March 1999, *Official Report*, column *237*, what is the minimum possible tariff to be served by a person serving a life sentence following a conviction for murder. [79084]

Mr. George Howarth: The tariff is set by the Secretary of State following consideration of advice from the judiciary on the punitive period necessary to satisfy the requirements of retribution and general deterrence. Tariff length varies according to the circumstances of the particular offence and there is no minimum period. However, tariffs of less than eight years for murder would be set only in exceptional circumstances.

Lancet Inquiry

Dr. Kumar: To ask the Secretary of State for the Home Department (1) how many police officers have been charged with offences discovered during the Lancet inquiry; [79094]

(2) what discussions he has had with the Police Complaints Authority regarding the progress of the Lancet inquiry into alleged police corruption in Cleveland; and if he will make a statement; [79098]

(3) what steps he is taking to monitor the progress of the Lancet inquiry into the alleged police corruption in Cleveland; and if he will make a statement; [79212]

Mr. Boateng: The Operation Lancet inquiry into allegations of police corruption in Cleveland is being supervised by the Police Complaints Authority (PCA), and it is for the PCA to monitor the progress of the inquiry. The length of the investigation is a matter for the investigating officer and the PCA. I have not discussed the inquiry with the PCA. It would not be appropriate for me to comment on criminal or disciplinary investigations, including Operation Lancet, not least because my right hon. Friend the Home Secretary has a role in the disciplinary process as the appellate authority, and my right hon. Friend may in the future be called upon in that capacity to consider any disciplinary appeals from offenders arising from this inquiry.

No police officers have been charged with offences as a result of Operation Lancet inquiry to date, but the inquiry is continuing and I understand that a number of possible criminal and disciplinary matters are still under investigation. There has been close consultation with the Crown Prosecution Service (CPS) throughout the inquiry. A file on drugs-related issues was delivered to the CPS on 4 December 1998 and is now with Treasury Counsel.

Crime (Ethnic Minorities)

Mr. Malins: To ask the Secretary of State for the Home Department what studies have been *(a)* made and *(b)* commissioned by his Department on the breakdown of crimes committed by the different ethnic minorities; and if he will make a statement. [79291]

Mr. Straw: I refer the hon. Member to the reply given to the right hon. Member for Bromley and Chislehurst (Mr. Forth) on 2 February 1999, *Official Report*, column *554*.

Correspondence

Mr. Malins: To ask the Secretary of State for the Home Department what was the average time he took to respond substantively to letters from hon. Members in each of the last 12 months. [79299]

Mr. Straw: On the basis of available information, the average time taken to respond substantively to letters from hon. Members to which I personally replied is listed in working days.

1998–99	*Working days*
March	30
April	26
May	23
June	23
July	24
August	22
September	21
October	17
November	23
December	15
January	26
February	23

Police and Prison Services (Ethnic Origin)

Mr. Vaz: To ask the Secretary of State for the Home Department if he will provide a breakdown of (i) the Police Service and (ii) the Prison Service in England and Wales by ethnic origin and grade. [79048]

Mr. Boateng: Detailed information about the number of police officers by rank and ethnic origin is collected annually by Her Majesty's Inspectorate of Constabulary. The information in the table is for 31 March 1998.

Police Service—Police Officers by rank and ethnic group as at 31 March 1998

	Asian	*Black*	*Other*	*Total*
Asst. Chief Constable	1	—	—	1
Superintendent	1	2	1	4
Chief Inspector	3	9	7	19
Inspector	19	9	10	38
Sergeant	87	83	59	229
Constable	687	936	437	2,060
Total	798	1,039	514	2,351

In addition, there were 132 ethnic minority police officers seconded to central services.

There were 719 Asian, 1,405 black and 609 other civilian support staff from the ethnic minorities employed in the Police Service at the end of March 1998, a total of 2,733. It is not possible to provide information by grade.

Numbers of Prison Service staff by grade and ethnic origin as at March 1999 are set out in tables that have been placed in the Library.

Audit Commission Report

Mr. Beith: To ask the Secretary of State for the Home Department if he will make a statement on the Audit Commission report, "Action Stations: Improving the Management of the Police Estate". [79379]

Mr. Boateng: The Government welcome the report. Its recommendations will play a significant part in ensuring that the management of the police estate is given proper emphasis in releasing savings for redeployment into front-line policing and delivering best value.

London Crime Study

Sir Norman Fowler: To ask the Secretary of State for the Home Department if he will place the study into crime in London carried out by Dr. Marion Fitzgerald, in the Library; and if he will make a statement. [79194]

Mr. Straw *[holding answer 29 March 1999]*: Dr. Fitzgerald has not undertaken a study into crime in London.

Dr. Fitzgerald did prepare a briefing paper for Ministers on ethnicity and criminality, which consolidated some data from small-scale local studies, previously published material and some material that has yet to be published.

It has been the practice of successive Governments that such internal briefing papers are not themselves published.

Dr. Fitzgerald's published research while with the Home Office has included:

Ethnic Minorities and the criminal justice system: Research Study No. 20.

The Royal Commission on Criminal Justice (1993).

Ethnic Minorities Victimisation and Racial Harassment: Findings from the 1988 and 1992 British Crime Surveys with Hale C.

Home Office, Research Development and Statistics Directorate (HORS 154) (1996).

Ethnic monitoring in police forces: A beginning with Sibbett R.

Home Office, Research, Development and Statistics Directorate (HORS 173) (1997).

Evaluation of the Racially Aggravated Offences in the Crime and Disorder Act 1998.

Home Office, Research, Development and Statistics Directorate (Spring 2001).

I am happy to make available to the right hon. Member a full list of relevant published research in this field.

Asylum Interviews

Mr. Cawsey: To ask the Secretary of State for the Home Department if he intends to introduce tape recording of asylum interviews. [79769]

Mr. Mike O'Brien: I have decided to pilot tape recording of asylum interviews. Some interviews, at ports and in Croydon should be tape recorded from May. A report on the pilot, including its impact on the Immigration Appellate Authority, is planned for the New Year.

Football-related Legislation

Mr. Alan Keen: To ask the Secretary of State for the Home Department when he expects to announce the outcome of the public consultation exercise on the Review of Football-related Legislation which was published on 27 November 1998. [79772]

Kate Hoey: The document entitled "Review of Football-related Legislation" set out 29 proposals for discussion on measures to help to prevent and minimise football hooliganism at designated football matches in England and Wales and overseas.

The consultation period ended on 27 January and some 50 responses were received from organisations and individuals. The overwhelming response to the measures was supportive. Respondents to the document as a whole recognised the need for measures to be introduced to deal with the loopholes in the present legislation. They also indicated strong support for those proposals aimed at dealing with measures to help to prevent those convicted of football-related offences from attending designated football matches. I am placing a summary of the responses in the Library.

The response to the public consultation exercise has been made known to the hon. Member for West Chelmsford (Mr. Burns) whose Bill, the Football (Offences and Disorder) Bill, is due for its Second Reading on 16 April.

Criminal Justice System

Jane Griffiths: To ask the Secretary of State for the Home Department when he intends to publish the criminal justice system plans. [79821]

Mr. Straw: The Attorney-General, the Lord Chancellor and I will be publishing jointly a strategic and business plan for the criminal justice system in England and Wales at 12 noon on 31 March 1999. The plans describe the aims, objectives and performance targets which the Government expect the criminal justice system as a whole to deliver. Copies of the plans will be placed in the Library.

Scout Association

Mr. Coaker: To ask the Secretary of State for the Home Department what representations he has received from the Scout Association regarding the cost to them of checking adults with the Criminal Records Bureau; and if he will make a statement. [79320]

Mr. Boateng: We have received representations from a number of voluntary organisations, including the Scout Association, about charging for checks from the Criminal Records Bureau. We considered very carefully whether there was any way in which free checks could be provided for volunteers. While we acknowledge the valuable contribution volunteers make, we have concluded that it

would not be practicable to provide any free checks from the Criminal Records Bureau for volunteers or for any other groups.

We realise that this is unwelcome news, but providing free checks would prove an unsustainable burden on the public purse and may increase demand for certificates from the bureau to an uncontrollable extent. In addition, we do not consider it would be fair to allow volunteers to have free certificates when there are other equally deserving groups, such as the unemployed or the disabled. The cost of the fees for certificates from the bureau will be kept to the minimum necessary to recoup costs.

Senator Pinochet

Mr. Loughton: To ask the Secretary of State for the Home Department what has been the cost so far to the Exchequer of the arrest, confinement and protection of and legal proceedings relating to Senator Pinochet. [79345]

Mr. Straw: I refer the hon. Member to the reply I gave to the hon. Member for Chesham and Amersham (Mrs. Gillan) on 9 February 1999, *Official Report*, column *143*.

For security reasons, it has been the policy of successive Governments not to provide information about police operations relating to protection. The Home Office allocated £200,000 to the Surrey police force to assist with the unexpected costs to the force of Senator Pinochet's residence in Wentworth.

On the cost so far of legal proceedings I understand that my right hon. Friend the Attorney-General will be answering a written question laid by my hon. Friend the Member for Middlesbrough, South and Cleveland, East (Dr. Kumar).

Police (London)

Mr. Love: To ask the Secretary of State for the Home Department what will be the role of police/community consultative groups once the Greater London Authority and the Police Authority for London are established; if existing police/community consultative groups will be retained with the same composition and functions; and if he will make a statement. [79508]

Kate Hoey: The Government place considerable importance on there being effective community consultation on policing matters. Police and Community Consultative Groups (PCGGs) play a major role in this process, as I emphasised in the debate on section 17 of the Greater London Authority Bill in Standing Committee A on 16 March 1999, *Official Report*, columns 1276–82. PCCGs are not statutory bodies—but they are the primary means by which many police authorities choose to discharge their duty to obtain the views of local people.

When the Metropolitan Police Authority (MPA) is created, it will take on the duty, currently held by the Metropolitan police Commissioner, of obtaining the views of people in the Metropolitan police district. It will be for the MPA to decide how best to discharge this duty, just as police authorities elsewhere in England and Wales must decide how best to obtain the views of people in their area. If the MPA considers that PCCGs are working well, we have every reason to believe that it will want to retain them.

Police Forces

Mr. Mackinlay: To ask the Secretary of State for the Home Department by what means other than HM Inspectorate of Constabularies he is able to assess the *(a)* independence, *(b)* training, *(c)* skills and *(d)* resources of non-Home Office police forces; and if he will make a statement. [79319]

Mr. Boateng: The responsibility for managing and supervising the operation of non-Home Office police forces rests with the employing bodies of those organisations.

Mr. Mackinlay: To ask the Secretary of State for the Home Department what was the last occasion HM Inspector of Constabularies made an inspection of the Port of Liverpool Police; and if he will make a statement. [79318]

Mr. Boateng: The last inspection of the Port of Liverpool police by HM Inspector of Constabularies was in 1978.

Bereavement Damages

Mr. Keetch: To ask the Secretary of State for the Home Department if he will amend Section 1A of the Fatal Accidents Act 1976 regarding bereavement damages to take into account the death of an only son; and if he will make a statement. [78764]

Mr. Hoon: I have been asked to reply.

Section 1A of the Fatal Accidents Act 1996 provides for bereavement damages to be claimed by the parents of unmarried children who are under the age of 18. This applies to both parents where the child was legitimate, and to the mother only in the case of an illegitimate child. This is an area which we keep regularly under review. The Law Commission considered bereavement damages in its consultation paper "Claims for Wrongful Death" (Consultation Paper No. 148) and hopes to produce its report later this year. The Government will consider the Law Commission's recommendations carefully when they are received.

LORD CHANCELLOR'S DEPARTMENT

Conditional Fee Arrangements

Sir Nicholas Lyell: To ask the Minister of State, Lord Chancellor's Department if he will publish details of legal fees and insurance products available to litigants with conditional fee agreements. [79340]

Mr. Hoon: As the right hon. and learned Gentleman knows, the details of legal fees are a matter of privilege between the lawyer and his client and cannot, therefore, be collected centrally. Insurance products to support the use of conditional fees are coming into the market regularly. I doubt that a comprehensive list of products exists or can be put together, given the vibrant and expanding nature of this market.

Judges (Guidance)

Mr. Gerald Howarth: To ask the Minister of State, Lord Chancellor's Department if he will issue guidance to the judges setting out the way in which the principle of the separation of powers should operate. [79432]

Mr. Hoon: Judicial education is the responsibility of the Judicial Studies Board (JSB), which is an independent non-departmental public body and is chaired by Lord Justice Henry.

The JSB does not issue policy guidance, but its training seminars enable judges to learn from experienced judges, academics and other experts, and to discuss constitutional issues. The planned JSB training on the Human Rights Act 1998 and the European Convention on Human Rights will provide a further opportunity for judges to address the separation of powers. In any event the doctrine of the separation of powers is well understood by the judiciary as a whole.

Judges (Appointments)

Mr. Gerald Howarth: To ask the Minister of State, Lord Chancellor's Department if he will review the arrangements for appointing judges, with particular reference to the introduction of an independent element. [79431]

Mr. Hoon: The Lord Chancellor keeps the arrangements for appointing judges under review. Lay people are already involved in the shortlisting and interviewing of applicants for judicial office below High Court level, and they will continue to play a valuable part in the judicial appointments process. The Lord Chancellor is still considering the possibility of proceeding with consultation on the issues relating to the possible creation of a Judicial Appointments Commission.

SCOTLAND

Conferences (Costs)

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland what is his estimate of the expenditure of his Department, its agencies and related public bodies on all conferences in *(a)* 1996–97, *(b)* 1997–98, *(c)* 1998–99 and *(d)* 1999–2000; what was the date, cost and purpose of each conference held externally since 1 May 1997; and if he will make a statement. [69199]

Mr. Dewar *[holding answer 8 February 1999]:* As the information is lengthy, I shall write to the hon. Member and place a copy in the Library of the House.

Appointments

Mr. Vaz: To ask the Secretary of State for Scotland if he will list those people he has appointed to public bodies since 1 November 1998, indicating the positions to which they have been appointed; and whether they receive remuneration. [76463]

Mr. Dewar *[holding answer 18 March 1999]:* As the list is lengthy, I shall write to my hon. Friend and place a copy in the Library of the House.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Homelessness

Mrs. Laing: To ask the Secretary of State for Scotland how many homeless people there were in Scotland in each year since 1992. [77766]

Mr. Macdonald *[holding answer 25 March 1999]:* The table gives, for each year since 1992–93, the number of households that applied to local authorities under the homeless persons legislation, the number of households that local authorities assessed as homeless or potentially homeless, and the number which the local authorities determined to have a priority need. Information on the number of applications for 1997–98 and the first two quarters of 1998–99 will be published in the Housing Quarterly Trends Statistical Bulletin on 31 March 1999.

Number of applications and assessments made under the homeless persons legislation

Year	Number of applications	Number assessed homeless or potentially homeless	Number homeless or potentially homeless and in priority need
1992–93	42,822	30,100	19,800
1993–94	43,038	30,900	18,300
1994–95	41,495	31,600	17,500
1995–96	40,936	30,300	16,900
1996–97	41,010	30,600	16,800

European Scrutiny Committee

Mr. Woodward: To ask the Secretary of State for Scotland if *(a)* Ministers, *(b)* special advisers and *(c)* civil servants saw the European Scrutiny Committee questions brief in advance of the appearance of the Parliamentary Under-Secretary of State before the Committee on 16 February. [77848]

Mr. Macdonald *[holding answer 19 March 1999]:* It has been a common, but not universal, practice over a long period for Committees to agree to give officials an indication of the broad areas they intend to cover at the hearing to ensure that the evidence session is as effective and productive as possible. I was informed of the broad areas of questioning in advance of the Committee hearing on 16 February.

Census Returns

Mr. John M. Taylor: To ask the Secretary of State for Scotland what are the total annual storage and maintenance costs for all 1841 to 1991 decennial census returns in Scotland. [78435]

Mr. McLeish: Annual costs of storage and maintenance of all the 1841 to 1991 decennial census returns for Scotland are estimated at £75,000.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Mr. John M. Taylor: To ask the Secretary of State for Scotland if he will list all Public Records Act 1958 instruments that have prescribed periods of *(a)* extended retention or *(b)* extended closure of decennial census returns for Scotland; and if he will list the class numbers, census years and periods mentioned in the schedules. [78443]

Mr. McLeish: The legislation referred to does not apply to Scotland. Scottish census records remain in the custody of the originating department, the General Register Office for Scotland, and under the control of the Registrar General for Scotland.

The present position in Scotland is that the census returns up to and including those of 1891 are open to public inspection. The Registrar General's policy on census returns for 1901 or later years was agreed in 1974 by the then Secretary of State for Scotland and announced in Parliament on 23 May 1974, *Official Report*, columns 272–73. This confirmed that Scottish census returns would not be made available until 100 years after the census to which they relate, and that only in exceptional circumstances could closed census returns be accessed. These public access provisions were affirmed by the present Government in the 2001 Census White Paper published on 4 March. The circumstances are:

> where application is made to the Registrar General for specific information to be supplied from records of a closed census, taken on or before 1931; and
>
> where this application is made for the specific purpose of assisting an individual to resolve a question of his or her legal inheritance.

The closure period is intended to safeguard the confidentiality of the personal information collected in the census, and successive Governments have honoured an undertaking that the information would remain confidential. Protection of the credibility of the undertaking is crucial to maintaining the quality of the information collected.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Trunk Roads Review

Mrs. Ewing: To ask the Secretary of State for Scotland when he will announce the results of the strategic review of the Scottish trunk road programme; and if he will list in his announcement the starting date of the agreed projects. [79240]

Mr. Macdonald: I refer the hon. Member to the reply I gave to the hon. Member for Galloway and Upper Nithsdale (Mr. Morgan) on 23 March 1999, *Official Report*, column *149*.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Outpatient Appointments

Mr. Wallace: To ask the Secretary of State for Scotland in respect of each hospital in Scotland, how many outpatient appointments were made during 1998; and, in each case, what was the number of patients who waited *(a)* three to six months and *(b)* more than six months from referral to appointment. [78735]

Mr. Galbraith: Information on waiting times for outpatient appointments is available for the length of time patients waited for their first outpatient appointment following referral by a general medical practitioner (GMP)/general dental practitioner(GDP).

Data on the total number of outpatient attendances, the number of patients who received a first outpatient appointment following GMP/GDP referral, and the number of patients who waited three to six months and more than six months for a first outpatient appointment following GMP/GDP referral, by NHS Trust, during 1998, is provided in the table.

NHS in Scotland: total number of outpatients attendances, number of general medical practitioner (GMP)/general dental practitioner (GDP) referrals, and waiting time for first outpatient appointment from GMP/GDP referral in 1998[1]

		First outpatient referrals from GMP/GDP		
NHS trust/directly managed unit	*Total number of outpatient attendances*[2]	*Total number of appointments*	*Number of patients who waited 3–6 months*	*Number of patients who waited over 6 months*
South Ayrshire Hospital	124,787	21,516	3,110	218
North Ayrshire Hospital	185,994	36,186	1,282	170
Ayrshire and Arran Community Health Care	11,826	2,011	23	5
Borders General Hospital	58,952	18,492	1,331	184
Borders Community Health Services	6,020	1,342	67	39
Royal Alexandra Hospital	131,324	29,323	3,817	1,973
Inverclyde Royal	91,092	19,110	2,155	302
Renfrewshire Healthcare	26,388	2,595	115	49
Lomond Healthcare	50,136	13,518	1,815	107
Argyll and Bute	38,766	9,329	1,253	254
Queen Margaret Hospital	94,116	21,142	5,023	1,397
Fife Healthcare	14,769	1,224	148	14
Kirkcaldy Acute Hospitals	139,462	34,053	7,774	1,388
Southern General Hospitals	139,507	35,005	7,706	3,039
Yorkhill	104,122	13,234	3,517	549
Victoria Infirmary	144,366	42,275	7,523	720
West Glasgow Hospitals University	269,509	58,776	9,661	3,179
Glasgow Royal Infirmary University	287,944	51,099	12,051	3,285
Stobhill	128,289	28,646	2,360	157
Greater Glasgow Community and Mental Health Service	54,022	8,966	462	60
Glasgow Dental Hospital and School	111,321	17,637	5,423	912
Raigmore Hospital	121,369	34,242	3,636	2,077
Caithness and Sutherland	20,726	6,175	701	166
Highland Communities	19,307	3,339	50	7
Monklands and Bellshill Hospitals	137,680	25,732	4,951	2,074
Law Hospitals	144,839	37,371	6,456	1,184

NHS in Scotland: total number of outpatients attendances, number of general medical practitioner (GMP)/general dental practitioner (GDP) referrals, and waiting time for first outpatient appointment from GMP/GDP referral in 1998[1]

NHS trust/directly managed unit	*Total number of outpatient attendances*[2]	*Total number of appointments*	*First outpatient referrals from GMP/GDP: Number of patients who waited 3–6 months*	*First outpatient referrals from GMP/GDP: Number of patients who waited over 6 months*
Hairmyres and Stonehouse Hospitals	126,602	28,684	5,164	1,315
Lanarkshire Healthcare	28,106	2,373	262	65
Aberdeen Royal Hospitals	310,295	66,341	9,163	2,136
Grampian Healthcare	47,215	11,782	2,005	231
Moray Health Services	41,439	10,417	1,337	117
Orkney Health Board Unit	8,169	2,475	54	9
West Lothian	103,830	34,108	5,188	1,795
Royal Infirmary of Edinburgh	352,370	77,945	12,029	6,012
Edinburgh Sick Children's	43,835	8,129	184	2
Western General Hospitals	123,180	28,868	2,571	1,275
East and Midlothian	44,396	13,856	756	156
Edinburgh Healthcare	51,962	1,574	96	38
Dundee Teaching Hospitals	307,589	53,379	8,355	1,097
Perth and Kinross Hospitals	114,624	29,873	4,310	626
Dundee Healthcare	20,664	4,987	420	134
Angus	43,012	13,014	1,415	461
Stirling Royal Infirmary	109,748	24,400	2,661	530
Falkirk and District Infirmary	113,761	12,855	2,935	769
Central Hospital Healthcare	15,828	2,086	41	48
Western Isles Health Unit	18,795	3,090	123	37
Dumfries and Galloway Acute and Maternity Hospitals	78,889	14,770	1,815	291
Dumfries and Galloway Community Health	8,375	411	1	0
Shetland Hospitals and Community Services Unit	12,720	3,656	78	10

[1] Provisional
[2] Excludes patients who did not attend their appointment
Source:
ISD, Scotland

From 1 July 1999, this will be a matter for the Scottish Parliament.

Library Books

Mr. Wallace: To ask the Secretary of State for Scotland how much has been allocated to each local education authority in Scotland since 9 March 1999 for the purchase of library books in pursuance of the Budget announcement of additional funding for library books by the Chancellor of the Exchequer. [78733]

Mrs. Liddell: The information requested is given in the following table.

£

Council	*Allocation*
Aberdeen City	188,409
Aberdeenshire	278,455
Angus	121,279
Argyll and Bute	116,686
Clackmannan	52,155
Dumfries and Galloway	176,975
Dundee	142,037
East Ayrshire	132,121
East Dumbarton	131,927
East Lothian	91,081
East Renfrewshire	105,039
Edinburgh	346,458
Eilean Siar	46,055
Falkirk	148,303
Fife	377,766
Glasgow	545,640
Highland	275,354
Inverclyde	91,016
Midlothian	91,218
Moray	99,151
North Ayrshire	149,364
North Lanark	361,131
Orkney	30,358
Perth and Kinross	138,500
Renfrewshire	184,664
Scottish Borders	116,653
Shetland	37,976
South Ayrshire	120,513
South Lanark	328,004
Stirling	93,404
West Dumbarton	107,915
West Lothian	174,348

From 1 July 1999, this will be a matter for the Scottish Parliament.

SOCIAL SECURITY

Performance Targets

Mrs. Heal: To ask the Secretary of State for Social Security what performance targets he has set his Department's agencies for 1999–2000; and if he will make a statement. [79807]

Mr. Darling: The targets I have set the Executive Agencies for 1999–2000 are as given.

They reflect our determination to reform the Welfare State and to modernise the Social Security system to encourage work for those who can and provide security for those who cannot.

They underpin the Departmental Aim and Objectives set out in our Public Service Agreement.

Further information on the Agencies' plans for 1999–2000 is contained in their individual business plans which have been published today. Copies have been placed in the Library.

The targets for 1999–2000 are:

Benefits Agency Targets—1999–2000.

Active Customer Focused Services

1. To support the programme of welfare reform and modernisation in particular by:

implementing DMA

closer working with Child Support Agency, Employment Service, Local Authorities and others and jointly working on welfare to work including:

the New Deals

the Single Work Focused Gateway Pilots, and

Employment Zones

commencing implementation of an active modern service for pensioners

ensuring that all staff are informed of, and kept up to date with, welfare reform and modern service delivery changes.

2. To publish by June 1999 a revised BA Charter in accordance with central guidance and to then baseline performance and achieve agreed targets.

Secure and Accurate Services

3. To implement programme protection plans in order to reduce, by at least 10 per cent., benefit losses from fraud and error in Income Support and Jobseeker's Allowance, by 31 March 2002.

Investing in our People

4. To work with the Department in developing a staffing index and contribute to the reduction in public sector sick absences by reducing absences by 6 per cent. by March 2000.

Effective Management of Money

5. To agree with the Department the principles and baseline, for the operation of efficiency indices and to commence pilot operation of these during 1999–2000.

6. To cover the costs of pay and price inflation and other pressures through efficiency savings, equivalent to an average of 4 per cent. per year of running cost provision.

7. To recover £150 million in cases where benefit has been overpaid and to pilot an incentive scheme agreed with the Department and HM Treasury to enable targets to be set for 2000–01 based on increasing the amount of debt recovered.

Quality, Efficient Organisational Processes

8. To support the programme of welfare reform and modernisation in particular by:

supporting Modern Service one activity.

CSA Targets 1999–2000

Case compliance [1]

To collect child maintenance and arrears from 70 per cent. of non resident parents with maintenance liability due to be paid through the Agency's collection service.

Cash Compliance [1]

To collect 67 per cent. of child maintenance and arrears due for payment through the Agency's collection service.

Minimum Service Standards [2]

To reach a specified level of performance in a series of customer service standards. The minimum service standards are:

65 per cent. of new maintenance applications to be cleared within 20 weeks;

97 per cent. of payments made to the parent with care (or their bank or building society) to be made within 10 working days of receipt from the non resident parent;

Where a client is dissatisfied with a Child Support Officer's decision and requests a review; or where a change of circumstances requires a review; 88 per cent. to be cleared within 12 weeks;

The National Enquiry Line (NEL) to respond to 80 per cent. of telephone calls within 20 seconds;

60 per cent. of letters to be answered within 10 working days of receipt;

97 per cent. of clients to be seen within 10 minutes of the time of a pre-booked appointment;

90 per cent. of complaints to be acknowledged within 2 working days of receipt;

To respond with a full reply to 75 per cent. of complaints, within 10 working days of receipt;

80 per cent. of telephone calls to client helplines to be answered first time;

90 per cent. of customers surveyed on quality call backs (following contact with NEL/Client Helplines and face to face) to be at least satisfied with the service they have received;

to reduce the number of complaints received compared to current caseload to less than 0.28 per cent.

Accuracy

The cash value of all assessments checked in the year to be correct in at least 78 per cent. of cases.

Efficiency

To deliver existing services within the running costs total, implying an annual efficiency gain of at least 4 per cent.

Milestone targets

(a) Debt Reduction

To develop and agree with the Department and Treasury a robust debt reduction measure by 30 June 1999 to be run as an internal measure for the remainder of the year.

(b) DMA

To deliver DMA in accordance with the agreed timetable. To work with DSS HQ and the Appeals Service to enable accurate reporting of performance and agree baseline data to enable targets to be set for 2000–2001.

(c) Efficiency/cost

To agree with the Department the principles and baseline for the operation of an Efficiency/cost measure and to begin pilot operation of the index during 1999–2000.

(d) Staffing Index

To work with the Department in developing a staffing index and contribute to the reduction in public sector sick absences by reducing absences by 6 per cent. in 1999–2000.

(e) Service First Charter

(i) To review the existing CSA Customer Charter and produce proposals for the customer service measures to be included in a revised charter by 30 June 1999.

(ii) To put in place the arrangements to collect information on performance against the revised measures and where appropriate to propose additional or alternative standards in the minimum service target by 30 September 1999.

(iii) To reach agreement on a revised CSA Customer Charter, drawn up in accordance with central guidance, by 31 December 1999.

Notes:

[1] Compliance targets will cover maintenance arising from full maintenance assessments paid though the Agency's collection service. Taken together, and including maintenance arranged for direct payment this should produce a total of £850 million in maintenance collected and arranged.

[2] Including timeliness of assessments and money transmission.

ITSA Targets: 1999–2000

Non-financial business results

1. Work for the Department, and with its IS/IT suppliers, to support Welfare Reform and the Modern Service Programme by active involvement in Modern Service 1, including taking forward the

IS/IT supply lead within the Department and enabling the Modern Service Programme and others to make use of appropriate IS/IT supply routes.

2. Develop Modern Service Programme IS/IT deliverables to specified time and quality standards including the identification and provision of IS/IT to support the Single Work Focused Gateway pilots.

3. Deliver an agreed IS/IT work programme for the support and enhancement of existing systems to budget, time and quality to the satisfaction of customers.

4. Manage the Year 2000 Programme within the Department ensuring date change risks are identified and managed, and that compliance and assurance work is completed according to agreed timescales and standards.

People satisfaction

5. Promote the most effective use of people by:

Achieving re-recognition of Investor in People accreditation by 1 January 2000.

Working with the Department to define and develop a Staffing Index in line with the Department's Output and Performance Analysis.

Develop and implement a health care strategy in order to contribute towards the reduction in public sector sickness levels by reducing absences by 2 per cent. in 1999–2000.

Customer Satisfaction

6. Achieve agreed targeted improvement of our customer satisfaction rating using the Business Excellence Model (BEM), an industry wide business improvement framework.

Financial business results

7. Manage the Agency's income and expenditure (derived from normal trading activities), as presented on audited accruals accounts, so that the Agency recovers its full economic costs from customers within a tolerance of +/–2 per cent.

8. Reduce unit costs and prices to deliver an overall efficiency improvement of 2 per cent. to the Department and work with the Department to define and develop the principles and baseline for the operation of efficiency indices and commence pilot operations of these during 1999–2000.

WPA Targets: 1999–2000

Putting Service First

1. To deliver a first-class service to war pensioners and war widows by achieving the standards set in the Agency's Service First Charter.

2. For 90 per cent. of all claims to meet the quality criteria.

Working in partnerships

3. To agree improvements in the end to end Decision Making and Appeals process with the Agency and the Pensions Appeals Tribunal to reduce the overall time taken for clearance of decisions and appeals, to improve notifications and the subsequent implementation of decisions together with improved monitoring and meaningful targets.

Managing Change

4. To implement the proposals approved by the Secretary of State from the Prior Options Review to the agreed standards and timetable.

Valuing our People

5. To work with the Department in developing a Staffing Index and to reduce our sickness absence levels by 7 per cent. during 1999–2000.

Efficiency

6. To agree with the Department the principles and baseline for the operation of Efficiency Indices and to commence pilot operations of these in 1999–2000.

7. To generate efficiencies during 1999–00 that will enable the War Pensions Agency to absorb the impact of financial pressures equivalent to 4 per cent. of running costs.

Fraud

Mr. Field: To ask the Secretary of State for Social Security how the 30 per cent. penalty for minor fraud is collected; what is the cash value of penalties imposed to date; and how much has been collected. [79225]

Mr. Timms: Questions relating to Benefits Agency operational matters are the responsibility of its Chief Executive, Peter Mathison. He will reply to my right hon. Friend.

Letter from Peter Mathison to Mr. Frank Field, dated 29 March 1999:

The Secretary of State has asked me to reply to your recent Parliamentary Question asking how the 30 per cent. penalty for minor fraud is collected, what the cash value of the penalties imposed to date is, and how much has been collected.

An administrative penalty is recovered by exactly the same methods as those used to recover the related overpaid benefits. Recovery of an administrative penalty does not commence until the related overpayment has been recovered. The total value of administrative penalties that have been imposed to date is £246,187.

Information about the amount collected is not currently available. Enhancements to the system for recording this information have been requested and it is hoped they will be in place by July 1999.

I hope you find this reply helpful.

War Pensions

Mr. Garnier: To ask the Secretary of State for Social Security how many recipients of war pensions live in *(a)* the Harborough district, *(b)* Oadby and Wigston Borough and *(c)* the Harborough constituency; and how many will be resident within the Harborough primary care group area. [78415]

Mr. Bayley: One of the key aims is that delivery of service should be simpler and more efficient. Questions on operational matters concerning the War Pensions Agency are for its Chief Executive, Mr. Gordon Hextall. I have asked him to write to the hon. and learned Member.

Letter from Gordon Hextall to Mr. Edward Garnier, dated 29 March 1999:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question about the number of War Pensioners living in the Harborough district, Oadby and Wigston Borough and Harborough constituency and how many will be resident within the Harborough primary care group area.

Unfortunately this information is not available in the form for which you ask and could be obtained only at disproportionate cost. However, our records do show that, in March 1998 (the latest date for which figures are available) there were 6,876 War Disablement Pensions and 1,641 War Widows Pensions in payment within the Derbyshire, Leicestershire and Staffordshire War Pensions Committee area, which covers the counties shown in its title.

I hope this is helpful and I am sorry that I cannot be more precise.

Performance Management Regime

Mr. Field: To ask the Secretary of State for Social Security what flexibility the new performance management regime allows managers in spending their budgets with particular reference to the *(a)* administration and *(b)* benefit budget. [79226]

Mr. Timms: The administration of the Benefits Agency is a matter for its Chief Executive, Peter Mathison. He will write to my right hon. Friend.

Letter from Peter Mathison to Mr. Frank Field, dated 29 March 1999:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking what flexibility the new performance management regime allows managers in spending their budgets with particular reference to the (a) administration and (b) benefit budget.

The flexibility offered to the Area Director is limited to his administration budget. There is no mechanism under Government Accounting rules which allows for flexibility between administration and benefit budgets.

The new performance management regime refers to the new Public Service Agreement (PSA) target to reduce, by at least 30 per cent., benefit losses from fraud and errors in Income Support and Jobseeker's Allowance by 31 March 2007. This replaces the present annual Secretary of State target for weekly benefit savings from counter-fraud activities.

The new regime is to be funded by the Departmental Programme Protection Fund, a single source of funding designed to deliver the PSA target. This replaces Security and Control Programme funding for the Benefits Agency from 1 April 1999.

The current regime ties Area Directors to activity volume targets for new claims activity and targeted reviews. Emphasis has been placed on detection by setting targets for fraud savings from cases examined by fraud officers.

The new regime offers Area Directors much more flexibility in how funding can be used. They are no longer restricted by activity targets but can be more responsive to local conditions and knowledge. The emphasis is on each Area Director producing, and being accountable for, a Programme Protection Plan which shows how they can optimise their available resources to contribute towards achieving the PSA target. They will all provide evidence, supported by further tiers of programme indicators and management information, of how they are contributing towards the overall PSA target. Whilst they will have more flexibility on how their money is spent, the Area Director will account for how the funds are being targeted to best effects.

I hope you find this reply helpful.

Income Support

Mr. Field: To ask the Secretary of State for Social Security what reduction in the pieces of advice on Income Support claims has been made in the new code of practice. [79220]

Angela Eagle: The administration of Income Support is the responsibility of Peter Mathison, the Chief Executive of the Benefits Agency. He will write to my right hon. Friend.

Letter from Peter Mathison to Mr. Frank Field, dated 29 March 1999:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking what reduction in the pieces of advice on Income Support claims has been made in the new code of practice.

Since the mid-nineties procedural guidance for staff dealing with Income Support claims and changes has been contained in the Income Support Guide (ISG). This occupied 12 binders. The Evidence Project was set up to take forward improvements in accuracy, security, and efficiency in Income Support processing. As part of this process the Guide Improvement Project was set up to re-write the existing Income Support guidance.

There were also, around 25 handbooks and additionally, 450 separate amendments, bulletins, and circulars issued to staff in a variety of formats and from a number of different sources. Many of these updates were themselves superseded by new developments. This was inevitably the cause of some inconsistency and confusion.

In October 1998 all of the information contained in the documents described in the previous two paragraphs was replaced by IS Guidance and Procedures (GAP). The GAP was produced as a single source of guidance incorporating all previously held instructions contained in the handbooks, guides, and bulletins. The GAP currently consists of eleven volumes with examples, flowcharts, and desk aids; in effect drawing together all of the current guidance in a new and consistent format. The Adjudication Officer's Guide will remain in its present format and the guidance that relates to Back to Work Bonus and Child Maintenance Bonus will be incorporated into the GAP at a future date.

This overhaul was necessary to avoid compromising the efficiency of staff in collecting, assessing, and checking the evidence required to properly process Income Support claims. Early indications are that the GAP has been well received by staff in the field.

Thank you for the opportunity to explain.

National Insurance Scheme

Mr. Steinberg: To ask the Secretary of State for Social Security what is the *(a)* number and *(b)* percentage of former contributors to the National Insurance Scheme who are not entitled to a state retirement pension. [78285]

Mr. Timms: The information is not available in the format requested. Such information as is available is as follows.

It is estimated that there are about 400,000 people over State pension age and resident in Great Britain who do not receive a State Retirement Pension. This represents about 4 per cent. of pensioners resident in Great Britain. It includes those who have contributed to the National Insurance scheme but who have paid insufficient contributions to satisfy the conditions for receiving a State pension.

Notes:

1. Figures are for Great Britain, and are rounded to the nearest hundred thousand.

2. Percentages are rounded to the nearest whole number.

Sources:

Pensions Strategy Computer System (PSCS) which contains a 5 per cent. sample of all persons in receipt of a State Retirement Pension at September 1998.

Government Actuary's Department mid 1998 population forecast.

Tribunal Pilot Scheme

Dr. David Clark: To ask the Secretary of State for Social Security what percentage of appeals in social security appeal tribunals have been upheld under the new flexible tribunal pilot scheme; and what is the average percentage under the traditional tribunal of three persons. [79341]

Angela Eagle: The most recent figures available, for the period 1 December 1998 to 31 January 1999, indicate that in Social Security appeal tribunal hearings, constituted under the new flexible tribunal arrangements, the proportion of appeals upheld (that is, decided in favour of the appellant) was 30.07 per cent. During the same period the proportion of appeals upheld by three-person Social Security appeal tribunals was 27.36 per cent., a figure close to the half-yearly average of 28.36 per cent.

Select Committee Report

Mr. Duncan Smith: To ask the Secretary of State for Social Security, pursuant to his answer of 19 March 1999, *Official Report*, columns *839–40*, on Select Committee reports, if he or his ministerial colleagues have discussed

with other hon. Members the contents of Social Security Committee *(a)* draft reports, *(b)* reports prior to their issue and *(c)* embargoed copies of reports. [79017]

Mr. Darling *[holding answer 29 March 1999]:* Ministers have discussions with hon. Members on a variety of topics, some of which may become subjects of Social Security Committee reports.

Carers

Mr. Kidney: To ask the Secretary of State for Social Security how he intends to inform all DSS and Benefits Agency staff of the developing policies towards carers outlined in the national strategy for carers. [78551]

Mr. Bayley: The report of the National Carers' Strategy is an important document for all Government Departments. As an employer we recognise the importance of personnel policies which meet the needs of our staff, a number of whom have caring responsibilities for elderly, sick or disabled relatives. Without such policies, it would be difficult to recruit and retain the best people and significant numbers of our staff would be unable to achieve their full potential. It is clearly in our business interests to ensure that our workforce is committed and contented and this means that we must take account of caring commitments. Our policies have developed and are still developing in line with the changing requirements of staff whilst taking account of the National Carers Strategy.

All of the Department's business units have recently been involved in reviews of their childcare and family friendly policies. One of the outcomes of this assessment is that there is a need to communicate our strategy for staff with caring responsibilities more effectively. Consequently the Benefits Agency issued a booklet, "Work and Family" to all its staff in November and DSS HQ are intending to do the same.

Where staff are involved in designing and implementing policy initiatives and commitments, such as the Single Work Focused Gateway and the State Second Pension, we are already taking steps to ensure that they will receive the appropriate information and training to support the Strategy's main objectives.

NIRS2

Mr. Wood: To ask the Secretary of State for Social Security what steps he is taking to deal with delays in pension payments due to computer breakdown at the Contributions Agency in Newcastle. [78050]

Mr. Timms: A statement on the steps taken to minimise disruption in pension payments and other benefits due to delays in implementing facilities on the Contributions Agency computer, the National Insurance Recording System (NIRS2) was set out by my right hon. Friend the Secretary of State for Social Security in his written answer on 15 March 1999, *Official Report*, columns *486–88*.

Pensioners (Income Support)

Mr. Steinberg: To ask the Secretary of State for Social Security what are the estimated costs to the Exchequer in the current financial year of *(a)* housing benefit and *(b)* council tax relief to those pensioners who qualify as a result of being on income support. [78937]

Angela Eagle: The information is in the table.

£ million

	1998–99 estimated outturn, cash
Housing benefit	2,256
Council tax benefit	659

Source:
The figures underlie the 1999 Departmental Report

Mr. Steinberg: To ask the Secretary of State for Social Security what is the estimated total cost of Income Support paid to those pensioners who qualify in the current financial year. [78936]

Mr. Timms: The total programme cost of Income Support paid to pensioners in 1998–99 is estimated to be £3,641 million.

Note:

"Pensioners" for Income Support purposes, means a single person aged 60 or over, or a couple (counted as one benefit unit) where one or both members is aged 60 or over.

Source:

Social Security Departmental Report 1999–2000.

Mr. Steinberg: To ask the Secretary of State for Social Security how many pensioners *(a)* receive and *(b)* do not receive Income Support. [78938]

Mr. Timms: As at August 1998, there were estimated to be 1,637,000 pensioners who were either in receipt of Income Support, or the partner of a person in receipt of Income Support. The estimated number of pensioners not dependent on Income Support in 1998 is 8,816,000.

Notes:

1. Figures are rounded to the nearest thousand.
2. Pensioners are defined as men aged 65 or over, and women aged 60 or over.
3. In the case of a couple, for Income Support purposes the claim by one partner includes both members.
4. The estimates of Income Support recipients are based on a 5 per cent. sample and are therefore subject to a degree of error.
5. The total pension age population of Great Britain for 1998 is estimated to be 10,453,000 based on a population projection for 1998 provided by the Government Actuary's Department.

Sources:

1. Income Support Quarterly Statistical Enquiry August 1998.
2. Official Population Projections of Government Actuaries Department, 1998.

Mr. Webb: To ask the Secretary of State for Social Security if he will estimate the proportion of pensioners aged 65 to 69 years who are receiving income support in 1998–99; and if he will estimate the corresponding percentage for this cohort in *(a)* 2000, *(b)* 2010 and *(c)* 2020, assuming that the minimum income guarantee is linked to earnings. [78864]

Mr. Timms: The information is not available in the format requested. Such information as is available is as follows.

The proportion of pensioners aged 65 to 69 who are in private households and receiving Income Support is estimated to be 8 per cent. for 1998–99 and 9 per cent. for 2000–01.

The information is not available for the years 2010 and 2020. Previous estimates of the number of pensioners receiving Income Support in these years have been made using the Department's PENSIM model. These estimates can only give a broad indication of the likely order of magnitude of figures so far into the future, and are heavily rounded. Reliable estimates of sub-groups of this caseload and therefore of the proportion of pensioners aged 65 to 69 who are receiving Income Support are not available.

Notes:

1. Estimates are consistent with the forecasts for Income Support included in the Departmental Report.
2. Figures are rounded to the nearest percentage point.
3. Estimates exclude pensioners in residential care and nursing homes.

Pensioner Incomes

Mr. Webb: To ask the Secretary of State for Social Security, pursuant to his answer of 10 March 1999, *Official Report*, column *252–53*, on pensioner incomes, if he will provide the same information excluding couples where neither partner is over state pension age. [78884]

Mr. Timms: The information is in the tables.

Pensioners receiving a means-tested benefit and not paying income tax

Thousand

	Single male pensioners	*Single female pensioners*	*Pensioner couples*	*All pensioner benefit units*
60–64	90	100	70	270
65–69	70	220	200	490
70–74	70	300	150	520
75–79	80	330	140	550
80+	100	550	130	770
Total	400	1,500	690	2,600

Pensioners not receiving a means-tested benefit and not paying income tax

Thousand

	Single male pensioners	*Single female pensioners*	*Pensioner couples*	*All pensioner benefit units*
60–64	20	20	50	90
65–69	40	70	190	290
70–74	30	130	250	400
75–79	40	130	190	360
80+	50	190	150	390
Total	170	540	820	1,540

Pensioners not receiving a means-tested benefit and paying income tax

Thousand

	Single male pensioners	*Single female pensioners*	*Pensioner couples*	*All pensioner benefit units*
60–64	110	160	450	720
65–69	120	220	590	930
70–74	100	240	420	760
75–79	80	190	190	450
80+	90	190	130	400
Total	490	990	1,780	3,260

Pensioners receiving a means-tested benefit and paying income tax

Thousand

	Single male pensioners	*Single female pensioners*	*Pensioner couples*	*All pensioner benefit units*
60–64	20	40	30	80
65–69	20	30	20	80
70–74	20	50	10	80
75–79	20	30	*	50
80+	20	50	10	70
Total	90	200	70	360

Notes:

1. Figures are given to the nearest 10,000 pensioner benefit units, although they are not necessarily accurate to that degree. Figures of less than 5,000 pensioners are denoted by '*'.
2. Figures may not sum to row or column totals due to rounding.
3. Figures should be treated with caution since taxpaying status is not directly measured by the Family Resources Survey, but has been imputed using a model based on policies announced up to and including the 1998 Budget statement.
4. Pensioner benefit units are defined as single people aged 60 and over and couples (married or cohabiting) where at least one partner is aged over State pension age (65 and over, for men, 60 and over for women). Couples are allocated to age bands according to the age of the older partner.
5. Tax paying pensioner benefit units are defined as those where at least one individual in the benefit unit is modelled as liable to income tax.

Source:

Family Resources Survey 1996–97

Second Tier Pensions

Mr. Webb: To ask the Secretary of State for Social Security if he will calculate the second tier pension entitlement under *(a)* SERPS, *(b)* the first phase of the State Second Pension and *(c)* the second phase of the State Second Pension for those earning (i) £15,000, (ii) £17,000 and (iii) £19,000. [78867]

Mr. Timms: The information is in the table.

£

Second tier pension entitlement in 2051

Annual Earnings	*SERPS*	*State Second Pension Phase 1 Carries on to*	*State Second Pension Phase 2 Contracted in*	*State Second Pension Phase 2 Contracted out*[1]
15,000	46	61	50	61
17,000	51	63	50	63
19,000	54	65	50	65

[1] Assumes that an individual contracts out of the State Second Pension and contributes only their rebate to an appropriate personal pension.

Notes:

1. The information is based on the thresholds set out in the Green Paper.
2. It is likely that the upper threshold of £18,500 contained in the Green Paper will be revised upwards following consultation to reflect the policy intention that higher earners should get broadly the same entitlement from phase 1 of State Second Pension as from SERPS.
3. The hypothetical individual in this example is assumed to: begin work at 16 years old in 2002, work for 49 years until retirement, earn the specified amounts in 1998 earnings terms throughout their working life.
4. Only National Insurance rebates are paid into the appropriate personal pension.
5. Real earnings growth is assumed to be 1.5 per cent.
6. Amounts are rounded to the nearest pound.

Non-pension Savings

Mr. Webb: To ask the Secretary of State for Social Security what assessment he has made of the level of non-pension saving among those in the £9,000-£18,500 earnings range who are not currently members of an occupational or personal pension scheme. [78866]

Mr. Timms: Data drawn from the 1997–98 Family Resources Survey (GB) suggest that, of those earning between £9,000 and £18,500 in 1997–98 and who, at that time, were not a member of an occupational or personal pension scheme, 40 per cent. had no non-pension saving.

Notes:

1. The results are based on survey data, and are therefore subject to sampling error. In particular, information collected on pensions and other savings are subject to higher non-response and mis-reporting than other parts of the Family Resources Survey, and so these results should be treated as indicative of the likely order of magnitude only.
2. Figures rounded to the nearest 5 per cent.

Social Fund

Mr. Shaw: To ask the Secretary of State for Social Security how many Social Fund claimants have reached the limit of £1,000 for a loan. [78807]

Angela Eagle: The information is not available in the format requested. However, in the financial year 1997–98, a total of 9,053 Social Fund loan applications were refused purely because the applicant had reached the loan limit of £1,000. This represents around 1 per cent. of all loan refusals.

Stakeholder Pensions

Mr. Webb: To ask the Secretary of State for Social Security if the definition of earnings used to calculate the level of rebates for stakeholder pensions will include payments of working families tax credit. [78865]

Mr. Timms: No. It is expected that the earnings used for calculating rebates for stakeholder pension schemes will be the same as for other contracted-out pension schemes. Such earnings do not currently include any payment of Family Credit and will not include payments of Working Families Tax Credit when it is introduced.

Child Support Agency

Mr. Vaz: To ask the Secretary of State for Social Security how many meetings he has had with hon. Members to discuss the Child Support Agency; how many complaints he has received about the Agency since 1 February; and when he plans next to visit the Agency. [79047]

Angela Eagle: My noble Friend Baroness Hollis of Heigham, the Minister with day to day responsibility for child support, has had a number of meetings with hon. Members to discuss the child support Green Paper proposals. In February 1999 the Child Support Agency received 3,682 complaints from individuals and hon. Members. My Ministerial colleagues and I have received 130 letters from hon. Members over the same period, though not all of these relate to operational issues. My right hon. Friend the Secretary of State for Social Security is planning to visit the Child Support Agency again in the near future.

Family Incomes

Mr. Bradshaw: To ask the Secretary of State for Social Security if he will give the dates of (i) supplementary benefit and (ii) income support for *(a)* a couple with two children under 11 and *(b)* a lone parent with one child under 11 (1) in real terms and (2) as a proportion of average earnings at each uprating since 1979. [79054]

Angela Eagle: The information is in the table.

Rates of supplementary benefit for a couple both over 18 with 2 children under 11 in real terms and as a proportion of average earnings at each uprating since 1979

Uprating date	*Supplementary benefit for a couple both over 18 with 2 children under 11 (£)*	*Real value (£)*	*Supplementary benefit as a percentage of earnings*
November 1979	42.20	113.89	42.0
November 1980	49.20	115.14	40.9
November 1981	53.55	111.93	40.4
November 1982	59.20	116.45	41.6
November 1983	61.80	115.94	39.4
November 1984	64.75	115.76	38.8
November 1985	68.05	115.36	38.1
July 1986	68.80	114.71	36.4
April 1987	70.15	112.05	35.3

Note:
Ordinary scale rates used for married couple with two children aged 5–10. No account has been taken of any additional requirements

Rates of income support for a couple both over 18 with 2 children under 11 in real terms and as a proportion of average earnings at each uprating since 1979

Uprating date	*Income support for a couple both over 18 with 2 children under 11 (£)*	*Real value (£)*	*Income support as a percentage of earnings*
April 1988	79.10	121.57	36.2
April 1989	84.80	120.63	35.4
April 1990	89.65	116.52	34.1
April 1991	96.90	118.38	34.0
October 1991	97.40	117.23	32.9
April 1992	105.00	123.00	34.5
April 1993	108.75	125.77	34.3
April 1994	113.05	127.48	34.7
April 1995	115.15	125.66	34.2
April 1996	118.65	126.43	33.8
April 1997	121.75	126.66	33.1
April 1998	124.65	124.65	32.4

Rates of supplementary benefit for a lone parent with 1 child under 11 in real terms and as a proportion of average earnings at each uprating since 1979

Uprating date	*Supplementary benefit for a lone parent with 1 child under 11 (£)*	*Real value (£)*	*Supplementary benefit as a percentage of earnings*
November 1979	24.55	66.25	24.4
November 1980	28.60	66.93	23.8
November 1981	31.15	65.11	23.5
November 1982	34.45	67.77	24.2
November 1983	35.95	67.45	22.9
November 1984	37.65	67.31	22.5
November 1985	39.60	67.13	22.1
July 1986	40.00	66.69	21.2
April 1987	40.80	65.17	20.5

Note:
Ordinary scale rates for single person with 1 child aged 5–10. No account has been taken of any additional requirements

Rates of income support for a lone parent with 1 child under 11 in real terms and as a proportion of average earnings at each uprating since 1979

Uprating date	*Income support for a lone parent with 1 child under 11 (£)*	*Real value (£)*	*Income support as a percentage of earnings*
April 1988	54.00	82.99	24.7
April 1989	57.05	81.16	23.8
April 1990	60.50	78.64	23.0
April 1991	65.40	79.90	23.0
October 1991	66.40	79.92	22.5
April 1992	71.05	83.23	23.3
April 1993	73.60	85.12	23.2
April 1994	76.50	86.26	23.5
April 1995	77.90	85.01	23.2
April 1996	80.10	85.35	22.8
April 1997	81.80	85.10	22.3
April 1998	83.40	83.40	21.7

Notes:
1. Benefit rates shown are applicable at uprating dates.
2. Real values calculated via use of Retail Price Index (all items) produced by the Office for National Statistics.
3. Average Earnings for all employees calculated via the New Earnings Survey and Average Earnings Index as produced by the Office for National Statistics.

EDUCATION AND EMPLOYMENT

Overseas Students

Mr. Vaz: To ask the Secretary of State for Education and Employment (1) at which UK universities overseas students are currently studying; and where these students are from; [78122]

(2) how many overseas students are currently studying in Great Britain. [78129]

Mr. Mudie: Tables showing the numbers and domiciles of overseas students in individual UK higher education institutions in 1997–98 have been prepared from statistical records collected by the Higher Education Statistics Agency. Copies have been placed in the Library.

In 1997–98 there were 266,000 overseas students studying in higher education and further education institutions in Great Britain.

Pupil Numbers

Mr. Maclean: To ask the Secretary of State for Education and Employment if he will list for each *(a)* metropolitan district Council, *(b)* shire district council, *(c)* unitary council, *(d)* shire county council and *(e)* London borough council the current number of (i) primary school and (ii) secondary school pupils. [74806]

Ms Estelle Morris: The information requested is given in a table, copies of which have been placed in the Library.

Key Stage 2 Statistics

Charlotte Atkins: To ask the Secretary of State for Education and Employment how many schools entered pupils for the level 6 (i) Science, (ii) English and (iii) Mathematics paper in Key Stage 2 SATS tests in 1998, 1997 and 1996 broken down by *(a)* local education authority and *(b)* type of school. [79329]

Ms Estelle Morris: The number of schools who entered at least one child for the level 6 test in the Key Stage 2 National Curriculum Assessment tests broken down by subject and school type is shown in the table.

Number of schools with at least one child participating in the Key Stage 2 level 6 tests by subject and school type

	English	*Mathematics*	*Science*
Maintained mainstream			
1996	6,134	4,119	1,253
1997	5,544	4,066	1,423
1998	5,071	3,845	1,331
Independent			
1996	383	318	153
1997	430	364	190
1998	456	378	208
Special			
1996	4	2	3
1997	11	7	4
1998	10	6	4
All schools			
1996	6,521	4,439	1,409
1997	5,985	4,437	1,617
1998	5,537	4,229	1,543

Tables showing the maintained number of schools broken down by subject and by Local Education Authority have been placed in the Library.

Education Funding

Mr. McLoughlin: To ask the Secretary of State for Education and Employment what amount of Derbyshire County Council's total education budget was not passed on to schools in *(a)* 1996, *(b)* 1997 and *(c)* 1998. [79342]

Ms Estelle Morris: The amount of the General Schools Budget which was not included in the Aggregated Schools Budget in Derbyshire in the years in question was as follows:

	£
1996–97	82,089,000
1997–98	68,006,000
1998–99	71,567,000

We expect that there will be a substantial reduction in amounts held centrally by Local Education Authorities in 1999–2000 as a result of increased delegation to schools under the new Fair Funding framework.

Mr. McLoughlin: To ask the Secretary of State for Education and Employment if he will estimate the amount in cash terms of *(a)* funding from his Department per pupil in Derbyshire between 1996–97 and 1997–98 and *(b)* the funding allocated by Derbyshire County Council to each school, per pupil, over the same period. [79362]

Ms Estelle Morris: This question cannot be answered in the form in which it has been tabled. Education SSAs have a wider coverage than funding which can be allocated to schools. They have to cover costs such as home-to-school transport, school meals, and some central costs which cannot be delegated to schools, such as the LEA contribution to the Standards Fund. In addition,

pupils are counted at different dates for the purposes of calculating education SSAs and allocating school funding respectively.

Mr. McLoughlin: To ask the Secretary of State for Education and Employment how much was spent in total on education in Derbyshire at constant prices in each of the last five years from all public sources of funds. [79364]

Ms Estelle Morris: No "like-for like" data exist on total expenditure in Derbyshire on education over the last five years from all public sources of funds. The following table sets out Derbyshire's overall education spending, net of specific grants, in each of the last five years but it is not possible to adjust the figures for each year to take account of local government reorganisation and changes in local authority functions, such as the reform of inter-authority recoupment or the nursery voucher scheme, to give a true picture. Since we took office, some £18 million has been supported through the Standards Fund programme in Derbyshire and the authority has received capital allocations of some £18 million. There has been an underlying increase in Derbyshire's education SSA for 1999–2000 of £15.6 million or 6.1 per cent.

£ million

Financial Year	*Education spend*
1994–95	333
1995–96	323
1996–97	336
1997–98	243
1998–99	266

Mr. McLoughlin: To ask the Secretary of State for Education and Employment what is the average standard spending assessment provision for *(a)* primary and *(b)* secondary pupils in each English local education authority area in (i) 1997–98 and (ii) 1998–99, in current prices. [79366]

Ms Estelle Morris: The following table sets out the information requested.

	1998–99 SSAs		*1997–98 SSAs in 1998–99 prices*		*Real terms increases*			
LEA	*Primary per pupil* £	*Secondary per pupil* £	*Primary per pupil* £	*Secondary per pupil* £	*Primary per pupil* £	*Secondary per pupil* £	*Primary per pupil* %	*Secondary per pupil* %
City of London	3,094	9,236	3,094	7,430	0	1,805	0.0	24.3
Camden	3,131	3,947	3,050	3,836	81	112	2.6	2.9
Greenwich	2,967	3,854	2,881	3,773	86	81	3.0	2.1
Hackney	3,327	4,558	3,259	4,441	68	117	2.1	2.6
Hammersmith and Fulham	3,128	4,081	3,030	3,924	97	157	3.2	4.0
Islington	3,168	4,218	3,075	4,129	93	90	3.0	2.2
Kensington and Chelsea	3,047	3,946	2,780	3,723	267	223	9.6	6.0
Lambeth	3,307	4,661	3,185	4,515	122	146	3.8	3.2
Lewisham	3,111	4,088	3,010	3,988	101	100	3.4	2.5
Southwark	3,197	4,191	3,106	4,132	90	59	2.9	1.4
Tower Hamlets	3,377	4,434	3,298	4,370	78	64	2.4	1.5
Wandsworth	2,900	3,797	2,849	3,763	51	34	1.8	0.9
Westminster	2,987	3,741	2,860	3,670	127	71	4.4	1.9
Barking and Dagenham	2,561	3,377	2,490	3,296	71	81	2.9	2.5
Barnet	2,429	3,112	2,359	3,051	70	60	3.0	2.0
Bexley	2,331	3,031	2,262	2,961	69	70	3.0	2.4
Brent	2,804	3,710	2,715	3,670	89	40	3.3	1.1
Bromley	2,298	2,965	2,235	2,912	63	53	2.8	1.8
Croydon	2,496	3,288	2,421	3,205	75	84	3.1	2.6
Ealing	2,622	3,503	2,542	3,415	80	88	3.1	2.6
Enfield	2,528	3,260	2,459	3,211	69	49	2.8	1.5
Haringey	2,892	3,849	2,832	3,816	60	32	2.1	0.8
Harrow	2,388	3,148	2,325	3,076	63	72	2.7	2.3
Havering	2,293	2,993	2,231	2,925	62	68	2.8	2.3
Hillingdon	2,399	3,115	2,319	3,044	80	71	3.4	2.3
Hounslow	2,570	3,301	2,502	3,235	68	66	2.7	2.0
Kingston upon Thames	2,293	2,954	2,223	2,897	70	57	3.1	2.0
Merton	2,451	3,186	2,373	3,107	78	79	3.3	2.5
Newham	2,917	3,809	2,822	3,710	95	98	3.4	2.6
Redbridge	2,456	3,181	2,381	3,114	74	68	3.1	2.2
Richmond upon Thames	2,253	2,878	2,180	2,797	73	81	3.3	2.9
Sutton	2,345	2,995	2,275	2,939	70	56	3.1	1.9
Waltham Forest	2,703	3,530	2,628	3,486	75	44	2.9	1.3
Birmingham	2,370	3,113	2,297	3,036	73	77	3.2	2.5
Coventry	2,243	2,922	2,177	2,857	67	65	3.1	2.3
Dudley	2,059	2,673	2,004	2,624	55	48	2.8	1.8
Sandwell	2,261	2,954	2,193	2,879	67	75	3.1	2.6
Solihull	2,053	2,648	2,010	2,605	43	43	2.1	1.7
Walsall	2,176	2,819	2,124	2,770	52	49	2.5	1.8
Wolverhampton	2,270	2,987	2,205	2,921	65	66	2.9	2.3
Knowsley	2,489	3,336	2,441	3,258	48	78	2.0	2.4
Liverpool	2,436	3,165	2,353	3,099	83	66	3.5	2.1
St. Helens	2,158	2,824	2,097	2,764	61	60	2.9	2.2
Sefton	2,153	2,789	2,089	2,730	64	60	3.1	2.2

LEA	1998–99 SSAs		1997–98 SSAs in 1998–99 prices		Real terms increases			
	Primary per pupil £	Secondary per pupil £	Primary per pupil £	Secondary per pupil £	Primary per pupil £	Secondary per pupil £	Primary per pupil %	Secondary per pupil %
Wirral	2,218	2,905	2,153	2,834	65	71	3.0	2.5
Bolton	2,159	2,802	2,094	2,742	65	60	3.1	2.2
Bury	2,081	2,686	2,022	2,624	59	63	2.9	2.4
Manchester	2,510	3,321	2,419	3,218	90	103	3.7	3.2
Oldham	2,218	2,868	2,155	2,802	63	66	2.9	2.4
Rochdale	2,235	2,934	2,168	2,877	67	57	3.1	2.0
Salford	2,259	2,970	2,193	2,886	66	84	3.0	2.9
Stockport	2,042	2,665	1,988	2,613	53	53	2.7	2.0
Tameside	2,135	2,768	2,076	2,716	59	52	2.9	1.9
Trafford	2,103	2,726	2,044	2,669	59	57	2.9	2.1
Wigan	2,076	2,689	2,019	2,638	57	51	2.8	1.9
Barnsley	2,154	2,823	2,090	2,755	64	68	3.1	2.5
Doncaster	2,232	2,918	2,169	2,853	63	65	2.9	2.3
Rotherham	2,152	2,779	2,089	2,723	63	56	3.0	2.1
Sheffield	2,184	2,854	2,121	2,794	63	60	3.0	2.1
Bradford	2,272	2,985	2,206	2,917	66	68	3.0	2.3
Calderdale	2,161	2,820	2,102	2,758	59	62	2.8	2.2
Kirklees	2,185	2,848	2,118	2,788	66	61	3.1	2.2
Leeds	2,156	2,806	2,092	2,749	64	57	3.0	2.1
Wakefield	2,097	2,728	2,038	2,670	59	58	2.9	2.2
Gateshead	2,188	2,854	2,127	2,806	61	48	2.9	1.7
Newcastle upon Tyne	2,296	2,998	2,226	2,919	70	79	3.2	2.7
North Tyneside	2,125	2,793	2,066	2,732	58	60	2.8	2.2
South Tyneside	2,232	2,900	2,175	2,851	58	50	2.7	1.7
Sunderland	2,203	2,871	2,142	2,814	61	57	2.8	2.0
Isles of Scilly	3,884	5,051	3,667	4,821	217	230	5.9	4.8
Cambridgeshire	2,104	2,734	2,040	2,679	64	56	3.2	2.1
Cheshire	2,058	2,663	2,002	2,606	56	56	2.8	2.2
Cornwall	2,162	2,820	2,109	2,767	53	54	2.5	1.9
Cumbria	2,133	2,774	2,073	2,711	60	63	2.9	2.3
Devon	2,137	2,794	2,076	2,736	61	58	2.9	2.1
Essex	2,228	2,907	2,157	2,831	70	75	3.3	2.7
Gloucestershire	2,081	2,703	2,027	2,650	54	53	2.7	2.0
Herefordshire	2,149	2,818	2,098	2,776	50	42	2.4	1.5
Worcestershire	2,051	2,664	2,006	2,623	45	41	2.2	1.6
Hertfordshire	2,257	2,927	2,189	2,859	68	68	3.1	2.4
Kent	2,227	2,902	2,158	2,829	70	73	3.2	2.6
Lancashire	2,138	2,783	2,077	2,724	60	59	2.9	2.1
Lincolnshire	2,[illegible]	2,802	2,093	2,744	56	59	2.7	2.1
Norfolk	[illegible]	2,802	2,094	2,743	59	59	2.8	2.1
Northamptonshire	[illegible]	2,739	2,050	2,687	54	52	2.6	1.9
Northumberland	2,120	2,765	2,067	2,706	54	59	2.6	2.2
Nottinghamshire	2,077	2,709	2,019	2,646	58	62	2.9	2.4
Oxfordshire	2,178	2,815	2,099	2,737	79	78	3.8	2.8
Shropshire	2,100	2,727	2,051	2,678	49	49	2.4	1.8
Somerset	2,105	2,747	2,046	2,687	59	59	2.9	2.2
Suffolk	2,100	2,724	2,033	2,665	67	59	3.3	2.2
Surrey	2,228	2,897	2,162	2,834	65	63	3.0	2.2
Warwickshire	2,063	2,685	2,010	2,638	52	47	2.6	1.8
West Sussex	2,159	2,810	2,094	2,743	65	67	3.1	2.4
North Yorkshire	2,117	2,732	2,057	2,669	60	63	2.9	2.4
Bedfordshire	2,179	2,835	2,107	2,765	72	70	3.4	2.5
Buckinghamshire	2,180	2,851	2,116	2,781	64	70	3.0	2.5
Derbyshire	2,057	2,682	2,001	2,630	56	52	2.8	2.0
Dorset	2,073	2,691	2,013	2,630	60	61	3.0	2.3
Durham	2,159	2,824	2,095	2,754	64	70	3.1	2.5
East Sussex	2,226	2,910	2,147	2,823	79	87	3.7	3.1
Hampshire	2,124	2,776	2,058	2,697	66	79	3.2	2.9
Leicestershire	2,006	2,620	1,953	2,568	53	53	2.7	2.1
Staffordshire	2,037	2,653	1,984	2,598	53	55	2.7	2.1
Wiltshire	2,092	2,731	2,038	2,669	54	62	2.7	2.3
Isle of Wight Council	2,288	2,981	2,221	2,913	67	68	3.0	2.3
Bath and North East Somerset	2,041	2,606	1,982	2,547	59	59	3.0	2.3
City of Bristol	2,207	2,911	2,146	2,855	61	57	2.8	2.0
North Somerset	2,054	2,681	1,991	2,618	63	63	3.2	2.4
South Gloucestershire	2,004	2,619	1,951	2,560	54	59	2.8	2.3
Hartlepool	2,208	2,875	2,151	2,824	57	51	2.6	1.8
Middlesbrough	2,318	3,066	2,255	3,010	62	56	2.8	1.9
Redcar and Cleveland	2,218	2,866	2,158	2,809	59	58	2.7	2.0
Stockton-on-Tees	2,174	2,837	2,119	2,776	55	61	2.6	2.2

LEA	1998–99 SSAs		1997–98 SSAs in 1998–99 prices		Real terms increases			
	Primary per pupil £	Secondary per pupil £	Primary per pupil £	Secondary per pupil £	Primary per pupil £	Secondary per pupil £	Primary per pupil %	Secondary per pupil %
City of Kingston-upon-Hull	2,279	2,968	2,214	2,906	65	62	3.0	2.1
East Riding of Yorkshire	2,071	2,688	2,011	2,626	60	62	3.0	2.3
North East Lincolnshire	2,187	2,849	2,129	2,798	58	52	2.7	1.9
North Lincolnshire	2,155	2,806	2,091	2,741	65	65	3.1	2.4
York	2,056	2,700	1,995	2,630	61	69	3.1	2.6
Luton	2,380	3,111	2,301	3,033	79	77	3.5	2.6
Milton Keynes	2,252	2,956	2,187	2,885	66	71	3.0	2.5
Derby	2,197	2,865	2,138	2,817	59	48	2.8	1.7
Poole	2,044	2,655	1,992	2,604	52	50	2.6	1.9
Bournemouth	2,148	2,774	2,084	2,718	63	57	3.0	2.1
Darlington	2,145	2,810	2,089	2,752	56	59	2.7	2.1
Brighton and Hove	2,303	3,001	2,228	2,919	75	82	3.3	2.8
Portsmouth	2,295	2,988	2,218	2,904	78	84	3.5	2.9
Southampton	2,310	3,036	2,234	2,962	76	74	3.4	2.5
Leicester	2,332	3,035	2,264	2,972	68	63	3.0	2.1
Rutland	2,065	2,594	1,991	2,529	74	65	3.7	2.6
Stoke on Trent	2,155	2,818	2,095	2,761	61	57	2.9	2.1
Bracknell Forest	2,231	2,909	2,157	2,823	74	87	3.4	3.1
Windsor and Maidenhead	2,228	2,859	2,151	2,774	77	86	3.6	3.1
Newbury	2,118	2,733	2,045	2,657	73	77	3.6	2.9
Reading	2,279	3,037	2,207	2,970	71	66	3.2	2.2
Slough	2,613	3,485	2,510	3,361	103	124	4.1	3.7
Wokingham	2,028	2,657	1,962	2,581	67	76	3.4	2.9
Peterborough	2,222	2,886	2,153	2,826	70	61	3.2	2.1
Halton	2,235	2,946	2,182	2,882	53	64	2.4	2.2
Warrington	2,036	2,659	1,988	2,608	48	51	2.4	1.9
Plymouth	2,149	2,773	2,085	2,712	64	61	3.0	2.2
Torbay	2,163	2,811	2,107	2,756	56	55	2.7	2.0
Southend	2,284	2,955	2,189	2,880	75	74	3.4	2.6
Thurrock	2,373	3,096	2,296	3,013	76	83	3.3	2.7
Medway Towns	2,205	2,876	2,145	2,819	60	57	2.8	2.0
Blackburn	2,304	2,995	2,234	2,921	70	75	3.1	2.6
Blackpool	2,168	2,872	2,100	2,808	68	64	3.2	2.3
Nottingham City	2,382	3,135	2,321	3,072	61	62	2.6	2.0
The Wrekin	2,166	2,820	2,112	2,769	54	51	2.6	1.8
Swindon	2,082	2,720	2,029	2,666	53	53	2.6	2.0
Total	2,248	2,918	2,183	2,853	65	65	3.0	2.3

School Meal Services

Mr. McLoughlin: To ask the Secretary of State for Education and Employment if he will list in ascending order the difference between income and expenditure for school meal services for each county over the last 10 years. [79365]

Ms Estelle Morris: This question cannot be answered in the form in which it has been tabled. Expenditure and income for the school meal service will inevitably vary according to the proportion of children entitled to free school meals and of children attending grant-maintained schools in the area of each Local Education Authority.

Youth Unemployment

Mrs. Curtis-Thomas: To ask the Secretary of State for Education and Employment if he will make a statement on the impact of the New Deal on the number of unemployed young people. [77829]

Mr. Andrew Smith: Since New Deal Pathfinders were introduced in January 1998, unemployment amongst the eligible group has fallen by 35 per cent. compared with a fall of 4 per cent. for those not eligible.

The youth labour market is very dynamic and so some people would have left the claimant count without the help provided by New Deal. Nevertheless, initial evidence comparing Pathfinder with non-Pathfinder areas suggests that the New Deal has increased the flows of young people out of unemployment and the flow into jobs. The impact of New Deal is being addressed through a comprehensive evaluation programme. All final reports from the evaluation will be published and copies placed in the Library.

Unemployed claimants (UK), nsa, 000s)

	Aged 18–24		All aged 25 and over
	over 6 months	up to 6 months	
January 1998	118.5	256.8	1,088.5
January 1999	77.0	250.9	1,043.0
Change	–41.5	–5.9	–45.5
% change	–35%	–2%	–4%

Schools, Watford

Ms Ward: To ask the Secretary of State for Education and Employment what assessment he has made of the effect of his policy on inner-city education on schools in Watford; and if he will make a statement. [78543]

Ms Estelle Morris: The programme announced by my right hon. Friend the Secretary of State on 22 March 1999, *Official Report*, columns 21–22 to raise standards in inner cities applies in the first instance in six target areas only. The lessons learnt during the "Excellence in Cities" programme will in time benefit all schools. Watford schools already benefit from our national policies to raise standards and from the significant additional investment which the Government are making in the education system.

Woodcote Infant School, Croydon

Mr. Ottaway: To ask the Secretary of State for Education and Employment what representations he has received from Croydon LEA concerning the funding of the expansion of Woodcote Infant School, to receive a three form entry per annum. [78713]

Ms Estelle Morris: Croydon Education Authority has submitted applications to the Department under both Annual Capital Guidelines and infant class size policy for the expansion of Woodcote Infant School. The school did not qualify for Annual Capital Guideline funding for 1999–2000 but discussions are continuing between the Department and Croydon Education Authority about what funding will be available from the Department to enable the infant class size limit to be met.

School Regulation

Mr. Mitchell: To ask the Secretary of State for Education and Employment if he will list in respect of (i) treaty articles, (ii) directives and (iii) regulations concerning tenders and contracts, *(a)* made and *(b)* supervised by his Department, the commercial requirements which apply in relation to (1) inspection of schools and (2) fulfilling the functions of named local education authorities and (3) assumption of management responsibilities of individual schools from local education authorities. [78806]

Ms Estelle Morris: The Department for Education and Employment neither makes nor supervises contracts for the inspection of schools, which are the responsibility of Ofsted. The management of maintained schools is the responsibility of each school's governing body, with support as necessary from the local education authority.

The Department is making preparations to let and supervise contracts for the discharge of functions of local education authorities which are failing adequately to discharge their statutory functions. These contracts, including those for consultancy services, are subject to Council Directive 92–50, relating to the co-ordination of procedures for the award of public service contracts. The Directive is made under Articles 57(2) and 66 of the Treaty of Rome. The implementing regulations are the Public Service Contract Regulations 1993 number 3228.

New Deal (Young People)

Mr. Keetch: To ask the Secretary of State for Education and Employment how much money has been spent to date on the new deal for 18–24 year olds in the Herefordshire and Worcestershire unit of delivery. [78494]

Mr. Andrew Smith *[holding answer 25 March 1999]:* Responsibility for the subject of this question has been delegated to the Employment Service Agency under its Chief Executive. I have asked him to arrange for a reply to be given.

Letter form Peter Collis to Mr. Paul Keetch, dated 30 March 1999:

As the Employment Service is an Executive Agency, the Secretary of State for Education and Employment has asked Leigh Lewis to reply to your question about how much money has been spent to date on the New Deal for 18–24 year olds in the Herefordshire and Worcestershire Unit of Delivery. This is something which falls within the responsibilities delegated to Mr. Lewis as Chief Executive Agency. I am replying in his absence.

To the end of February £631,854 has been brought to account in the Herefordshire and Worcestershire Unit of Delivery on the New Deal for 18–24 year olds.

I hope this is helpful.

Mr. Maclean: To ask the Secretary of State for Education and Employment what is the largest number of recruits that have been taken on by any one company under the New Deal for Young People. [79433]

Mr. Andrew Smith: Responsibility for the subject of the question has been delegated to the Employment Service agency under its Chief Executive. I have asked him to arrange for a reply to be given.

Letter from Leigh Lewis to Mr. David Maclean, dated 30 March 1999:

As the Employment Service is an Executive Agency, the Secretary of State for Education and Employment has asked me to reply to your question about the largest number of recruits taken on by any one company under the New Deal for young people. This is something which falls within the responsibilities delegated to me as Chief Executive of the Agency.

Three quarters of young people joining companies under the New Deal go into unsubsidised jobs. We have no central statistics which break down these job starts by employer not least because the same employer may trade, and recruit, under many different names. As regards subsided job starts, the largest number of starters with a single company is 80.

I hope this is helpful.

New Deal (Over-50s)

Mr. Flynn: To ask the Secretary of State for Education and Employment what will be the criteria for inclusion in the extension of the new deal to those aged over 50 years. [78925]

Mr. Andrew Smith: The new initiative will be open to people aged over 50, out of work for six months or more and on income replacement benefits including Jobseekers Allowance and Incapacity Benefit, and their dependant partners. We intend to consult on the precise eligibility criteria and I will be writing to a number of individuals and organisations shortly.

Mr. Flynn: To ask the Secretary of State for Education and Employment when the extension of the new deal to those aged over 50 years, announced in the Budget, will be implemented. [78926]

Mr. Andrew Smith: We will begin to introduce this new initiative from October 1999 in pathfinder areas with full national implementation in early 2000. Details of the pathfinder areas will be announced by early summer.

Mr. Cox: To ask the Secretary of State for Education and Employment what estimate he has made of the number of people over the age of 50 years in the Greater London area who have benefited from the New Deal; and if he will make a statement. [78536]

Mr. Andrew Smith: Responsibility for the subject of this question has been delegated to the Employment Service Agency under its Chief Executive. I have asked him to arrange for a reply to be given.

Letter from Peter Collis to Mr. Tom Cox, dated 30 March 1999:

As the Employment Service is an Executive Agency, the Secretary of State for Education and Employment has asked Leigh Lewis to reply to your question about the number of people over the age of 50 years who have benefited from New Deal in the Greater London area. This is something which falls within the responsibilities delegated to Mr. Lewis as Chief Executive of the Agency. I am replying in his absence.

The Government Statistical Service figures to the end of January show that 5,032 people over the age of 50 have started the New Deal in Greater London.

You may be aware that in November last year the Employment Service launched 28 New Deal pilots for people over the age of 25. Four of these pilots are based in Greater London and aim to look at innovative ways to help long term unemployed people over the age of 25 back into the labour market.

You will, of course, also be aware that the Chancellor recently announced a further package of help for people over the age of 50 who have been unemployed for more than six months. This includes a cash employment credit for people entering employment, as well as personal adviser and job search support and a training subsidy.

I hope this is helpful.

Head Teachers (Pay)

Mr. Gibb: To ask the Secretary of State for Education and Employment what proportion of head teachers has been awarded a nine per cent. pay rise. [77322]

Ms Estelle Morris *[holding answer 18 March 1999]:* My right hon. Friend, the Secretary of State, has confirmed that all teachers, including head teachers, will receive a general increase of 3.5 per cent. from 1 April 1999. In addition, under proposals announced by my right hon. Friend, the Secretary of State, on 1 February 1999 which are still subject to detailed consultation, head teachers' pay will be restructured from 1 September 1999. That announcement referred to an average increase of 9.5 per cent. (including the 3.5 per cent. general increase) for head teachers of small primary schools. The group of head teachers in question are the heads of primary schools with fewer than 100 pupils, who comprise 11.5 per cent. of all head teachers. Other primary head teachers will receive an average increase of 6.5 per cent. and secondary head teachers will receive an average increase of five per cent. (including the 3.5 per cent. general increase).

Higher Education

Mr. Willis: To ask the Secretary of State for Education and Employment for each of the years from 1997–98 to 2000–01, what is the total resource allocation awarded to universities and other higher education institutions from public funds; what is the total number of actual and projected full-time equivalent higher education students; and what is the average level of resource allocation from public funds to each student. [77882]

Mr. Mudie: The following table sets out the Government's plans for higher education over the period 1997–98 to 2000–01. The plans are expressed in terms of publicly planned funding for higher education, including private contributions towards tuition fees which institutions will retain.

The table shows total publicly planned resources for higher education, the total number of actual and projected full-time equivalent student numbers, and the average unit of funding per student.

Publicly planned higher education funding (cash)[1] and student numbers in England

£ million

	1997–98	1998–99	1999–00	2000–01
Grants to HEFCE & TTA	3,667	3,674	4,138	4,268
Additional HEFCE grants earmarked for capital investment in:				
infrastructure and IT	—	—	35	50
research	—	—	50	100
Estimated tuition fee income:				
public contributions from LEAs	997	1,006	599	520
private contributions from students	—	130	235	333
Funds for measures to widen access	22	41	74	76
Total publicly planned funds	4,686	4,851	5,131	5,347
Total FTE students[2] (thousands)	1,014	1,019	1,035	1,052
Unit of funding[3] (£ per FTE)	4,600	4,720	4,800	4,870

[1] Publicly planned funds for higher education include grants to the Higher Education Funding Council for England (HEFCE) and, from 1995, to the Teacher Training Agency (TTA) for both recurrent and capital purposes. In addition the plans take account of publicly planned tuition fee income and funds for specific measures to widen access which go mainly to the students.

[2] FTE student numbers cover all home and other EU undergraduate and postgraduate students studying both full and part-time in English universities and colleges.

The unit of funding per FTE is based on publicly planned HE funds excluding earmarked grants for capital investment and the research infrastructure, and funds for specific measures to widen access. Figures have been rounded to the nearest £10. The figures are consistent with grant letters to the HEFCE and are different to those in my answer on 7 December 1998, Official Report col. 90, which required adjustment for consistency with the figures provided there for earlier years.

Individual Learning Account

Mr. Willis: To ask the Secretary of State for Education and Employment what plans he has to allow students in further and higher education to pay *(a)* tuition fees and *(b)* maintenance from individual learning accounts that have been enhanced by the student's family or employer. [77881]

Mr. Mudie: Individual learning accounts will be available to all from April 2000. The Government incentives for individual learning accounts (including the £150 for the first million starter accounts) will be targeted on those in work, for whom no help is currently available. They will be able to use incentives to support a wide range of learning opportunities to improve skills and qualifications.

Education Grants

Mrs. May: To ask the Secretary of State for Education and Employment if applications for grants under the Education (Grants for Education Support and Training) (England) Regulations 1998, as amended by the Education (Grants for Education Support and Training) (England) Regulations 1998 (Amendment No. 2) Regulations 1999, submitted before the Regulations are revoked on 1 April, will be considered under those Regulations. [79029]

Ms Estelle Morris *[holding answer 29 March 1999]:* Applications for payment of grant allocated under the programme for the 1998–99 financial year ending 31 March 1999 are considered under S.I. 1998 No. 656, the Education (Grants for Education Support and Training) (England) Regulations 1998 and the amendments to this S.I. that come into force before 31 March.

Examination Verification Staff

Mr. Llew Smith: To ask the Secretary of State for Education and Employment what assessment he has made of the adequacy of checks made on the suitability of staff working for examination verification bodies in further education. [79210]

Mr. Mudie: Awarding bodies are independent organisations responsible for their own recruitment procedures. However, the Qualifications Curriculum Authority (QCA), has responsibility for monitoring activities of the awarding bodies in order to promote public confidence in the quality, rigour, fairness and consistency of standards of qualifications.

As part of its statutory regulatory procedures, QCA will require awarding bodies offering accredited national qualifications to meet specified criteria, including procedures for the appointment, training and monitoring of suitable specialists and assessors.

The Qualifications and Curriculum Assessment Authority for Wales (ACCAC) has a parallel responsibility.

Tertiary College Heads

Mr. Llew Smith: To ask the Secretary of State for Education and Employment if he will investigate the circumstances under which heads of tertiary colleges criticised in National Audit Office reports are re-employed at senior levels in organisations which provide a service to their former employers. [79205]

Mr. Mudie: My right hon. Friend the Secretary of State would certainly wish to investigate any such case involving appointment to a publicly-funded body.

Teacher Promotions

Mr. Steinberg: To ask the Secretary of State for Education and Employment what funds he has estimated will be required to implement his policy on the promotion of teachers in the next five years. [78813]

Ms Estelle Morris: The Technical Document on Pay and Performance Management, published on 1 February 1999, indicated that for the two financial years 2000–01 and 2001–02, up to £1 billion is available to support the implementation of the Green Paper, "Teachers: meeting the challenge of change." Much the largest single element of this will be the new pay arrangements. Expenditure plans have not yet been fixed beyond the financial year 2001–02. The implementation of the Green Paper proposals will be one of the issues considered when they are.

London Schools (Closures)

Mr. Cox: To ask the Secretary of State for Education and Employment how many schools in each of the London education authorities have been closed during the last three years. [78535]

Ms Estelle Morris: The following table shows, for each of the last three years, the number of schools in the London Local Education Authorities where there has been a decision (whether by the Authority or the Secretary of State) to close the school. A number of these have not yet been implemented.

	Number of schools closed
1996	
Greenwich	1
Sutton	1
1997	
Camden	1
Kingston upon Thames	1
Lambeth	3
1998	
Hammersmith and Fulham	1
Islington	1

The table excludes closures due to amalgamation of infant and junior schools.

Grammar Schools (London)

Mr. Cox: To ask the Secretary of State for Education and Employment how many grammar school places are at present available in the Greater London area. [78893]

Ms Estelle Morris: The total capacity (more open enrolment basis) for the 19 grammar schools in the Greater London area was 17,017 at April 1998. The total number of pupils was 17,057 at January 1998. Ten of these schools have a total of 678 more pupils than their capacity.

New Deal (Single Gateway)

Mr. Jim Cunningham: To ask the Secretary of State for Education and Employment what changes the Government plans to make to the Single Gateway to Benefit before its implementation. [78919]

Mr. Andrew Smith: The Government have announced plans to forge a new culture in the benefits system which puts work first and provides a modern, integrated, flexible service for all. Pilots will begin in June to test the effectiveness of providing a Single Work-Focused Gateway into the benefits system. Intensive work is taking place to put these pilots into operation in four areas from June and a further eight areas from November. We shall evaluate the pilots thoroughly to inform decisions about wider implementation of the Single Gateway approach.

Mr. Jim Cunningham: To ask the Secretary of State for Education and Employment what plans he has to extend the use of specialised agencies in the New Deal Gateway process. [78918]

Mr. Andrew Smith: In last year's Budget statement my right hon. Friend the Chancellor of the Exchequer announced an additional £50 million investment in the New Deal Gateway, of which £10 million was allocated to enhance specialist provision to help with such problems as homelessness and drug or alcohol dependency. More recently New Deal personal advisers have been reminded of the need to make full use of the help available from partner organisations, including specialist agencies. We are also currently developing more effective ways of assessing at an early stage in the Gateway whether young people are in particular need of specialist help.

I will shortly be inviting New Deal partnerships to submit proposals for innovative approaches to delivering New Deal locally which we might support from our new Innovation Fund. My right hon. Friend the Chancellor of the Exchequer announced additional resources for the Fund in this year's Budget. One of the priority areas for support will be proposals to implement recommendations from the New Deal Task Force report, "Meeting the needs of disadvantaged young people". I hope that some partnerships will come forward with proposals to implement and test out the report's recommendation that specialist agencies could provide effective case-management for young people with particularly severe problems during their time on New Deal.

HEALTH

Mortality Rates (Young Men)

16. **Mrs. Ann Winterton:** To ask the Secretary of State for Health what steps he is taking to reduce mortality rates of young men, with particular reference to men in their early-30s. [77714]

Ms Jowell: Mortality rates in some groups of young men are cause for concern. In those aged 30–34, specifically, there has been a progressive increase in rates since 1986 associated, for instance, with increased deaths from suicides, drug and alcohol abuse and infectious diseases (e.g. AIDS). These offset reductions in deaths from other causes (e.g. accidents, cancer and heart disease). The "Independent Inquiry into Inequalities in Health" highlighted, for example, suicide rates in young men and some action has already been taken. Reducing health inequalities is a key aim of our health strategy and the forthcoming "Our Healthier Nation" White Paper will focus on relevant conditions.

Health Authority Funding (Gloucestershire)

17. **Mr. Laurence Robertson:** To ask the Secretary of State for Health if he will make a statement on the financial settlement for Gloucestershire health authority for the next financial year. [77715]

Mr. Denham: Gloucestershire health authority has been allocated £334.6 million for 1999–2000, which represents a cash increase of £17.4 million (5.5 per cent.).

Primary Care Groups

18. **Mr. Clifton-Brown:** To ask the Secretary of State for Health if he will make a statement on the implementation of primary care groups of general practitioners. [77716]

Mr. Denham: Primary care groups have been implemented to enable family doctors and nurses to shape and develop services locally in a way which better meets the needs of their population and which improves the health of their community.

37. **Mr. Burden:** To ask the Secretary of State for Health if he will make a statement on the progress made in establishing primary care groups. [77735]

Mr. Denham: 481 primary care groups, covering the whole of England, will become operational from April, charged with tackling health inequalities and delivering improvements in the quality and efficiency of patient services.

Skin Cancer

19. **Ms Kingham:** To ask the Secretary of State for Health what action his Department is taking to raise public awareness of the dangers of skin cancer. [77717]

Ms Jowell: Skin cancers are largely preventable and we continue to work closely with a wide range of public bodies to raise public awareness of the sun's harmful effects. The Health Education Authority's annual sun awareness week and the new ultra-violet solar index being developed with the Meteorological Office are examples of the work the Department of Health is supporting to provide people with information on the day-to-day strength of the sun's rays and its capacity to burn, advice on the measures a person can take to lessen risks of sunburn, and information on the early detection and treatment of skin cancers.

Dental Services

20. **Mr. Baker:** To ask the Secretary of State for Health what steps he has taken to ensure that everybody has access to a local NHS dentist. [77718]

Mr. Denham: The investing in dentistry (IID) initiative, which we launched in September 1997, and the personal dental services (PDS) scheme, which we announced on 1 January 1998, can both help to improve access to national health service dentistry. IID provides grants to enable dentists to expand existing practices and set up new ones in those areas of the country where the provision of NHS dental services is inadequate and oral health inequalities are most acute. PDS encourages health authorities to work with dentists to develop a variety of new arrangements to improve access to NHS dentistry.

22. **Mr. Kidney:** To ask the Secretary of State for Health what has been the underspend on his Department's "investing in dentistry" initiative. [77720]

Mr. Denham: We expect all the funding available for 1998–99 for investing in dentistry (IID) to be assigned by the end of the financial year. Funding available in the first year of IID was not fully utilised, as most approvals became due for payment in the second year of the scheme.

30. **Mr. Gordon Prentice:** To ask the Secretary of State for Health what assessment he has made of the effectiveness of the "investing in dentistry" initiative. [77728]

Mr. Denham: Investing in dentistry has been extremely effective. We have approved over £8 million of grants which will enable around 650,000 people to receive access to national health service dentistry. All dentists receiving grants will be monitored by their health authority to ensure that the conditions of the grant are met; if the dentist does not meet the commitment to provide NHS dentistry to the number of people specified, the grant can be reclaimed in whole or in part.

Mr. Gordon Prentice: To ask the Secretary of State for Health if he will extend the principles of clinical governance outlined in "A First Class Service" to dentists working in the general dental services. [79414]

Mr. Denham: Health Service Circular 1999/065 "Clinical Governance: Quality in the new NHS" makes it clear that clinical governance arrangements will include general dental practitioners, optometrists and pharmacists. Clinical Governance in the General Dental Services will be implemented to a similar time scale as the rest of the national health service.

To develop clinical governance in the GDS we will build on the elements already in place, underpinned by continuing professional development and strengthened by self-regulation.

Care Leavers

21. **Mr. Dawson:** To ask the Secretary of State for Health if he will make a statement on progress on improving services for young people leaving local authority care since the publication of "Quality Protects". [77719]

Mr. Hutton: All local authorities were required to submit quality protects management action plans to the Department of Health by 31 January. The management action plans had to set out, among other information, the local authorities' plans for improving the services for young people leaving care. This is one of the six priority areas for the payment of the £375 million children's social services special grant.

We shall be publishing the findings of our evaluation of the management action plans in a national overview report due out in the summer.

Waiting Lists

23. **Ms Stuart:** To ask the Secretary of State for Health if he will make a statement on the number of people on NHS hospital waiting lists *(a)* on 1 May 1997 and *(b)* today. [77721]

Mr. Denham: The Government inherited the largest and fastest-rising waiting lists ever. We promised that by April 1999 waiting lists would be lower than the position we inherited of 1.158 million. We have delivered this promise a month early by reducing waiting lists by 193,000 since last April to 1.12 million.

IVF Treatment

24. **Mr. Bob Russell:** To ask the Secretary of State for Health if he will ensure equality of access to IVF treatment. [77722]

Ms Jowell: We have pledged to tackle unacceptable levels of geographical variations in access to in-vitro fertilisation treatment and have set in motion a programme of work to achieve that aim. A Department of Health survey of current health authority infertility service provision will take place shortly to enable the cost implications of any policy changes to be estimated. The Royal College of Obstetricians and Gynaecologists aim to complete their third, and final, set of evidence-based clinical guidelines on infertility this autumn and these will indicate the circumstances in which infertility treatment can be most clinically effective. We can then move towards fairer access to national health service infertility services, where those most able to benefit from such treatment receive it.

Residential and Nursing Homes

25. **Dr. David Clark:** To ask the Secretary of State for Health when he intends to publish his report on national required standards for residential and nursing homes for older people. [77723]

Mr. Hutton: The report will be published when further work has been done on the likely impact on providers, in accordance with Cabinet Office guidance on regulatory impact assessments.

Breast Cancer

26. **Mr. Blizzard:** To ask the Secretary of State for Health what plans he has to reduce waiting times for breast cancer treatment. [77724]

Mr. Hutton: Considerable progress has already been made through the on-going implementation of Calman/Hine. In addition, the Government have invested £20 million over the past 18 months in breast cancer

services to speed access to diagnosis and treatment. Quarterly monitoring of "The New NHS" White Paper breast cancer two-week target begins on 1 April.

Miss McIntosh: To ask the Secretary of State for Health what evidence he has assessed on the success rates of early screening programmes in treating breast cancer. [77703]

Mr. Hutton: In 1996–97 the national health service breast screening programme, for the first time, matched the cancer detection rate of the original Swedish clinical trial in 1986 on which it was based. The majority of these cancers were small, early cancers which are easier to treat. Based on these results, it is estimated that the programme could be saving 1,250 lives each year.

Mr. Barnes: To ask the Secretary of State for Health what reports he has received on errors made by the Chesterfield and North Derbyshire Hospital Trust in diagnosing breast cancer; and if he will make a statement. [78939]

Mr. Hutton *[holding answer 26 March 1999]:* We are aware of the two terrible cases which have been the subject of media attention and my right hon. Friend the Secretary of State has written to both women to express his feelings of deep regret that they have had such an awful experience.

We have asked the regional director of public health in Trent to commission a comprehensive review of the circumstances to ensure that everything possible is done to avoid this happening again. The review team will include an expert nominated by the Royal College of Pathologists. My right hon. Friend will be kept informed of progress and will be fully appraised of the conclusions and recommendations of the review team, which will be published.

Adoption

27. **Ms Coffey:** To ask the Secretary of State for Health if he will make a statement on the waiting times for children for adoptive families. [77725]

Mr. Hutton: Some children needing new families wait too long to be placed with adoptive parents. Decisions about their future should be made more quickly and decisively. We are determined to transform the adoption service through our "Quality Protects" programme.

Mr. Rowe: To ask the Secretary of State for Health how many full service agencies for inter-country adoption are registered in the United Kingdom. [78326]

Mr. Hutton: Each local authority may act as an adoption agency for inter-country adoptions. In addition, there are 2 voluntary adoption agencies which are approved under section 3 of the Adoption Act 1976 to act as an adoption society in England and Wales which are also approved to act in overseas adoptions. Applications from two other adoption agencies to act in overseas adoptions have been received recently.

Mr. Rowe: To ask the Secretary of State for Health what is the job description of the Section Head (Adoption) in his Department. [78306]

Mr. Hutton: The section head advises Ministers on domestic and inter-country adoption matters and, on behalf of my right hon Friend the Secretary of State, manages the Department's function as the central authority for England for inter-country adoption.

Mr. Rowe: To ask the Secretary of State for Health how many adoption applications for adoption within the UK were received in each year since 1990; and of these how many resulted in adoptions. [78328]

Mr. Hutton: The information requested is not available centrally. The Department processes applications only for inter-country adoptions. Domestic adoption applications are processed by the local authority concerned.

Mr. Rowe: To ask the Secretary of State for Health how many adoption applications for inter-country adoptions were received in each year since 1990; and how many of these resulted in adoptions being completed. [78327]

Mr. Hutton: The Department does not hold information about the number of children adopted from abroad, only about the number of inter-country adoption applications it has processed since 1993. These will account for the majority of such adoptions since then and are set out as in the table.

Year	*Number of inter-country adoption applications processed by the Department*
1993	101
1994	115
1995	154
1996	308
1997	223
1998	258
Total	1,159

Winter Fuel Allowance

28. **Mr. Nigel Griffiths:** To ask the Secretary of State for Health what assessment he has made of the impact the Chancellor's increase in the senior citizens winter fuel allowance will have on the health of senior citizens. [77726]

Ms Jowell: By announcing in his recent Budget statement an increase from £20 to £100 in the winter fuel allowance payable to pensioner households, my right hon. Friend the Chancellor clearly signalled the Government's intention to tackle fuel poverty. By benefiting those older people most at risk, this substantial fivefold increase will contribute to combating the many health problems related to cold conditions in homes.

Radiotherapy Services (North-West)

29. **Mr. Gordon Marsden:** To ask the Secretary of State for Health what progress has been made to reduce the above average waiting times for -radiotherapy treatment in the north-west region caused by a lack of linear accelerators. [77727]

Mr. Denham: Since the Royal College of Radiologists collected the data which it published in July 1998, a new radiotherapy unit with two linear accelerators has opened

in Preston. In that time, the number of machines serving people in the north west and north Wales has increased from 12 to 16. Work is currently under way to house a third machine at Preston, which will come into service next year.

A report commissioned by the National Health Service Executive North-West, which will make recommendations about the level of provision of radiotherapy treatment machines in the region, is due shortly.

Complementary Medicine

31. **Mr. Tredinnick:** To ask the Secretary of State for Health what was the change in the total funding for complementary medicine services from health authority budgets in the past year. [77729]

Ms Jowell: Information about health authority spending on complementary medicine services is not available centrally.

It is for local purchasers and clinicians to decide how their resources would best be used to meet the health needs of their populations, having taken into account all of the available evidence as to the most appropriate and effective forms of treatment, whether conventional or complementary. We shall, however, be studying the use that the new primary care groups make of complementary medicine.

Accident and Emergency Services (North-east London)

32. **Mr. Gapes:** To ask the Secretary of State for Health if he will make a statement on plans to improve accident and emergency services in north-east London. [77730]

Mr. Denham: On 16 February my right hon. Friend the Prime Minister announced that £30 million from the modernisation fund will be spent on improving England's accident and emergency services. In north-east London, Whipps Cross Hospital and Oldchurch Hospital have received £695,000 and £748,000 respectively to redevelop and modernise their accident and emergency units. These figures include awards from the National Health Service Executive's London Regional Office.

On 15 March 1999, *Official Report*, columns 707–20, my right hon. Friend the Secretary of State announced that an extra £70 million-£80 million would be made available from her Majesty's Treasury aimed at new and better ways of staffing and organising accident and emergency services in England, including the introduction of emergency nurse practitioners, greater use of tele-medicine and tackling long trolley waits.

Mental Health Institutions (Medical Emergencies)

33. **Mrs. Brinton:** To ask the Secretary of State for Health if he will include in the code of practice under the Mental Health Acts a requirement for mental health institutions to have procedures for dealing with medical emergencies. [77731]

Mr. Hutton: The Mental Health Act 1983 code of practice provides guidance on the treatment, care and management of patients, with respect to their mental disorder, who are detained under the Mental Health Act 1983. The code does not provide detailed guidance on procedures for dealing with medical emergencies in mental health institutions. It is for each mental health trust to ensure that policies and procedures are in place for dealing with medical emergencies involving all psychiatric patients, not just those detained under the Act.

Long-term Care

34. **Mr. Kirkwood:** To ask the Secretary of State for Health if he will make a statement on his proposed timetable for the implementation of the recommendations of the royal commission on long-term care. [77732]

Mr. Hutton: There is already action in hand relating to several of the Royal Commission's recommendations. Others will require more detailed consideration over the coming months.

Beta-interferon

35. **Mr. Bercow:** To ask the Secretary of State for Health if he will make a statement on the prescription of beta-interferon for multiple sclerosis sufferers. [77733]

Mr. Hutton: I refer the hon. Member to the reply given to the hon. Member for Sutton and Cheam (Mr. Burstow) today, *Official Report*, column 845.

Renal Services

36. **Mr. Pike:** To ask the Secretary of State for Health what additional resources his Department has made available for renal unit facilities. [77734]

Mr. Denham: Funds for specific services or aspects of treatment provided by the national health service are not separately identified either nationally or within individual health authority or NHS trust allocations. The pressures on renal services were identified during the comprehensive spending review process and were taken into account when calculating the final settlement for the NHS. However, it is for individual HAs to decide the resources which should be devoted to the provision of renal services in the context of local priorities and needs. The "National Priorities Guidance 1999/2000–2001/02" makes it clear that this is an area where HAs are expected to secure improvements.

Multiple Sclerosis

38. **Mr. Corbett:** To ask the Secretary of State for Health if he will make a statement on Government policy on the provision of health services to patients with multiple sclerosis. [77736]

Mr. Denham: The national health service provides health care on the basis of clinical need. This includes the health services which may be required by people with multiple sclerosis ranging from primary care to specialist services.

Guidance on betainterferon was issued to the national health service in November 1995.

Mental Health (Children)

Mr. Soley: To ask the Secretary of State for Health what investment the Government plan to make over the next three years to help children with *(a)* attention deficit disorder, *(b)* phobias, *(c)* depression and *(d)* other mental health problems. [77708]

Mr. Hutton: The Government are making an additional £84 million available over three years from April 1999 to improve provision of appropriate, high-quality care and treatment for children and young people by building up locally based child and adolescent mental health services. These services address a range of child and adolescent mental health problems, including emotional and behavioural disorders such as attention deficit disorder, phobias and depression.

Cancer

Mr. Tredinnick: To ask the Secretary of State for Health how many deaths occurred last year from (i) prostate, (ii) breast, (iii) lung and (iv) colon cancer; and what was the amount of Government funding for *(a)* treatment and *(b)* research allocated to each of those cancers. [77572]

Mr. Hutton: The number of deaths in England and Wales in 1997 (the latest data available) for the following cancers are given in the table.

ICD code		*Men*	*Women*
ICD9 185	Prostate	8,523	—
ICD9 174/5	Breast	67	11,980
ICD9 162	Trachea, bronchus and lung	19,087	10,889
ICD9 153	Colon	5,125	5,323

Information about the cost of treatment classified by disease is not routinely collected locally, hence there is no collation of such data centrally. However, approximately 6.3 per cent. of national health service hospital expenditure is on cancer.

The Government fund health and medical research in a number of ways. The Department funds research and development to support its work on policy development and evaluation in health and social care. The Department also manages the national health service research and development levy, which is used to support research and development of relevance to the national health service in hospitals, general practice and other health care settings, and to fund the NHS research and development programme. In addition, the Medical Research Council (MRC), which receives most of its income via grant-in-aid from the Office of Science and Technology in the Department of Trade and Industry, funds medical research as part of the Government's funding of the science and engineering base.

Management of much of the research supported by the NHS research and development levy is devolved, and details of expenditure at project level are not collected routinely by the Department. During 1997–98, the Department invested the following amount on directly commissioned research: £187,000 on lung cancer; £29,000 on prostate cancer; £832,000 on breast cancer and £197,000 on bowel cancer.

During 1997–98, the MRC spent £691,000 on lung cancer; £18,000 on prostate cancer; £3,328,000 on breast cancer and £1,469,000 on bowel cancer. The MRC's figures relate to research specifically into these named cancers, and research which has been classified as being undertaken in one of these sites may well have implications in another and vice versa. As a guide, the MRC spent £13.2 million on cancer in 1994–95.

Studies in cancer should be viewed in the context of a large body of basic MRC research which underpins, and is of some relevance, to them. This includes the study of molecules and cells (£64.5 million in 1997–98), genetics and health (£52.4 million) and infections and immunity (£60.3 million).

In addition to the MRC's funding of the specified cancers, it is also supporting 10 trials, details of which are listed. These trials are co-ordinated by the MRC cancer trials office (CTO), which supports about 30 trials at any one time. Costs cannot be ascribed to individual studies, but, as a guide, the CTO's budget in 1997–98 was approximately £1 million.

MRC Trials

Breast cancer:

A randomised trial of epirubicin and cyclophosphamide vs. epirubicin and paclitaxel in metastatic breast cancer

Bowel cancer:

A randomised trial of intravenous versus intrahepatic arteria 5-FU and leucovorin for colorectal liver metastases

A randomised trial comparing 2 durations and 3 systemic chemotherapy regimens in the palliative treatment of advanced colorectal cancer

Lung cancer:

The Big Lung Trial: a randomised trial of cisplatin-based chemotherapy for all patients with non-small cell lung cancer;

A randomised trial of supportive treatment with or without immediate thoracic radiotherapy in the prevention and palliation of symptoms in inoperable NSCLC;

A randomised trial of pre-operative chemotherapy versus radiotherapy in patients with stage IIIA NSCLC;

A randomised trial of ifosfamide, carboplatin and etoposide with mid-cycle vincristine (VICE) vs. standard practice chemotherapy in patients with SCLC and good performance status;

A randomised trial of surgical resection with or without pre-operative chemotherapy in patients with operable NSCLC;

Prostate cancer:

A randomised double-blind placebo-controlled trial of adjuvant oral sodium clodronate in patients commencing or responding to initial hormone therapy for metastatic adenocarcinoma comparing time to symptomatic bone progression;

A randomised trial of high dose therapy in localised cancer of the prostate using conformal radiotherapy techniques.

Project details of work directly funded by the Department or supported through the NHS research and development levy can be found on the National Research Register (NRR). This is available in the Library and most medical libraries on CD Rom, and on the Internet: http://www.doh.gov.uk/nrr.htm. The NRR also contains many details of projects/trials funded by the MRC and other funders.

Cancer Care Services

Mr. Paul Marsden: To ask the Secretary of State for Health what information his Department makes available to the public on the quality and performance of cancer care services; and if he will make a statement. [78222]

Mr. Hutton: A range of information is available which has a bearing on the quality and performance of cancer care services. Annual statistical bulletins on the breast and cervical screening programmes in England give information on uptake, coverage and detection rates. The

Office for National Statistics publishes the following information on cancer incidence, cancer survival and mortality:

	Source
Incidence	Cancer Statistics Registrations England and Wales 1992 ONS Series MB1
Cancer survival	ONS Monitor MB1 98/1 Cancer survival in England and Wales: 1981 and 1989 registrations
Mortality	Mortality Statistics Cause England and Wales 1997 ONS Series DH2 No.24

Waiting list data by specialty are collected and published quarterly in both the "Department of Health NHS Executive Hospital Waiting List Statistics: England" for inpatients and the "Department of Health NHS Executive Waiting Times for First Outpatient Appointments in England: Detailed Statistics" for outpatients. Data are available at specialty level for both health authorities and national health service trusts. Cancer treatment data may be contained within some of the various specialty classifications. Hospital episode statistics, which show the number of finished consultant episodes, are also collected. Copies of all publications are available in the Library.

High level performance indicators (HLPIs) will be published shortly, which will include a number of indicators for cancer services. The HLPIs aim to provide an overview of how the NHS is performing, encourage national and local improvements in performance and support public accountability.

A cancer information strategy, within the wider health information strategy, is currently being developed, which will streamline information sources. Areas for action which have been identified include developing a core cancer information pack for patients, carers and other users; information requirements of primary care; and patient-centred information systems.

Chronic Fatigue Syndrome

Mr. Kemp: To ask the Secretary of State for Health what proposals he is assessing on specialist support for CFS/ME *(a)* nationally and *(b)* in the Northern Region. [78484]

Mr. Hutton: We are not currently assessing any proposals nationally or in the northern region on specialist support for chronic fatigue syndrome/myalgic encephalomyelitis (CFS/ME). The national health service provides a considerable number of services to which people suffering from CFS/ME have access, and such patients are seen within a wide range of hospital specialties. The recently established CFS/ME working group will produce guidance aimed at improving the quality of this care and treatment. The CFS/ME working group will complete its work by the summer of 2000 and the guidance will be published later that year.

Carers

Mr. Kidney: To ask the Secretary of State for Health how he will inform health care service providers of the developing policies towards carers outlined in the national strategy for carers. [78553]

Mr. Hutton: A copy of the national strategy, "Caring about Carers", was sent to chief executives of health authorities and national health service trusts on 8 February. The Chief Executive of the National Health Service Executive wrote to all chief executives personally on 11 March emphasising his commitment to implementation of the national strategy. Further information will be sent directly to all doctors in England by the Chief Medical Officer. The Department is also working closely with organisations representing general practitioners, nurses and managers in general practice on publicising the national strategy to primary care teams. Further opportunities for informing the national health service about supporting carers will be taken as they arise, and in the context of a wide range of initiatives under way in my Department.

Mr. Kidney: To ask the Secretary of State for Health if he will discuss with ministerial colleagues methods of establishing a one-stop shop advice service for carers. [78554]

Mr. Hutton: The issue of how best to provide information and advice for carers was fully discussed in the course of developing our national carers' strategy. We will be working to provide carers with improved information in a range of different ways—through helplines, including NHS Direct, through an improved network of local support services and carers' centres, and through information technology. Carers' centres and carer support services already provide information and advice on a wide range of issues. We will help them to do this better, such as by providing information on our policies and services on the internet. We also intend to help the staff of all services that support carers to become knowledgeable about the issues which concern them and about other local services which can help them.

Mr. Kidney: To ask the Secretary of State for Health what action he intends to take to ensure that primary health care providers are able to *(a)* identify and *(b)* provide services to carers. [78552]

Mr. Hutton: The national priorities guidance for the health and social services for 1999–2000 requires primary care teams to identify patients who are carers or who have carers. We are working with a number of organisations, including the medical and nursing royal colleges, on ways of ensuring that primary care teams support carers, in particular by helping them to maintain their own health and by providing them with information about other services in their area.

Violence against Women

Jackie Ballard: To ask the Secretary of State for Health what proposals the Government have to develop the strategy agreed in the Beijing Platform for Action for tackling all forms of violence against women. [78873]

Ms Jowell: We will shortly be releasing a report outlining an integrated approach to preventing violence against women. This report will promote inter-agency working and will include measures based on prevention, and the provision of protection and justice. The report's development has been informed by research into the causes and consequences of violence against women and the effectiveness of preventive measures.

The United Kingdom is fully committed to opposing trafficking in women and its associated activities. The UK has comprehensive laws in place to deal with those who engage in activities associated with trafficking and prostitution and measures are in place to ensure that victims are dealt with fairly.

Prescriptions

Mr. Colvin: To ask the Secretary of State for Health what estimate he has made of the savings to the NHS if pharmacists were permitted to prescribe the limited selection of drugs that district nurses may prescribe. [78885]

Mr. Denham: No estimate has been made of whether allowing pharmacists to prescribe a limited selection of drugs would lead to savings or to additional costs.

NHSNet

Mr. Nigel Jones: To ask the Secretary of State for Health what assessment he has made of the acceptability to GP practices of NHSNet in respect of *(a)* security, *(b)* cost and *(c)* speed relative to other internet providers. [78924]

Mr. Denham: The NHSNet is a private communications network dedicated to national health service purposes and as such it is fundamentally more secure than equivalent public networks such as the internet.

The initial cost of connecting general practitioners to NHSNet will be met from modernisation funds. GPs will have to meet any increased costs related to telephone call charges and this is estimated to be £400 per practice per annum in the first instance. However, this cost will be treated as a practice expense and will be met indirectly through the expenses element in the gross fees and allowances paid to GPs.

NHSNet is capable of delivering information as quickly as the best internet providers.

Prescriptions (Pensioners)

Mr. Steinberg: To ask the Secretary of State for Health what cost was incurred by his Department in the most recent available year in respect of NHS prescriptions to pensioners. [78934]

Mr. Denham: In 1997, the estimated cost of prescription items dispensed by community pharmacies and appliance contractors to persons aged 60 and over was £1,906 million.

This is the net ingredient cost, which is the basic cost of a drug and does not take account of discounts, dispensing costs, fees or prescription charge income. Information about the cost of prescriptions dispensed in the community by dispensing doctors or dispensed in hospitals to persons aged 60 and over is not available.

Herbal Medicines

Dr. Iddon: To ask the Secretary of State for Health if he will make a statement on his Department's policies in respect of herbal remedies. [79505]

Ms Jowell: Our overall objective is that the public should have access to a wide range of safe, high-quality herbal medicines with appropriate information about the use of the product. There are currently two contrasting routes to the market for herbal medicines. Licensed herbal medicines have to meet rigorous standards of safety, quality and efficacy. Unlicensed herbal remedies in the UK do not have to meet any specific standards for safety, quality or efficacy.

We fully share the view, which was expressed at a recent meeting held by my noble Friend Baroness Hayman, by a range of organisations working in the natural health sector, that the current regulatory arrangements for herbal medicines have significant weaknesses and require review. The regime for unlicensed medicines does not give systematic protection to the public against low-quality and unsafe unlicensed herbal remedies which are known to reach the UK market. Nor does it permit manufacturers legally to give written information to consumers about the intended use of the product. In contrast, elements of the regime for licensed medicines—particularly some of the efficacy requirements—are difficult for responsible companies to satisfy in relation to herbal medicines. We believe that there is a need to work towards arrangements which provide better protection and information to the public, while continuing to allow responsible business and practitioners to operate effectively.

We have asked the Medicines Control Agency to examine options for achieving our objectives for herbal medicines, consulting widely with interested organisations. Medicines law operates within a European framework. Accordingly, we will need to develop a position which is realistically achievable within the European Union. We intend to participate actively and constructively in any on-going EU discussions about future regulatory arrangements for herbal medicines.

Medical Devices Agency

Ms Oona King: To ask the Secretary of State for Health if he will publish the key targets for 1999–2000 for the Medical Devices Agency. [79614]

Ms Jowell: We have agreed the agency's key targets for 1999–2000 and copies have been placed in the Library.

Day-care Services

Mr. Jim Cunningham: To ask the Secretary of State for Health what assessment he has made of the levels of charges by local authorities for non-residential day-care services; and what plans he has to introduce guidance on the appropriate levels of such charges. [78920]

Mr. Hutton: Information on charges made to individuals for non-residential services is not available centrally. However, the total amounts reported by local authorities as having been received from clients in the form of fees and charges, in 1996–97, for different services are collected centrally, and are available in the form of computer tables on the Department's World Wide Web pages [Internet reference http:\\www.open.gov.uk/doh/publ /pssstat.htm] for all local authorities in England.

We will consider what action to take to make the present charging system for non-residential services more equitable, including the case for guidance on appropriate levels of charges, when we have assessed the recommendations of the royal commission's report on long-term care, and the results of a survey by the Audit Commission on local authority charging practices.

Lamotrigine

Mr. Lock: To ask the Secretary of State for Health what research he has commissioned into the safety of the drug, Lamotrigine. [67006]

Mr. Denham: As for all marketed medicines, the available research into the safety of lamotrigine was assessed at the time of granting the marketing authorisation and continues to be evaluated by the Medicines Control Agency. Recognised side effects of lamotrigine are included in the authorised product information and the British National Formulary.

Mr. Lock: To ask the Secretary of State for Health what representations have been made to his Department since the drug Lamotrigine was licensed for use in Britain, arising out of or related to the use of this drug or arising out of or connected to side effects suspected to be related to the use of this drug. [67005]

Mr. Denham: The Medicines Control Agency, which is responsible for drug regulation in the United Kingdom, has received 35 inquiries relating to lamotrigine from health professionals and members of the public since the marketing authorisation was granted in 1991.

AGRICULTURE, FISHERIES AND FOOD

Farmers (North-west)

Mr. Hoyle: To ask the Minister of Agriculture, Fisheries and Food what plans he has to visit farmers in Chorley and Bolton. [77526]

Mr. Nick Brown *[holding answer 18 March 1999]:* I have no plans at present to visit farmers in Chorley and Bolton. I undertake regular visits to different regions in England and other parts of the UK to consult with farmer representatives and farmers themselves on matters of interest to them. I hope, as part of that programme, to be able to visit Lancashire.

OTMS

Mr. Todd: To ask the Minister of Agriculture, Fisheries and Food what steps he has taken to review the over-30-months scheme; and if he will make a statement. [78211]

Mr. Rooker: I refer my hon. Friend to the reply given to him on 7 December 1998, *Official Report*, column *104*, to which I have nothing further to add at the present time.

Cutting Plants (Veterinary Inspections)

Mr. Curry: To ask the Minister of Agriculture, Fisheries and Food what will be the average annual cost of moving from monthly to weekly and then daily veterinary supervision in a licensed cutting plant handling under five tonnes of meat per week. [78409]

Mr. Rooker: Based on a licensed cutting plant handling under five tonnes of meat per week, with veterinary attendance of one hour per day and weekly working assumed to be five days, the average annual cost of moving from monthly to weekly to daily veterinary supervision will be:

Monthly inspection—annual cost (12 hours): £342

Weekly inspection—annual cost (52 hours): £1,482

Daily inspection—annual cost (260 hours): £7,410.

Mr. Curry: To ask the Minister of Agriculture, Fisheries and Food what is the average cost of daily veterinary inspections as a percentage of turn-over for the category of plant which handles *(a)* under five tonnes and *(b)* between 250 and 5,000 tonnes of meat per week. [78416]

Mr. Rooker: The average annual costs of daily veterinary inspections at these premises will be:

Plant handling under five tonnes of meat

Annual cost: £7,410

(based on supervision of one hour/day)

Plant handling between 250 and 5,000 tonnes of meat per week

Annual cost: £17,289

(based on average supervision of two hours/day).

Information on the turnover of licensed premises is not available I regret that I am therefore unable to provide a percentage of turnover value.

Milk

Mr. Chidgey: To ask the Minister of Agriculture, Fisheries and Food what sums have been invested in the modernisation of the United Kingdom milk processing industry in each year from 1995 to date; and what Government financial support for investment has been provided in each year. [78195]

Mr. Rooker *[holding answer 23 March 1999]:* Information on total investment in the modernisation of the United Kingdom milk processing industry is not held centrally.

Government financial support for investment from 1995 to date is as follows:

£

	1995	*1996*	*1997*	*1998*
Regional Selective Assistance	385,000	75,000	30,000	1,400,000
Processing and Marketing Grants	585,638	706,867	813,046	1,065,192
Objective 5b	0	0	0	429,501
LEADER II Projects	0	0	0	2,758
Mid Wales Development Grant	47,000	0	208,000	0
Total	1,017,638	799,329	1,051,046	3,638,933

The Objective 5b scheme began in 1995, however no payments were made until 1998.

Potatoes

Mr. Keetch: To ask the Minister of Agriculture, Fisheries and Food what research has been *(a)* commissioned and *(b)* evaluated by his Department with regard to the ecological links between the cultivation of potatoes and the existence of the aquatic flies and similar fauna vital for the survival of young salmon and trout; and if he will make a statement. [78879]

Mr. Rooker: No research of this type has been commissioned or evaluated.

Mr. Keetch: To ask the Minister of Agriculture, Fisheries and Food what research is being undertaken by his Department *(a)* directly and *(b)* by contract to outside bodies on the genetic modification of potatoes; and if he will make a statement. [78878]

Mr. Rooker: My Department currently funds two research projects involving the genetic modification of potatoes. Both projects involve strategic R&D to investigate genetic manipulation as a possible means to reduce the use of chemicals during the growth and storage of potato tubers.

A three-year project within the Cell Engineering LINK programme started in 1996 and is due to end on 30 April. The LINK consortium comprises the University of Leeds and Advanced Technologies (Cambridge) Ltd. Government contributors come from MAFF and the Biotechnology and Biological Sciences Research Council. The aim of this project is to investigate the feasibility of genetic modification as a means of reducing damage by nematodes and thus reduce the use of chemical nematicides.

A second three-year project funded by MAFF at the University of Nottingham started in February 1999. HRI-Wellesbourne is a sub-contractor on this project, which also receives an "in-kind" contribution from Advanced Technologies (Cambridge) Ltd. The aim of this project is to investigate specific biochemical changes occurring in potato tubers which affect their storage behaviour.

Bovine Tuberculosis

Sir Alastair Goodlad: To ask the Minister of Agriculture, Fisheries and Food what was the incidence of tuberculosis in *(a)* badgers and *(b)* cattle in each of the last three years in Cheshire; and if he will make a statement. [78787]

Mr. Rooker: With respect to part *(a)* of the question, the incidence of TB in badgers has not been systematically studied in Great Britain outside the Woodchester Park area. With regard to part *(b)* of the question, there were no confirmed TB incidents in cattle herds in Cheshire in 1996 or 1997. There were two confirmed TB incidents in herds in Cheshire in 1998.

Abattoirs

Mr. Sayeed: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the Government's policy towards small abattoirs. [79536]

Mr. Rooker: Small abattoirs make a valuable contribution to the economy, but they cannot be exempt from the requirements of EU law.

Bovine Somatotropin

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the health implications of the consumption of dairy products where bovine somatotropin has been used in the production process. [78984]

Mr. Rooker: Bovine somatotropin (BST) occurs naturally in all cows milk. The manufactured form of BST is not currently permitted for use in the EU. If its use were to be authorised, it would be classified as a veterinary medicinal product. Products have previously been assessed by independent scientific committees against the statutory criteria of safety, quality and efficacy. I asked the independent Veterinary Products Committee to set up a Working Group, which is currently consulting the latest scientific information on animal and human safety, and the Committee is expected to offer advice to Ministers on the safety of BST in the summer.

CABINET OFFICE

Drugs Misuse

Mrs. Ann Winterton: To ask the Minister for the Cabinet Office what assessment he has made of the degree of correlation between the level of law enforcement on the possession and use of illegal drugs and the overall level of availability of illegal drugs in the United Kingdom since the appointment of the Anti-Drugs Co-ordinator. [79333]

Mr. George Howarth: I have been asked to reply.

Such a simple correlation is not possible as there are many factors, other than the level of law enforcement, which could impact on the availability of illegal drugs on our streets. Furthermore, although statistics are collected on the number and weight of seizures of illicit drugs, we have no measure at present of the overall size of the drugs market, or the percentage of illegal drugs seized, which would allow comparisons to be made.

A methodology is being developed to measure the key corporate objective under the availability aim of the Drugs Strategy to reduce access to drugs among young people. It is intended to provide a better understanding of the impact of law enforcement measures on the availability of drugs in the United Kingdom.

Senior Salaries

Dr. David Clark: To ask the Minister for the Cabinet Office what was the average percentage increase in salaries of members of the Senior Civil Service for 1998–99; and to what extent the pay awards were staged. [78769]

Dr. Jack Cunningham: The average individual increase in 1998–99 (before staging) was 5.44 per cent. 2 per cent. of the pay award was paid on 1 April 1998 and the remainder on 1 December 1998. The individual average percentage in-year increase taking account of staging was 3.15 per cent.

Task Forces

Dr. Tony Wright: To ask the Minister for the Cabinet Office if he will list for all task forces and policy reviews with external members established by his Department since May 1997 *(a)* their dates of establishment, *(b)* those which have issued final reports and their dates of publication, *(c)* those which have been terminated and their dates of termination and *(d)* for those bodies still in existence, expected reporting and termination dates. [79272]

Mr. Kilfoyle: The information is given in the table.

Task force/policy review	*Date established*	*Date of publication of final report*	*Date of termination*	*Expected reporting and termination dates*
Better regulation Task Force	15 September 1997	—	—	No termination date set
Review of Export Promotions	18 June 1998	12 March 1999	12 March 1999	—
Modernising Government Quality Schemes Task Force	26 January 1999	—	—	December 1999

Dr. Tony Wright: To ask the Minister for the Cabinet Office if he will list all those task forces and policy reviews with external members established by his Department since May 1997 which have set up *(a)* sub-groups, *(b)* working parties and *(c)* other subsidiary committees. [79250]

Mr. Kilfoyle: *(a)* Sub-groups—The Better Regulation Task Force; *(b)* working parties—none; *(c)* other subsidiary committees—none.

Parliamentary Commissioner for Administration

Dr. Tony Wright: To ask the Minister for the Cabinet Office which public bodies remain outside the jurisdiction of the Parliamentary Commissioner for Administration. [79248]

Mr. Kilfoyle: The vast majority of executive non-departmental public bodies (NDPBs) and those advisory NDPBs which have significant dealings with members of the public are now within the parliamentary ombudsman's jurisdiction. Those which remain outside his jurisdiction generally have few or no dealings with members of the public or are within the jurisdiction of another ombudsman, for example, the Local Government Ombudsman, or else have external adjudicators.

There are some exceptions to this, where the Government have decided that it would be inappropriate to bring a particular executive NDPB within the parliamentary ombudsman's jurisdiction, because of the nature of the body's work. These are listed:

Agricultural Wages Board for England and Wales
Alcohol Education and Research Council
Audit Commission
Criminal Cases Review Commission
Crown Agents Holding and Realisation Board
Funding Agency for Schools
Gaming Board
Horserace Totalisator Board
Horticulture Research International
Independent Commission for Police Complaints
Police Authority for Northern Ireland
Police Complaints Authority
Policyholders Protection Board
Student Loans Company

Ofwat customer service committees are excluded from the parliamentary ombudsman's jurisdiction as complaints from members of the public may be taken to the Director General of Water Services.

The British-Russia Centre and the British Association for Central and Eastern Europe, which are currently outside the parliamentary ombudsman's jurisdiction are shortly to be brought within his remit.

Public Services

Ms Rosie Winterton: To ask the Minister for the Cabinet Office what he will do to ease public access and improve efficiency in dealing with complaints across different public services in England. [79668]

Dr. Jack Cunningham: I am pleased to announce that the Government are about to undertake a review of the organisation of public sector ombudsmen in England. The review will be conducted by a team in the Cabinet Office and its terms of reference are as follows:

> The review will consider whether the present arrangements for the organisation of the Parliamentary Commissioner for Administration, the Health Service Commissioner for England and the Local Government Ombudsman in England are in the best interest of complainants and others against a background of moves towards the more integrated provision of public services; and whether those arrangements hinder achieving better value for money.
>
> The review will also consider the potential interaction between those ombudsmen and other independent complaints authorities, such as the Independent Housing Ombudsman and the Data Protection Registrar.
>
> The review will make recommendations about the public sector Ombudsmen, including recommendations on their statutory powers and duties, having regard for constitutional issues.

This review will support the Modernising Government agenda by examining the scope for a more joined-up ombudsman system for England.

TREASURY

Working Time Directive

Mr. Maclean: To ask the Chancellor of the Exchequer if he will place in the Library a copy of the letter inviting civil servants in his Department to waive Working Time Directive requirements. [79424]

Ms Hewitt: I have done so.

Births

Mr. Field: To ask the Chancellor of the Exchequer (1) if he will list the percentage of births, live and stillborn, with birth weight *(a)* under 2,500g and *(b)* under

3,000g (i) stillborn in the United Kingdom and (ii) live and stillborn in the 10 wards with the highest percentage of births under 2,500g; and if he will give these figures for each of the past five years; [78754]

(2) if he will list the percentage of births where birth weight was under 2,500g which were *(a)* stillborn and *(b)* live births for each of the past 10 years. [78789]

Ms Hewitt: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from Tim Holt to Mr. Frank Field, dated 30 March 1999:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your parliamentary questions on births.

The information requested for the percentage of all births with selected birthweights in the United Kingdom, 1993–1997, is shown in the attached table 1. Similar information for the ten wards with the highest percentages can only be obtained at disproportionate cost.

The percentages of births where birth weight was under 2,500g which were stillborn and live are shown in the attached table 2.

Table 1
Stillbirths with a selected birthweight as a percentage of all births with a stated birthweight
Residents of United Kingdom, 1993–1997

		Stillbirths	
	Total birth	Under 2,500 grams	Under 3,000 grams
Numbers			
1993	742,579	2,799	3,316
1994	736,015	2,814	3,335
1995	732,819	2,788	3,279
1996	733,287	2,759	3,259
1997	727,095	2,620	3,085
Percentages			
1993	..	0.4	0.4
1994	..	0.4	0.5
1995	..	0.4	0.4
1996	..	0.4	0.4
1997	..	0.4	0.4

Sources:
Office for National Statistics
Information and Statistics Division, Scotland
DHSS, Northern Ireland

Table 2
Number of live and stillbirths with birthweight under 2,500 grams. Percentage of births where birthweight was under 2,500 grams which were live and stillborn
Residents of United Kingdom 1988–97

	All births Under 2,500 grams	Live births Under 2,500 grams	Stillbirths Under 2,500 grams
Numbers			
1988	52,226	49,983	2,243
1989	52,432	50,284	2,148
1990	53,861	51,667	2,194
1991	54,256	52,110	2,146
1992	52,470	50,376	2,094
1993	52,837	50,038	2,799
1994	53,362	50,548	2,814
1995	55,549	52,761	2,788
1996	55,167	52,408	2,759
1997	55,785	53,165	2,620
Percentages			
1988	..	96	4
1989	..	96	4
1990	..	96	4
1991	..	96	4
1992	..	96	4
1993	..	95	5
1994	..	95	5
1995	..	95	5
1996	..	95	5
1997	..	95	5

Great Britain only—Information for Northern Ireland is not available for 1988.
Sources:
Office for National Statistics
Information and Statistics Division, Scotland
DHSS, Northern Ireland

Office for National Statistics

Mr. Kidney: To ask the Chancellor of the Exchequer, pursuant to his answer to my hon. Friend the Member for Preseli, Pembrokeshire (Ms Lawrence) of 24 February 1999, *Official Report*, column *285*, on the Office for National Statistics, what progress has been made with the restructuring of the management board; where the post of director of finance and corporate services has been advertised; and by when the new board is planned to be in place. [79396]

Ms Hewitt: The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from Tim Holt to Mr. David Kidney, dated 30 March 1999:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your parliamentary question on the restructuring of the ONS management board.

The ONS Board has been restructured so that it consists of:

The Director of ONS

A Director of Economic Statistics

A Director of Social Statistics

A Director of Methodology and Quality

A Director of Corporate Services

Interim appointments from current ONS staff have been made to these posts from 1 April, and job descriptions for the posts are in preparation. I am discussing with the Civil Service Commissioners how best to attract external applications for the Corporate Services post, which I expect to be advertised in late April. Arrangements for filling the other posts are still being considered.

Employment (Merseyside)

Mr. Field: To ask the Chancellor of the Exchequer if he will list the number of people in work in *(a)* Birkenhead and *(b)* the Wirral in 1979 and at the latest date for which figures are available broken down between (i) full-time and (ii) part-time work. [79214]

Ms Hewitt *[holding answer 29 March 1999]:* The information requested falls within the responsibility of the Director of the Office for National Statistics. I have asked him to reply.

Letter from Tim Holt to Mr. Frank Field, dated 30 March 1999:

As Director of the Office for National Statistics (ONS), I have been asked to reply to your recent parliamentary question on employment.

Information is available for the number of Employee Jobs, derived from the Annual Employment Survey (AES) for September 1997 (latest available date) and the Census of Employment for September 1981 (the closest available date to 1979). The persons who hold these jobs may live outside the area shown.

Employee jobs[1] at September

Thousand

	Full-time	*Part-time*
Wirral		
1981	69.0	25.0
1997	59.1	34.8
Birkenhead		
1981	32.7	11.6
1997	21.3	11.2

[1] Local Authority District
[2] Parliamentary Constituency

Investment Companies

Mr. Loughton: To ask the Chancellor of the Exchequer if he will announce the timetable for the introduction of legislation to enable cash and fund-of-fund open-ended investment companies to be launched in the UK domestic market; and when authorisation of cash and fund-of-fund open-ended investment companies will enable ISA providers to promote such companies as an alternative to authorised unit trust schemes. [79344]

Ms Hewitt: The Financial Services and Markets Bill will include a provision to make orders allowing the formation of a wide range of open-ended investment companies (oeics). The aim will be to create a single corporate code for all authorised oeics. The Financial Services Authority will then be able to authorise oeics with a broad range of investment objectives. These could include cash and fund-of-fund open-ended investment companies.

Existing cash and fund-of-fund authorised unit trusts are eligible for inclusion in ISAs. Changes to the tax regulations permitting cash and fund-of-fund open-ended investment companies to be offered as ISA products will be introduced once these are established in law and are authorised by the Financial Services Authority.

Energy Levy

Mr. MacShane: To ask the Chancellor of the Exchequer (1) what advice he has received on the likely impact on the United Kingdom steel industry's international competitiveness of the climate change levy at the indicative levels currently proposed; [79349]

(2) how he plans to ensure, in introducing the proposed energy levy, that United Kingdom manufacturing exports are not unfairly disadvantaged in world markets. [79348]

Ms Hewitt: In line with the Statement of Intent on Environmental Taxation, the Government considered carefully the potential impact of the climate change levy on the international competitiveness of United Kingdom industry. The design of the levy closely follows Lord Marshall's recommendations. Its introduction will involve no increase in the overall burden of taxation on business. The Government intend to recycle the revenues to business through a cut of 0.5 percentage points in the main rate of employer National Insurance Contributions. Businesses will also benefit from an additional £50 million for schemes aimed at providing energy efficiency directly and stimulating the take-up of renewable sources of energy.

The Government also recognise the need for special consideration to be given to the position of energy intensive industries given their energy usage, the separate Integrated Pollution Prevention and Control regulation and their exposure to international competition. In line with the recommendations made by the CBI, the Government will not be taking a blanket "across the board" approach to setting the appropriate level of the new levy. Subject to any legal and practical constraints, the Government intend to set significantly lower rates for those energy intensive sectors that agree targets for improving energy efficiency which meet the Government's criteria.

Dr. Cable: To ask the Chancellor of the Exchequer if he will establish criteria for defining an energy-intensive industry, to be exempted from the new energy tax, and if he will publish a ranked list of manufacturing sectors in terms of their energy intensity. [79197]

Ms Hewitt *[holding answer 29 March 1999]:* The Chancellor announced in the recent Budget that, subject to any legal and practical constraints, the Government intend to set significantly lower rates for energy intensive sectors that agree targets for improving energy efficiency. Sites in sectors covered by the EU Integrated Pollution Prevention and Control Directive will be eligible. The Deputy Prime Minister, along with Ministers from the DTI and HM Treasury, met with the energy intensive sectors on 29 March to begin these negotiations.

Lord Marshall's report, "Economic Instruments and the Business Use of Energy", which was published on 3 November 1998, contains an analysis of energy intensity by business sector.

Dr. Cable: To ask the Chancellor of the Exchequer if he will estimate the number of companies which will be liable for his proposed energy tax. [79384]

Ms Hewitt: In the draft Regulatory Impact Assessment published by Customs and Excise on 9 March they commented that we expect that fewer than 1,000 businesses will be liable to account for the levy. Following Custom's consultation a more accurate figure will be calculated.

Dr. Cable: To ask the Chancellor of the Exchequer by what method tax revenue from the new energy tax will be collected by energy utilities. [79195]

Ms Hewitt: It will be for energy suppliers to decide how they pass on the climate change levy to their business customers. We expect most suppliers to include it in the unit price, but it will be up to them to choose whether to identify it as a separate amount.

Dr. Cable: To ask the Chancellor of the Exchequer what steps the Government have taken to ensure that their proposed energy tax is compliant with *(a)* the rules of EU Single Market and *(b)* the rules of the World Trade Organisation. [79180]

Ms Hewitt: The EU rules governing the harmonisation of taxes within the Single Market permit member states to introduce national taxes provided they do not give rise to border-crossing formalities in trade between member states, nor infringe State Aid rules. Customs and Excise's consultation paper on the design and administration of the levy, published on 9 March, proposes a treatment of the imports and exports of energy products which meets our obligations concerning trade between member states. And following the announcement of the climate change levy in the Budget, I informed the European Commission of the Government's announcement. The Government are working closely with the European Commission to help ensure that the proposed scheme to set significantly lower rates for energy intensive sectors that agree targets for improving energy efficiency is compatible with State Aid rules. In doing so, we shall also take into account our obligations under the World Trade Organisation.

Select Committee Reports

Mr. Duncan Smith: To ask the Chancellor of the Exchequer, pursuant to his answers of 16 March 1999, *Official Report*, columns *641–42* and 19 March 1999, *Official Report*, column *857*, for what reasons he did not provide the information requested about his *(a)* political advisers, *(b)* officials and *(c)* Ministers. [78528]

Mr. Leigh: To ask the Chancellor of the Exchequer, pursuant to his answer of 22 March 1999, *Official Report*, column *101*, for what reason he did not provide the information requested relating to the receipt by his parliamentary private secretary of the draft report of the Social Security Committee. [79193]

Mr. Gordon Brown *[holding answers 25 and 29 March 1999]*: I refer the hon. Members to the answer I gave on 16 March 1999, *Official Report*, columns *641–42*, which gives a detailed account of the position.

Public Opinion Polls

Mr. Kenneth Clarke: To ask the Chancellor of the Exchequer if he will place in the Library a full report of the questions asked and answers given in all the public opinion polls commissioned by the Treasury since 1 May 1997; and if he will make a statement on the policy objective of commissioning public opinion polls. [72026]

Ms Hewitt *[holding answer 22 February 1999]*: The Government are committed to providing modern public services which are responsive to the needs of the public. Although the Treasury undertakes various public opinion research, this is usually in the form of business and economic surveys. The Treasury has not commissioned specific public opinion polls since 1 May 1997.

Limbless Association

Mr. Colman: To ask the Chancellor of the Exchequer if tax relief under the Millennium Gift Aid scheme is available in respect of the services provided by the Limbless Association in the UK. [79342]

Ms Hewitt: The Millennium Gift Aid scheme is for donations to UK charities to support education and anti-poverty projects in the world's poorest countries. Donations to support services provided in the UK would generally not qualify.

I am unable to comment on a particular organisation's tax affairs.

Millennium Compliance

Dr. Cable: To ask the Chancellor of the Exchequer what assessment he has made of the recent report of the Financial Services Agency on millennium compliance; and if he will make a statement. [79385]

Ms Hewitt: As the FSA has made clear, the primary responsibility for ensuring high levels of Year 2000 preparedness lies with the industry itself. But the FSA regards the issue as a major supervisory priority. It recently made public, on an aggregated basis, its assessment of the state of readiness in financial institutions. The UK financial services sector is generally regarded as a leader in working towards Year 2000 preparedness. Within that overall picture, though, a small number of firms appears to be less ready than others. The FSA has challenged these firms either to show that this assessment is out of date or rapidly produce a plan for remedial action. It has also made clear that – where there is no better way to protect depositors, investors or policyholders or the integrity of markets – it will take supervisory action.

The decisions on whether to take such action are the statutory responsibility of the FSA, though the Treasury will continue to liaise closely with them.

Endowment Mortgages Mis-selling

Dr. Cable: To ask the Chancellor of the Exchequer if he will establish a review of the estimated £1.5 billion of mis-sold endowment mortgages on the same basis as the recent pensions mis-selling review. [79187]

Ms Hewitt: The Financial Services Authority has confirmed that it is currently gathering information with a view to considering if such a review is necessary.

Mr. Charlie Whelan

Mr. Heathcoat-Amory: To ask the Chancellor of the Exchequer (1) what duties Mr. Charlie Whelan has undertaken for Treasury Ministers since 4 January; [79890]

(2) how many times Mr. Charlie Whelan has visited HM Treasury since 4 January. [79915]

Mr. Gordon Brown: Mr. Whelan resigned from the Treasury with effect from 13 January. Since then he has not undertaken any duties for Treasury Ministers.

Exchange Rates

Mr. Redwood: To ask the Chancellor of the Exchequer what estimate he has made of the impact on employment of a 5 per cent. increase in the value of the pound against the euro, assuming no other changes of policy or external circumstance over a two year period. [79215]

Ms Hewitt: Assuming that the exchange rate were to increase with all other things remaining equal, there would tend to be a depressing effect on output, employment, and inflation in the short term. However, this is a wholly artificial assumption, not least because the Bank of England is required to set interest rates to hit a symmetrical inflation target.

Property Transactions (Stamp Duty)

Mr. Whittingdale: To ask the Chancellor of the Exchequer (1) how many property transactions worth *(a)* over £250,000 and *(b)* over £500,000 took place in 1998; and how many of these related to (i) commercial property, (ii) domestic property and (iii) intellectual property; [79045]

(2) what proportion of stamp duty revenue from property transactions worth *(a)* over £250,000 and *(b)* over £500,000 in 1998 related to (i) domestic property, (ii) commercial property and (iii) intellectual property. [79044]

Ms Hewitt: Information on stamp duty revenue is normally presented on a financial year basis. Provisional estimates for 1998–99 are given in the table.

1998–1999 (provisional)

Price Band	*Number[1] of transactions (thousands)*	*Net[2] receipts (£ million)*	*Proportion[3] of net receipts %*
Transactions over £250,000 but not over £500,000			
Residential transactions	40	245	80
Commercial property and land transactions	10	65	20
Total	45	310	100
Transactions over £500,000			
Residential transactions	5	215	20
Commercial property and land transactions	10	825	80
Total	15	1,040	100
All transactions over £250,000			
Residential transactions	45	460	35
Commercial property and land transactions	20	890	65
Total	65	1,350	100

[1] Transactions rounded to the nearest 5,000. Figures are rounded individually and may not sum to the totals shown.
[2] Net receipts rounded to the nearest £5 million.
[3] Proportions rounded to the nearest 5 per cent.

It is estimated that stamp duty on transactions of intellectual property amount to about £5 million in 1998–99 from about 2,000 transactions. No further details are available on such transactions.

Special Advisers

Mr. Tyrie: To ask the Chancellor of the Exchequer if he will list the total number of occasions when *(a)* departmental and *(b)* non-departmental special advisers have travelled abroad in an official capacity since 2 May 1997. [76821]

Ms Hewitt: I refer the hon. Member to the answer given by the Chancellor to the hon. Member for Chesham and Amersham (Mrs. Gillan) on 22 October 1998, *Official Report*, column *1200*. All arrangements for overseas travel by Treasury Special Advisers are consistent with the requirements set out in the Ministerial Code.

Working Families Tax Credit

Shona McIsaac: To ask the Chancellor of the Exchequer if people eligible for the working families tax credit will receive free prescriptions. [78311]

Mrs. Roche: I refer my hon. Friend to the answer given by my hon. Friend the Paymaster General to the hon. Member for Northavon (Mr. Webb) on 15 March 1999, *Official Report*, column *517*.

Written Answers to Questions

Wednesday 31 March 1999

INTERNATIONAL DEVELOPMENT

Debt Relief

Dr. Tonge: To ask the Secretary of State for International Development what mechanisms her Department is developing to ensure that the proceeds of debt relief are invested in measures aimed at reducing poverty. [79519]

Clare Short: I strongly agree that the resources freed up by debt relief need to be invested in poverty reduction programmes if we are to achieve the international development targets, including halving the proportion of people living in extreme poverty by 2015. We are pressing for the link between debt relief and poverty reduction to be examined and strengthened during the fundamental review of the Heavily Indebted Poor Countries (HIPC) Initiative, which is underway.

HIPC debt relief is available only to countries following programmes agreed with the International Monetary Fund and the World Bank. We are working with these organisations to ensure that programmes are designed to promote high quality growth, and that the resources freed up by debt relief are allocated to poverty reduction programmes. Following last year's review of IMF's Enhanced Structural Adjustment Facility (ESAF), we are working with the Fund to ensure that more priority is given to the social impact of programmes, and that more attention is paid to including civil society in the design of programmes, to increase their poverty impact.

In addition, following proposals put forward by the UK, the World Bank is developing a set of general principles of good practice in social policy in consultation with the IMF. We envisage these principles should be drawn upon by the IMF and the World Bank in the design of programmes, to ensure that they protect and promote spending on health and education.

Primary Education

Dr. Tonge: To ask the Secretary of State for International Development what support her Department is currently giving to developing countries to improve the quality of primary education. [79531]

Clare Short: Our education programmes for developing countries in support of the international goals of universal primary education and gender equity in primary and secondary education include agreements on policies which ensure that our assistance has a beneficial and sustainable effect, and that quality is not compromised in pursuit of the quantified development targets.

Where required, we provide technical assistance to address quality issues such as teacher training and the curriculum, and make substantial contributions to quality in the form of books and learning materials. In Uganda and India, we are supporting the development of appropriate and good quality schools and classroom learning environments as part of our wider support to primary education in those countries.

Dr. Tonge: To ask the Secretary of State for International Development what support her Department is giving to developing countries to meet the target of universal primary education by 2015; and what progress has been made to date. [79524]

Clare Short: In our White Paper we undertook to seek to meet the target of universal primary education by 2015. We have committed over £200 million to basic education in a number of countries including Ghana, India, Zambia, Malawi, South Africa, Pakistan, Bangladesh, and our largest ever single education pledge of £67 million for Uganda. These and substantial new programmes under development will contribute to the international target for universal primary education. It is too early to report progress towards the development goals. DFID programmes cannot be measured in isolation. Progress will be monitored through international education statistics collated and published by UNESCO and other multilateral organisations, including the OECD.

Dr. Tonge: To ask the Secretary of State for International Development what plans she has to increase the proportion of bi-lateral aid invested in primary education. [79518]

Clare Short: As we set out in our White paper, we are committed to the international development targets, including Universal Primary Education by 2015. In the Government's first year in office (1997/98), we spent over £13 million of bilateral funds on primary education. This was an increase of £5 million over the previous year. Subsequent major commitments of over £200 million, plus new programmes currently being developed in a number of countries, amounting to at least £200 million will substantially increase the proportion of our bilateral assistance invested in primary education.

Education (Gender Equality)

Dr. Tonge: To ask the Secretary of State for International Development if she will make a statement on progress to date towards the achievement of the international development goal of gender equality in education. [79520]

Clare Short: As we made clear in our White Paper in November 1997, we are committed to the international goals of universal primary education by 2015 and gender equity in primary and secondary education by 2005.

We have committed over £200 million to basic education in a number of countries including Ghana, India, Zambia, Malawi, South Africa, Pakistan, Bangladesh, and our largest ever single education pledge of £67 million for Uganda. These and other new programmes under development are a reflection of our understanding based on strong evidence that investment in the education of girls is the single, most effective way to reduce poverty.

We are committed to supporting governments that give priority to the education of girls within their education systems. It is too early to report progress towards the

development goals. DFID programmes cannot be measured in isolation and progress towards the education development targets will be monitored through international education statistics collated and published by UNESCO and other multilateral organisations, including work by the OECD on indicators of development.

Montserrat

Sir Alastair Goodlad: To ask the Secretary of State for International Development what recent scientific re-assessment she has received of volcanic risks in Montserrat; and if she will make a statement. [79060]

Clare Short: The latest volcanic assessment was undertaken earlier this month. The review concluded that there has been no resumption of magmatic eruption since March 1998, and that risk levels of a major volcanic eruption are now similar to those in other Caribbean volcanic islands.

I have placed copies of the full report in the Libraries of the House.

Task Forces

Dr. Tony Wright: To ask the Secretary of State for International Development if she will list all those task forces and policy reviews with external members established by her Department since May 1997 which have set up *(a)* sub-groups, *(b)* working parties and *(c)* other subsidiary committees. [79255]

Clare Short: There are no bodies which fall into these categories.

Dr. Tony Wright: To ask the Secretary of State for International Development if she will list for all task forces and policy reviews with external members established by her Department since May 1997 *(a)* their dates of establishment, *(b)* those which have issued final reports and their dates of publication, *(c)* those which have been terminated and their dates of termination and *(d)* for those bodies still in existence, expected reporting and termination dates [79278]

Clare Short: I refer my hon. Friend to the answer I gave to the right hon. Member for Penrith and The Border (Mr. Maclean) on 22 February 1999, *Official Report*, column *14*.

Soviet Military Testing

Dr. Cable: To ask the Secretary of State for International Development what action has been taken by Her Majesty's Government to provide aid to *(a)* Kazakhstan and *(b)* other former Soviet republics to tackle the effects of radioactive fallout from Soviet military testing [79545]

Clare Short: Following discussions with the Kazakh authorities, the Department for International Development has plans to support a community based land use plan for the Semipalatinsk region of Kazakhstan. We plan to implement the project later this year after consultation with representatives of provincial government, local communities, NGOs, and central Government in Kazakhstan.

There are no other former Soviet republics receiving aid to tackle the effects of radioactive fallout from Soviet military testing.

Asbestosis Sufferers (Legal Aid)

Mr. McNamara: To ask the Secretary of State for International Development which officials had discussions with GJW, on how many occasions and on what dates, concerning the wish by Cape plc to amend the Access to Justice *[Lords]* Bill to ban foreign workers suffering from asbestosis obtaining legal aid. [78740]

Clare Short: No officials in my Department have had any discussions with G. J. Ward concerning any wish by Cape plc to amend the Access to Justice *[Lords]* Bill.

DEFENCE

Harrier GR7 Aircraft

Mr. Hancock: To ask the Secretary of State for Defence what were the average flying hours in *(a)* 1997 and *(b)* 1998 for Harrier GR7 aircraft in service with the RAF. [67693]

Mr. Doug Henderson: In both 1997 and 1998, Harrier GR7 aircraft have each flown an average of 23 hours per month.

Special Advisers

Mr. Keith Simpson: To ask the Secretary of State for Defence if he will list the overseas trips on his behalf, and who met the costs, undertaken by each of his special advisers since May 1997. [74644]

Mr. George Robertson *[holding answer 4 March 1999]*: Overseas visits (on my behalf) undertaken by my two special advisers since 1 May 1997 are as listed. The costs of these visits were met as appropriate either from my travel budget or from that of the senior official or military officer whom the special adviser was accompanying. In most cases travel was by military flight.

Alasdair McGowan

2–3 June 1997 Washington accompanying Secretary of State for Defence

30 June–1 July 1997 Bosnia accompanying Chief of the Defence Staff

8–9 October 1998 Cyprus accompanying Secretary of State for Defence

27–28 October 1998 Bosnia accompanying Secretary of State for Defence

Bernard Gray

30 September–1 October 1997 Maastricht accompanying Secretary of State for Defence

2–3 December 1997 Brussels NATO Ministerial accompanying Secretary of State for Defence

13 March 1998 Cyprus (one visit) accompanying Secretary of State for Defence

14–16 March 1998 Saudi Arabia (one visit) accompanying Secretary of State for Defence

2 April 1998 Munich DASA Meeting Defence Industry Restructuring

8 April 1998 Villacoublay, France talks with French MOD accompanying Chief of Defence Procurement

20 April 1998 France talks with French MOD accompanying Secretary of State for Defence

10–11 June 1998 Brussels accompanying Secretary of State for Defence

18 September 1998 France accompanying Secretary of State for Defence

23–25 September 1998 Portugal—NATO Informals—accompanying Secretary of State

21 October 1998 Munich—DASA Meeting—accompanying Chief of Defence Procurement

17–20 November 1998 USA accompanying Secretary of State for Defence

5–7 January 1999 Bosnia accompanying Chief of the Defence Staff

31 January–2 February 1999 Macedonia accompanying Chief of the defence Staff

4–5 March 1999 USA—Defence Industry Restructuring—accompanying Deputy Chief of Defence Procurement (Support)

British Deployment (Balkans)

Mr. Gareth R. Thomas: To ask the Secretary of State for Defence how many British personnel are currently deployed in the Balkans; and if he will make a statement. [78407]

Mr. George Robertson: On 30 March, there were some 9,680 personnel committed to operations in the Balkans region, excluding Defence Attache staff. This includes some 4,700 personnel in Greece and Macedonia in connection with operations relating to Kosovo, some 4,500 personnel serving with SFOR in Bosnia and Croatia, and some 480 Royal Navy personnel in the area aboard the frigates HMS Iron Duke and HMS Somerset and the submarine HMS Splended. In addition, there are some 450 RAF personnel in Italy supporting NATO air operations over the Federal Republic of Yugoslavia and in support of SFOR.

Aircraft Carriers

Mr. Hancock: To ask the Secretary of State for Defence what requirements his Department has given to tenderers concerning the construction of the Royal Navy's future aircraft carriers. [78780]

Mr. Spellar: The potential prime contractors have been informed that the future aircraft carriers will be built and outfitted in the UK in line with current Government policy and that the first ship should be in service with the Royal Navy by 2012 and the second by 2015.

Mine Counter-measures (Adriatic Sea)

Mr. Maclean: To ask the Secretary of State for Defence if he will make a statement on maritime mine counter measures in the Adriatic, and what assessment he has made of the dangers to shipping from an increase in tensions in Kosovo. [79423]

Mr. George Robertson: We assess that there is no substantial threat to shipping in the Adriatic as a result of the current Kosovo crisis. Should this situation change, NATO has Mine Counter measures assets available to meet any threat which might arise.

Defence Aviation Repair Agency

Mr. Jenkins: To ask the Secretary of State for Defence if he will make a statement on the formation of the Defence Aviation Repair Agency, and what key targets have been set for 1999–2000. [79913]

Mr. Spellar: On 1 April 1999 the Defence Aviation Repair Agency (DARA) will be established as a Defence Agency. The DARA will be responsible for the provision of deep aviation repair and overhaul facilities to meet the UK's Defence needs. It will enable the MOD's requirements for third line aircraft servicing to be focused on one primary provider. The DARA's Chief Executive will be Mr. Steve Hill and its Head Office will be at RAF St. Athan, Vale of Glamorgan. The Agency will employ 1,726 military and 5,099 civilian staff at four locations in the UK—Almondbank, Fleetlands, RAF Sealand and RAF St. Athan.

The creation of the Agency will improve Defence aviation repair delivery by focusing on customer requirements. It will also offer scope for exploiting the synergy between helicopter and fixed wing repair facilities and provide a clear line of accountability for service delivery. The DARA's corporate aim will be

"To meet the needs of the UK's armed forces for responsive and cost effective in-house deep aviation repair"

The Chief Executive has been set the following Key Targets for the first year of operation:

Quantity

To achieve 95 per cent. of the agreed programme of aircraft repair work.

Cost

To keep within the approved operating cost budget while delivering the agreed programme of work.

Timeliness

To meet 95 per cent. of the agreed turn round times for aircraft, helicopter engines and transmission systems.

Quality Standard

To achieve a high quality index rating to be specified in the DARA Business Plan based on the following quality elements:

Acknowledgement of a customer concern.

Investigation and response to customer concerns.

Attributable quality failings.

Attributable incident reports.

Efficiency

(i) To increase overall efficiency by 5 per cent.

(ii) To achieve an increase in sales of repayment work (i.e. non MOD) of at least 25 per cent. in FY 99/00 from a baseline of £9 million.

Defence Procurement Agency

Mr. Jim Cunningham: To ask the Secretary of State for Defence if he will make a statement on the formation of the Defence Procurement Agency, and what key targets have been set for 1999–2000. [79859]

Mr. George Robertson: As we announced following our Strategic Defence Review the Defence Procurement Agency, DPA, will be launched as a Vote funded agency on 1 April 1999. It will be an executive agency under the Chief of Defence Procurement, Sir Robert Walmsley. He will be the Chief Executive and will be directly accountable to Ministers. The aim of the DPA will be to procure new equipment for the Armed Forces in response to approved requirements and to provide other procurement related services to its customers in and beyond the Ministry of Defence.

The Agency's main presence will be at its headquarters at Abbey Wood, Bristol, as well as at other locations in the UK and overseas.

The Agency will be organised in accordance with the principles underlying the Strategic Defence Review and specifically the Smart Procurement Initiative. The majority of its people will belong to Integrated Project Teams arranged in groups and accountable to the Agency's executive board. The executive board will be collectively accountable through the Chief Executive for the aggregate performance of the agency.

We have established five Key Targets to determine the effectiveness of the Agency during its first year of operation. We shall report results in the summer of next year. In addition to these in year targets the Agency remains committed to achieving savings of at least £2 billion by March 2008 by the application of Smart Procurement techniques.

The first three Targets apply to the range of projects covered by the Major Projects Report, which my Department submits annually to the House. Like the other Targets they are a starting point in what we intend to be a process of continuous improvement. Targets 2 and 3 are compatible with goals set in the 1999–2002 Public Service Agreement (PSA), adapted to enable cumulative performance to be measured. Target 5 also reflects one of the goals featured in the PSA.

The DPA's Key Targets for 1999–2000 are:

Key Targets

1. Predicted achievement of customers' core requirements for projects	85%
2. Average cumulative slippage of in service dates at 31 March 2000 not to exceed	26 months
3. Average cumulative cost variation at 31 March 2000 not to exceed	4%
4. Obtain customers' assessments of standards of DPA performance', to set a baseline for targets in subsequent years	March 2000
5. While continuing to meet the demands of the procurement programme, reduce the operating costs of the DPA in relation to the 1997–98 costs of the Procurement Executive by	10%

[1]About ten core requirements per project will be agreed between the DPA and MOD headquarters, defining the essential characteristics of the equipment. This target has been pitched at a level consistent with achievement of a target of 97% by March 2002.

[2]Variation between in service date (ISD) approved at "Main Gate" (the major investment decision point) and currently predicted ISD.

[3]Variation between cost approved at Main Gate and current estimate.

[4]Assessments will be made in relation to agreed outputs specified in Customer Supplier Agreements relating to pre and post Main Gate project management, provision of technical, safety and other services and management of certain nuclear activities. The aggregated score will be used as the basis for progressively higher targets year by year.

Smart Procurement

Dr. Stoate: To ask the Secretary of State for Defence if he will make a statement *(a)* on progress in implementing the Smart Procurement Initiative and *(b)* the Defence Logistics Organisation. [79889]

Mr. George Robertson: The Smart Procurement Initiative launched in our Strategic Defence Review offers major improvements in the way in which the Ministry of Defence buys and maintains equipment, and supports the Armed Forces. Smart Procurement encompasses the Defence Procurement Agency (DPA), the formation of which we are announcing separately today, and the new Defence Logistics Organisation (DLO), headed by the new Chief of Defence Logistics. Both of these new organisations will form on 1 April 1999.

We remain committed to deliver the £2 billion of savings over 10 years which we promised from Smart Procurement, and we have identified clear scope for further savings on top of that. The close working relationship between the DPA and DLO, needed to help deliver these savings, is being achieved in part through the creation of Integrated Project Teams or IPTs. These include staff from both the procurement and support organisations, as well as necessary contracts, finance, operational user and—in particular—industry expertise. We want to foster an enhanced partnership with industry, to reduce risk, encourage innovation and increase the competitiveness of defence industry.

The 10 pilot projects where we have been trialling Smart Procurement techniques and the IPT concept are already starting to indicate new savings running to several hundreds of millions of pounds over their life. They have also identified significant opportunities to get equipment into service faster, or—for equipment already in service—improve its availability and reliability. For example, the Type 23 frigate IPT is looking to reduce the length of an upgrade programme by 30 per cent. and the VC10 IPT has already identified initiatives to achieve a 10 per cent. increase in serviceability.

Soon after Easter we will launch the first wave of IPTs covering 23 projects or groups of projects in the DPA and DLO. Over the course of the coming year, the remainder of projects will migrate to this new structure, with a total of about 150 Teams forming in all, some 90 in the DPA and 60 in the DLO.

We have streamlined our internal procedures for taking decisions on equipment procurement, and will be reconfiguring MOD Headquarters to ensure that there is a clear central customer for equipment.

The Chief of Defence Logistics, General Sir Sam Cowan, will formally take up his post on 1 April 1999, bringing together the areas of the Chief of Fleet Support, the Quartermaster General and the Air Member for Logistics into a single Defence Logistics Organisation. This will be the largest Joint organisation in Defence, and accounts for some £4.6 billion of expenditure each year. The DLO will become a fully unified logistics structure in April 2000. This offers real prospects for delivering an improved service to the front line at lower cost. A significant proportion of the savings we foresee will come from the Defence Logistics Organisation applying Smart Procurement techniques. There will also be savings in downstream support costs, by ensuring that the whole life costs of equipment are properly considered when procurement decisions are taken.

We expect the DLO to make significant improvements in our logistic support, for example: in the ways we procure, manage, repair and store defence munitions; in the procurement and management of fuel; and in the use of lean support techniques. We hope to be able to make further announcements here in the coming months. We are also committed to delivering major reductions in our current holdings of non-explosive stores and to rationalisation of our stock procurement, leading to reductions of £130 million a year from 2001–02 onwards.

Defence Transport and Movements Agency

Mr. Rapson: To ask the Secretary of State for Defence if he will make a statement on the formation of the Defence Transport and Movements Agency; and what key targets have been set for 1999–2000. [79897]

Mr. Doug Henderson: The formation of the new Defence Transport and Movements Agency (DTMA), providing defence-wide operational and administrative transport and movements services, was announced as part of the Strategic Defence Review. The DTMA will form on 1 April this year incorporating the Defence Transport and Movements Executive, the Defence Freight Distribution Group, the Joint Transport and Movements staff from Northwood, the Passengers Reservation Centre in London, and the Air Movements Executive from High Wycombe. The Chief Executive has been set the following Key Targets for 1999–2000:

Key Target 1:

To meet customers' requirements as specified in Customer Supplier Agreements to deliver:

at least 90 per cent. of Agency transactions within agreed criteria;

at least 90 per cent. of the services provided under call-off contracts at a satisfactory level.

Key Target 2:

To establish baseline data for administrative unit costs by 31 December 1999.

Key Target 3:

To demonstrate net added value.

Key Target 4:

To achieve at least a satisfactory rating in the provision of operational transport and movements support.

I have endorsed the Framework Document and Corporate Plan for this new Agency and will place copies of these documents in the Library of the House.

Defence Estate Organisation

Mr. Jim Cunningham: To ask the Secretary of State for Defence if he will make a statement on the future of the Defence Estate Organisation. [79991]

Mr. Spellar: One of the major issues addressed during the Strategic Defence Review, was how to improve the overall management of the Defence Estate, an important strategic and national asset.

A number of key recommendations were made affecting the role of the Defence Estate Organisation (DEO), which was originally launched as a Defence Agency in 1997. These were, that the Chief Executive should be accountable for working to users to ensure that the Defence Estate is managed efficiently as a whole to support the deliver of Defence Capability, that the Agency should assume responsibility for all aspects of the surplus property disposal programme and that the Agency should develop a new model for construction procurement.

The effect of these recommendations has been to place major new responsibilities on the Agency and a fundamental review of the role, processes and organisation of the DEO was undertaken and a major change programme has been put in place.

A new Framework Document and Corporate Plan have been produced and copies will be placed in the Library of the House. Key Targets for the Agency, which will now be known as Defence Estates (DE), are being finalised and will be published shortly.

The work to be undertaken by DE, under the title SMART CONSTRUCTION, aims for the widest possible use of Prime Contracting. Whilst focusing on the MOD's estate requirements, it is also an integral part of the necessary reform of the UK Construction Industry which is a Government-wide initiative.

Logistics Support Services (RAF) Agency

Mr. Maxton: To ask the Secretary of State for Defence if he will make a statement on the future of the Logistics Support Services (RAF) Agency. [79896]

Mr. Doug Henderson: The roles and responsibilities of the organisations involved in the provision of integrated logistic support to new projects and in-service equipments in the RAF have been reviewed in order to streamline process, remove duplication and overlap and implement efficiencies.

Changes include:

a. combining two related functional areas already located in Glasgow into a single business unit;

b. transferring related work form RAF Logistics Command at RAF Wyton to the new business unit in Glasgow;

c. brigading all integrated logistic support activities within an enlarged Logistic Support Services (RAF) Agency but with constituent elements remaining at their current locations.

The net effect of these changes is to save 43 posts at a saving of just over £1m per year. In doing so, and from 1 April 1999, the Defence Codification Agency (DCA) in Glasgow will cease to be a separate Defence Agency and be absorbed into the Logistic Support Services Agency (RAF).

Key targets for the Logistic Support Services (RAF) Agency for the financial Year 1999–2000 are:

To produce 85 per. cent of all deliverables by the target date agreed with the sponsor.

To deliver 80 per. cent of all outputs at the cost agreed with the sponsor.

To produce 90 per. cent of all deliverables to the sponsor's complete satisfaction.

To achieve a 3 per. cent reduction in the cost of a productive hour.

Copies of the revised Framework Document and Corporate Plan for the Agency will be placed in the House Library.

Defence Storage and Distribution Agency

Mr. Ernie Ross: To ask the Secretary of State for Defence if he will make a statement on the formation of the Defence Storage and Distribution Agency; and what key targets have been set for 1999–2000. [79894]

Mr. Doug Henderson: The formation of the new Defence Storage and Distribution (DSDA), for the storage and distribution of non-explosive stores, was announced as part of the Strategic Defence Review. The DSDA will form on 1 April this year incorporating the majority of the Army Base Storage and Distribution Agency, storage functions at RAF Stafford, the Central Services Establishment at Llangennech and the Procurement Executive Storage Depot at Aston Down. The Chief Executive has been set the following Key Targets for 1999–2000.

Key Target 1:

To meet customers' requirements as specified in Customer Supplier Agreements (CSAs), against the following standards:

- at least 95 per. cent of issues to consumers to be within specified supply chain processing times;
- at least 95 per. cent of receipts to be processed within agreed time limits;
- no more than one in every thousand issues to be subject to an accepted discrepancy report;
- the level and value of stock written off as a result of DSDA actions to be less than agreed levels.

Key Target 2:

To achieve and average 2.5 per. cent reduction in the unit cost of output.

Key Target 3:

To achieve an average 5 per. cent reduction in receipts processing times.

Key Target 4:

To achieve a 2.5 per. cent reduction in the cost of quality failures.

I have endorsed the Framework Document and Corporate Plan for this new Agency and will place copies of these documents in the Library of the House.

Long Service Awards

Mr. Jenkins: To ask the Secretary of State for Defence if he will make a statement on the outcome of the review of long service awards in the armed forces. [79892]

Mr. George Robertson: Her Majesty the Queen has graciously approved the institution of a new award to be known as the Queen's Volunteer Reserves Medal to recognise outstanding service in the volunteer reserve forces. It will apply to volunteer reserves in all three Services and will be open to service men and women of any rank.

Her Majesty the Queen has also graciously approved the institution of a new award to be known as the Volunteer Reserves Service Medal to recognise 10 years continuous efficient service in the volunteer reserve forces. The Volunteer Reserves Medal will replace the Royal Naval Reserve Decoration, the Royal Naval Reserve Long Service and Good Conduct Medal, the Efficiency Decoration, the Efficiency Medal and the Air Efficiency Award. It will apply to volunteer reserves in all three Services and will be open to serve men and women of any rank.

As far as the Long Service and Good Conduct Medals of the Regular Armed Forces are concerned, I have concluded that it is not necessary to recommend to Her Majesty any change in the existing awards.

Kosovo

Mr. Livsey: To ask the Secretary of State for Defence if he will make a statement on the circumstances under which British land troops would be sent into Kosovo; and in what capacity they would act. [78766]

Mr. George Robertson: As the Government have repeatedly made clear the UK will only deploy troops into Kosovo to help implement a peace agreement, with the consent of both parties.

Mr. Livsey: To ask the Secretary of State for Defence what information members of the British armed forces have been given in relation to possible posting to Kosovo. [78767]

Mr. George Robertson: It has been made clear to our Armed Forces that we would deploy ground forces to Kosovo only if the Federal Republic of Yugoslavia authorities accept the entry of a NATO-led force in order to implement a peace agreement. Our people are well aware that we have no plans to fight our way into Kosovo.

Glen Road

Mr. McNamara: To ask the Secretary of State for Defence when and to whom in his Department Lieutenant Colonel Worsley-Tonks reported the contents of his conversation with Chris Aindow at the end of 1994 concerning events on the Glen Road on 30 September 1990; by whom it was considered; and what action was taken. [78737]

Mr. Doug Henderson: Ministry of Defence officials have spoken to Lieutenant Colonel Worsley-Tonks, who has retired from the Army, who said that he has no recollection of the alleged conversation with Mr. Aindow. Therefore the issue of onward reporting within the MOD does not arise.

Mr. McNamara: To ask the Secretary of State for Defence when and to whom in his Department Colonel Fletcher of the Parachute Regiment reported the contents of his conversation with Chris Aindow in January 1995 concerning events on the Glen Road on 30 September 1990; by whom it was considered; and what action was taken. [78738]

Mr. Doug Henderson: Ministry of Defence officials have spoken to Colonel Fletcher who remembers that a conversation took place with Mr. Aindow, who was no longer a serving soldier, some four years ago. Although he cannot recall the precise details Colonel Fletcher recalls that Mr. Aindow discussed the possibility of a further court case. Colonel Fletcher advised him to tell the truth at any subsequent hearing and took no further action.

Mr. McNamara: To ask the Secretary of State for Defence what approach his Department made to the lawyers acting for Chris Aindow requesting a copy of Chris Aindow's affidavit describing the events on the Glen Road on 30 September 1990. [78739]

Mr. Doug Henderson: No approach has been made by my Department to the lawyers of Chris Aindow for a copy of the affidavit describing the events on the Glen Road on 30 September 1990, although a reporter from the *Sunday Express* provided the MOD Press Office with extracts from the affidavit in which Chris Aindow alleges that he spoke to two Senior Officers after his release from prison in 1994.

NATO (Spain)

Sir John Stanley: To ask the Secretary of State for Defence if Spain's joining of NATO's integrated military structure has created impediments to the use of Gibraltar by NATO naval, military and air forces. [78969]

Mr. Doug Henderson: No impediments in the use of Gibraltar by NATO forces have been created by Spain's joining NATO's Integrated Military Structure.

Sir John Stanley: To ask the Secretary of State for Defence (1) if he will list the restrictions in the movements of *(a)* NATO ships and *(b)* NATO aircraft that were being applied by Spain at the point when Spain joined NATO's integrated military structure; and whether any of those restrictions have now been lifted; [78970]

(2) if he will list the restrictions in the movements of *(a)* Royal Navy ships and *(b)* RAF aircraft that were being applied by Spain at the point when Spain joined NATO's integrated military structure; and whether any of those restrictions have now been lifted. [78971]

Mr. Doug Henderson: Spain maintains restrictions on all NATO military aviation movements into and out of Gibraltar, including a ban on military overflights and an air exclusion zone to the North and West of Gibraltar. By means of reservations footnoted to the relevant NATO Standing Agreement, Spain restricts access of UK and other NATO warships to Gibraltar. Discussions in June 1998 between FCO/Spanish MFA officials led to agreement on the lifting of some of the restrictions, air diversions in an emergency and the use of Gibraltar-based assets in NATO exercises.

Gulf War Veterans

Mr. Steinberg: To ask the Secretary of State for Defence, pursuant to his answer of 10 March 1999, *Official Report*, column *209*, on British Gulf war veterans, if the available tests under a medical assessment programme will include a test specifically to detect the presence of depleted uranium. [79067]

Mr. Doug Henderson: I refer my hon. Friend to my answers of 10 March 1999, *Official Report*, columns *208–09*, and 15 March 1999, *Official Report*, columns *502–04*, and to the detailed paper, "Testing for the presence of depleted uranium in UK veterans of the Gulf conflict: The Current Position", which I published on 19 March. A copy of the paper was sent to my hon. Friend last week and copies were also placed in the Library of the House.

Defence Housing Executive

Mr. Jim Cunningham: To ask the Secretary of State for Defence if he will make a statement on the future of the Defence Housing Executive. [79990]

Mr. Spellar: Following a review of options it has been concluded that the most appropriate way forward would be for the Defence Housing Executive to become an Agency of the Ministry of Defence with effect from 1 April 1999.

In order to ensure that the Agency operates in the best interests of its customers and in an efficient and cost effective manner, I have agreed five Key Targets with the Chief Executive for the first year of the Agency's work.

The following four key targets will measure the extent to which the Defence Housing Executive is delivering housing in the correct quantity, to the required standard and within the appropriate time frame.

Key Target 1:

To house at least 60 per cent. of families in accommodation that matches their entitlement by posting date or on return to Great Britain from overseas, and at least 90 per cent. within 28 days of that date.

Key Target 2:

Less than 10 per cent. of occupants should experience significant defects within 14 days of moving in.

Key Target 3:

To complete the planned upgrade of 1,766 properties by 31 March 2000.

Key Target 4:

To complete:

at least 95 per cent. of emergency repairs within 24 hours of notification;

at least 90 per cent. of urgent repairs within 5 working days of notification;

at least 90 per cent. of routine repairs within 2 months of notification.

The fifth and final key target will measure the efficiency and cost effectiveness of the Defence Housing Executive, including the aim to reduce the number of empty properties to achieve a management margin of 13 per cent. by April 2002.

Key Target 5:

To achieve a unit cost of housing of less than £5,400.

Copies of the Defence Housing Executive Framework Document and 1999 Corporate Plan will be placed in the Library of the House.

Lobbyists

Mr. Wilshire: To ask the Secretary of State for Defence if he will publish a list, including names and dates, of all meetings that *(a)* he, *(b)* his officials, *(c)* his advisers and *(d)* his PPS have held during (i) 1997, (ii) 1998 and (iii) 1999 with people who work for political lobbying firms or for businesses that are members of the Public Relations Consultants Association. [79652]

Mr. George Robertson: I refer the hon. Member to the answer given by the Prime Minister to the hon. Member for Lewes (Mr. Baker) on 9 March 1999, *Official Report*, column *168*. The Ministerial Code also applies to Parliamentary Private Secretaries when attending any meetings in an official or semi-official capacity.

Wellington Barracks, Chelsea

Mr. Maclean: To ask the Secretary of State for Defence if he will make a statement on the future development of Wellington Barracks, Chelsea. [79421]

Mr. Spellar: Initial planning is in hand for the possible refurbishment of Wellington Barracks in the London Borough of Westminster during the early years of the next decade.

TREASURY

Dividend Tax Credits

Mr. Pearson: To ask the Chancellor of the Exchequer if he will provide a breakdown of the average amoun of tax credits reclaimed on dividends in 1995–96 and 1996–97 by each decile for *(a)* non-taxpayers aged over 65 years and *(b)* all non-tax paying individuals. [67471]

Dawn Primarolo *[holding answer 25 January 1999]:* Latest available estimates for 1995–96 and 1996–97, derived from the Survey of Personal Incomes, are given in the table.

£

Decile	*Amount of dividend tax credit claimed*
Non taxpayers aged 65 or over—1995–96	
Lowest	2
2nd	5
3rd	10
4th	15
5th	25
6th	45
7th	65
8th	95
9th	145
Highest	290
Non taxpayers aged 65 or over—1996–97	
Lowest	3
2nd	7
3rd	15
4th	20
5th	35
6th	55
7th	80
8th	130
9th	220
Highest	480
All non-taxpayers—1995–96	
Lowest	2
2nd	5
3rd	10
4th	15
5th	25
6th	45
7th	65
8th	95
9th	145
Highest	320
All non-taxpayers—1996–97	
Lowest	3
2nd	7
3rd	15
4th	20
5th	35
6th	55
7th	80
8th	125
9th	210
Highest	480

Mr. Pearson: To ask the Chancellor of the Exchequer (1) if he will provide a breakdown of the number of *(a)* non-taxpayers aged over 65 years and *(b)* all non-taxpaying persons reclaiming tax credits on dividends in 1996–97 in the categories (i) under £20, (ii) £21 to £50, (iii) £51 to £100, (iv) £101 to £200 and (v) over £200 reclaimed; [67636]

(2) what estimate he has made of the average value of shares held by *(a)* non-taxpayers aged over 65 years and *(b)* all non-taxpaying individuals reclaiming tax credits in 1995–96 and 1996–97 in the categories (i) under £20, (ii) £21 to £50, (iii) £51 to £100, (iv) £100 to £200 and (v) over £200 reclaimed. [67473]

Dawn Primarolo *[holding answer 25 January 1999]:* Estimates of the numbers of people claiming payments of dividend tax credits, derived from the 1996–97 Survey of Personal Incomes, are given in the table, but share holdings or values are not known, so it is not possible to estimate the average value of shares held by these people.

1996–97

Amount of dividends tax credit claimed (£)	*Number of non-taxpayers aged 65 and over with claims (Thousand)*	*Number of non-taxpayers with claims (Thousand)*
under 20	105	225
21–50	65	130
51–100	55	110
101–200	50	95
201 and over	60	105
Total	335	660

Mr. Pearson: To ask the Chancellor of the Exchequer what is the *(a)* average and *(b)* medium amount in sterling of tax credits on dividends reclaimed in 1995–96 and 1996–97. [67472]

Dawn Primarolo *[holding answer 25 January 1999]:* Latest available estimates for 1995–96 and 1996–97 are given in the table.

£

Year	*Average amount of dividend tax credit claimed*	*Median amount of dividend tax credit claimed*
1995–96	75	35
1996–97	105	40

Ministerial Meetings

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer how many times ministers in his Department have met their counterparts in the US Government since 1 June 1998; and if he will list the dates and locations of each meeting, the ministers involved on each occasion, and the name of the US counterpart at each meeting. [77153]

Ms Hewitt: The Chancellor of the Exchequer met the US Treasury Secretary, Robert Rubin, on 2 October (Washington), 16 December (Washington), 29 January (Davos, Switzerland) and 20 February (Cologne).

Married Couples Allowance

Mr. Rendel: To ask the Chancellor of the Exchequer how many couples with children, in the tax year 2000–01, will face a loss as a result of abolition of the married couples allowance in April 2000, broken down by type of housing tenure; and what the average loss will be. [76842]

Dawn Primarolo *[holding answer 15 March 1999]:* An approximate breakdown by housing tenure of the number of married couples who will no longer benefit from the married couple's allowance in 2000–01 and have children eligible for child benefit is shown in the table. These estimates are based on the Family Expenditure Survey.

Housing tenure	*Number (Million)*
Rented	0.6
Housing Association	0.1
Owned	4.1
Rent free	0.1
Total	4.9

Childless Couples

Mr. Webb: To ask the Chancellor of the Exchequer what data his Department has collated on the number of individuals in childless married couples who pay income tax; and if he will breakdown that number by housing tenure. [77008]

Dawn Primarolo *[holding answer 16 March 1999]:* The Inland Revenue does not currently collect data on the number of taxpayers with or without children, but an approximate breakdown by housing tenure of the number of married couples who benefit from the married couple's allowance in 1998–99 and have no children eligible for child benefit is shown in the table. These estimates are based on the Family Expenditure Survey.

	Numbers (Million)
Rented	0.5
Housing association	0.1
Owned	5.1
Rent free	0.1
Total	5.8

Budget

Mr. Maude: To ask the Chancellor of the Exchequer if he will estimate the effect in *(a)* 1999–2000 and *(b)* 2000–01 of his budgets to date on the total tax burden in (i) cash terms and (ii) as a percentage of GDP. [78808]

Dawn Primarolo: Table B9 of the Financial Statement and Budget Report shows forecasts of taxes and social security contributions, net of tax credits, as a per cent. of GDP. Forecasts of taxes and social security contributions, net of tax credits, in cash terms are published in Table B10. Forecasts of money GDP are published in Table B4.

Mortgage Interest Tax Relief

Dr. Cable: To ask the Chancellor of the Exchequer when the Government adopted the international national accounting convention which requires mortgage interest tax relief to be shown as public expenditure for budgetary purposes. [79059]

Mrs. Roche: National accounts are prepared in accordance with internationally agreed guidelines. The Office for National Statistics (ONS) decided to adopt the new European System of Accounts (ESA 95) as the standard for the National Accounts Blue Book published in September 1998. In national accounts prepared under ESA95, all payments of Mortgage Interest Relief are shown as part of Total Managed Expenditure (TME).

Budget Leaflets

Mr. Heathcoat-Amory: To ask the Chancellor of the Exchequer what was the cost of *(a)* preparing, *(b)* printing and *(c)* distributing the Budget 99 leaflet. [79398]

Dawn Primarolo: I refer the right hon. Member to the answer I gave to the hon. Member for Gordon (Mr. Bruce) on 23 March 1999, *Official Report*, columns *207–08*.

Pensioners

Mr. Gibb: To ask the Chancellor of the Exchequer, pursuant to his answers of 24 March 1999, *Official Report*, columns *255–56*, if he will explain the reason for the fall in the number of pensioners from 10,700,000 in 1998–99 to 9,950,000 in 1999–2000. [79170]

Mrs. Roche *[holding answer 29 March 1999]:* The figure of 10.7 million in 1998–99 covers all pensioners whereas the figure of 9.95 million for 1999–2000 excludes those paying income tax at a marginal rate of 20 per cent., as specified in the question.

Public Service Agreements

Ms Lawrence: To ask the Chancellor of the Exchequer when the Government intends to publish the remaining public service agreements and the measures which will be used to monitor their success. [80117]

Mr. Milburn: The Government are today publishing a White Paper (CM 4315) which is a supplement to "Public Services for the Future: Modernisation, Reform, Accountability" (CM 4181 published in December 1998). It includes PSAs for the Department of Social Security, Sure Start, the utility regulators (Offer/Ofgas, Oftel, and Ofwat), the Office of Fair Trading and the Charity Commission. PSAs for the Countryside Agency and the Northern Ireland Office will follow later in the year. I have today also published a booklet, "The Government's Measures of Success: Output Performance Analyses", which includes the measures the Government will be using to track progress against the PSA targets. Copies are available in the Vote Office.

Scottish Variable Rate

Ms Lawrence: To ask the Chancellor of the Exchequer when he will publish his assessment of the regulatory impact of the Scottish Variable Rate. [80118]

Mrs. Roche: Copies of the regulatory impact assessment have today been placed in the Libraries of both Houses.

Funding Policy

Ms Lawrence: To ask the Chancellor of the Exchequer when he will publish details of funding arrangements between the Government and the Scottish Parliament, the National Assembly for Wales and the Northern Ireland Assembly. [80119]

Mr. Milburn: I have today placed in the Library of both Houses of Parliament copies of a Statement of Funding Policy. This document fulfils the Government's commitment to make the financial arrangements with the Scottish Parliament, National Assembly for Wales and Northern Ireland Assembly a matter of public record.

Petroleum

Mr. Whittingdale: To ask the Chancellor of the Exchequer (1) if he will list the proportion of the retail price of petroleum taken by tax in each member state of the European Union, the United States of America and Canada; [76571]

(2) if he will list the average retail price of petroleum in each OECD country, taking account of his Budget measures. [76570]

Mr. Battle: I have been asked to reply.

Unleaded petrol prices in mid-December 1998 and the percentage of taxes in the price are as follows:

	Average price (pence per litre)		*Percentage of tax*
	Total	*Of which taxes*	
United Kingdom	63.9	53.5	83.7
Austria	54.7	38.2	69.9
Belgium	58.5	45.7	78.2
Denmark	56.3	43.0	76.4
Finland	61.0	50.3	82.5
France	62.7	52.1	83.1
Germany	55.4	42.8	77.3
Greece	41.1	28.3	68.8
Ireland	51.3	35.5	69.1
Italy	62.0	47.4	76.4
Luxembourg	42.6	28.9	67.9
Netherlands	64.3	49.9	77.6
Portugal	54.9	40.8	74.4
Spain	44.1	31.7	71.8
Sweden	58.5	44.7	76.4
Canada[1]	20.4	11.0	53.8
USA[1]	19.1	6.0	31.5

[1] Q4 1998

Note:

The Duty on UK premium unleaded petrol was increased by 3.22 p/litre in the Budget of 9 March 1999, taking the average price to around 66.4 p/litre, and the total tax component to 86 per cent.

FOREIGN AND COMMONWEALTH AFFAIRS

Government Codes and Cypher School

Mr. John D. Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs when the following documents, relating to the Government Codes and Cypher School's work in the Second World War, will be released to the Public Record Office: *(a)* "The History of Hut 8" by A. S. Mahon, *(b)* "Turing's Treatise on the Enigma" and *(c)* "The German Navy's Use of Special Intelligence" by McMahon; if these documents have been made available outside the United Kingdom; and if he will make a statement. [75132]

Mr. Robin Cook: I refer the right hon. Member to the answer I gave him on 23 March 1999, *Official Report*, columns *142–43*.

GCHQ

Mr. Nigel Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what assessments have been made of the environmental and social impact of the remaining options for the development of GCHQ; and if he will publish them; [76376]

(2) when he expects to announce the location for the redevelopment of GCHQ; [76377]

(3) which sites are currently being considered for the redevelopment of GCHQ; [76374]

(4) what representations he has recently received regarding *(a)* retention of GCHQ at Benhall and *(b)* development of a site for GCHQ at Brockworth. [76375]

Mr. Robin Cook: Since October 1998 two sites have been under consideration for the redevelopment of GCHQ: GCHQ's existing Benhall site and a site at the Gloucester Business Park, Brockworth. I have received a number of representations in support of the Benhall site, including from the hon. Member.

I expect to consider a recommendation from GCHQ shortly. That recommendation will take account of all relevant factors, including environmental and social considerations. When I announce my decision, I will set out the role which those factors played in it.

Former European Commissioners

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the payments due to be made by the European Commission to those Commissioners who recently resigned. [79156]

Ms Quin: Payments to outgoing Commissioners are governed by the provisions in Council Regulation 422/67/EEC. We have made clear our belief that payments should not be paid to any Commissioner found guilty of fraud or misconduct.

General Affairs Council

Mr. Hood: To ask the Secretary of State for Foreign and Commonwealth Affairs what was the outcome of the General Affairs Council held in Brussels on 22 and 23 March; and if he will make a statement. [79095]

Ms Quin: My right hon. Friend the Foreign Secretary and I represented the UK at the General Affairs Council in Brussels on 22 March 1999. Foreign Ministers met on Sunday 21 March in advance of the General Affairs Council to discuss Agenda 2000 and the future of the European Commission.

The Council adopted the A points listed in document 6859/99 and noted the resolutions, decisions and opinions adopted by the European Parliament in its sessions of 8–12 February and 24–25 February listed in documents

5793/99 and 5796/99. Copies of the documents listing the A points and resolutions will be placed in the House Libraries as soon as they become available.

The Council agreed as an "A" point that the Commission should start screening Maltese legislation as soon as possible for compatibility with the Union acquis, and that Malta will be invited to the next meeting of the European Conference, at Foreign Minister level under the Finnish Presidency. We welcome the Council's decision, which is in line with our support for Malta's accession to the EU.

Future of the European Commission

Ministers discussed options for appointing a new Commission in preparation for a decision at the Special European Council in Berlin on 24–25 March. The General Affairs Council issued a declaration on the resignation of the Commission.

Agenda 2000

Ministers also prepared for negotiations by Heads of State and Government in Berlin on the Agenda 2000 package. Ministers' discussion focused mainly on the future financing of the EU.

Statute of Members of the European Parliament

Ministers discussed progress in the negotiations on a Statute for MEPs. All Member States supported the need for early Council agreement, including tough action on allowances. The Council hopes to reach political agreement with the European Parliament before the June European Elections.

EU/South Africa

Ministers once again discussed a compromise package to conclude the long-running negotiations on a Trade and Co-operation Agreement with South Africa. Although differences narrowed to some extent, final agreement was not possible. The Council asked the Commission to continue contacts with member states with a view to reaching agreement at the Berlin Council.

EU/US Relations

The Council debated the trade disputes with the US on the EU's banana regime, the EU ban on hormones in beef and the proposed regulation on aircraft fitted with hushkits. On bananas, the Council reiterated its support for the Commission in seeking a resolution of the dispute which respects WTO rules. On hormones, the Council agreed that the Commission should continue to explore with the US and Canada options for reaching agreement on a temporary compensation package, as well as labelling. On hushkits, the Council encouraged the Commission to continue its discussions with the US with a view to finding possible solutions.

EU/Egypt

The Council discussed the ongoing negotiations with Egypt for an Association Agreement. The Council concluded that the Commission should continue negotiations and report back to a future Council.

Western Balkans

Ministers discussed the deteriorating situation in Kosovo, and in particular the latest offensive by the FRY security forces. The Council urged the FRY authorities in the strongest terms to stop the violence immediately, recalled the warning of severest consequences for the FRY from the international community if they did not comply, and expressed its support for the international community's determination to take the necessary action to avoid a humanitarian catastrophe. The Council also urged the KLA to refrain from acts of violence. It condemned the killing of civilians on both sides. The EU urged President Milosevic to reverse his course of obstruction, to seize the last chance for a peaceful solution and to accept the fair and balanced outcome represented by the Rambouillet Accords.

Middle East Peace Process

Ministers discussed the MEPP and the implications of a possible unilateral declaration of statehood by the Palestinians on 4 May 1999 (the expiry of the five year transitional period established under the Oslo Accords). This was the first Ministerial level discussion of the 4 May issue. It was agreed that discussion should continue at a later date.

Human Rights/China

The Council decided that the EU would not change its position on China at this year's UN Commission on Human Rights (UNCHR). The EU would continue to express publicly its growing concerns about human rights in China at the UNCHR, as well as at bilateral and EU high-level meetings with China. It would remain in close contact with its main partners in pursuit of the common objective of achieving concrete improvements in human rights in China, and keep its policy under regular review in the light of developments there.

ASEM Foreign Ministers' Meeting

The Presidency briefed partners on preparations for the Asia-Europe Foreign Ministers' Meeting to be held in Berlin on 29 March.

EU/ASEAN Foreign Ministers' Meeting

The Presidency informed partners that the EU/ASEAN Foreign Ministers' Meeting (planned for 30 March in Berlin) would not now go ahead.

Common Strategy on Russia

The Council discussed preparation of the first of the EU's common strategies, designed to strengthen the EU's relationship with Russia and to increase coherence of work on Russia across the Pillars. Ministers welcomed progress so far and called for the Common Strategy to be ready for the Cologne European Council in June.

Western European Union

Mr. Mitchell: To ask the Secretary of State for Foreign and Commonwealth Affairs what proposals have been made by the presidency of the European Union at *(a)* the General Affairs Council and *(b)* other ministerial councils concerning the development of the role of the Western European Union; on what date he expects the Treaty of Amsterdam to take effect; and if he will place related European Union and Western European Union documents in the Library. [78998]

Mr. Tony Lloyd: The Presidency of the European Union have made no formal proposals considering the development of the role of the Western European Union at the General Affairs Council or any other ministerial councils.

The Treaty of Amsterdam will enter into force once the last remaining countries, France and Greece, have deposited their instruments of ratification with the Italian Government. They are expected to do so shortly. If they do so before 15 April 1999, the Treaty will enter into force on 1 May 1999.

Foreign Ministers Conference

Mr. Maclean: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will publish the agenda for the Euro-Med Foreign Ministers Conference on 15 to 16 April. [79576]

Ms Quin: The draft agenda is as follows:

Wednesday 15 April

Official Opening Session

Working Session 1

1.1 Contribution of the EuroMed Partnership to constructive developments in the Mediterranean Region

1.2 Political and Security Partnership

Friday 16 April

Working Session 2

2.1 EU Financial Assistance to MED Partners

2.2 Economic and Financial Partnership

2.3 Partnership in Social, Cultural and Human Affairs

Closing Session.

Mr. Clive Allison

Mr. Collins: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to the answer of 1 February 1999, *Official Report*, column *431*, what discussions with French Ministers and officials (i) have taken place and (ii) are scheduled to take place concerning *(a)* the death of Mr. Clive Allison in May 1998 and the degree of co-operation with the British coroner in that case and *(b)* the degree of co-operation of French officials with British coroners. [79525]

Mr. Fatchett: On 30 November, Baroness Symons, the Parliamentary Under-Secretary of State, met senior French officials of the Ministry of Interior to discuss the handling of deaths of British Nationals and to press for more vigorous investigations by the French authorities.

We have had no discussions with French Ministers specifically concerning the death of Clive Allison in France. Nor have Ministers discussed the degree of co-operation with British coroners in this case. No Ministerial discussions are scheduled to take place on either topic.

The Consular Division of the FCO forwarded HM Coroners's letter requesting a police report into Mr. Allison's death to the French authorities in June 1998. The French authorities issued a report which was passed to HM Coroner on 4 September. In a letter dated 5 October, HM Coroner requested more information regarding Mr. Allison's death. His request was translated and forwarded to the French authorities on 6 November. Our Consulate in Lyon continues to press for a response.

French officials have no direct contact with British Coroners. Requests from HM Coroner for reports into the death of a British national in France are directed to the French authorities through the Foreign and Commonwealth Office. Co-operation is good; the French authorities have to comply with their own formalities. Requests for supplementary information may take longer for the French to process.

Cornish

Ms Atherton: To ask the Secretary of State for Foreign and Commonwealth Affairs if a Department has been identified to co-ordinate policy on the Cornish language. [79890]

Mr. Tony Lloyd: It has now been agreed that the Department for Environment, Transport and the Regions, through the Government office for the south-west, should co-ordinate Government policy on the Cornish Language. The Foreign and Commonwealth Office will retain overall responsibility for the Council of Europe's Charter for Regional or Minority Languages.

GJW

Mr. McNamara: To ask the Secretary of State for Foreign and Commonwealth Affairs which officials in his Department had discussions with GJW, on how many occasions and on what dates concerning the wish by Cape plc to amend the Access to Justice Bill [*Lords*] to ban foreign workers of British companies obtaining legal aid; and if the statement by his Department's officials that the decision to pursue the case in the UK courts would be seen as a lack of faith in the South African legal system was made with the knowledge of Ministers. [78745]

Mr. Tony Lloyd: No discussions have been held between the FCO and GJW on possible amendments to the Access to Justice Bill.

Telephone calls were received from an unidentified caller who asked about the case, but no opinion of the kind referred to by my hon. Friend was expressed by FCO officials.

This is not a foreign policy issue. It is a matter for the Lord Chancellor's Department. Inquiries on this issue have been referred to them.

Council of Europe (Membership)

Sir John Stanley: To ask the Secretary of State for Foreign and Commonwealth Affairs which countries within the former Soviet Union are eligible in principle to be admitted to the Council of Europe by virtue of their geographical position. [79199]

Mr. Tony Lloyd: Countries within the former Soviet Union eligible in principle to be admitted to the Council of Europe are:

Armenia

Azerbaijan

Belarus, and

Georgia.

Sir John Stanley: To ask the Secretary of State for Foreign and Commonwealth Affairs which countries formerly within the Soviet Union have applied for admission to the Council of Europe. [79198]

Mr. Tony Lloyd: Countries formerly within the Soviet Union which applied for membership of the Council of Europe and which are now members are: Moldova, Russia and Ukraine. Countries formerly within the Soviet Union which have applied but have yet to become members of the Council of Europe are Armenia, Azerbaijan, Belarus and Georgia. Estonia, Latvia and Lithuania are also now members of the Council of Europe.

Gibraltar

Mr. Thompson: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 22 March 1999, *Official Report*, column 58, if he will make a statement on the measures which the Government of Gibraltar and the Gibraltar Financial Services Commission need to have in place before Her Majesty's Government will be in a position to approve the passporting by Gibraltar-based credit institutions of banking services into the United Kingdom and elsewhere in the European Union. [79442]

Ms Quin: The remaining measure which the Government of Gibraltar need to have in place before Her Majesty's Government will be in a position to approve passporting of banking services by the Gibraltar-based credit institutions is the establishment of a Deposit Guarantee Scheme. We understand that the necessary legislation has been passed by the Gibraltar House of Assembly and will enter into force shortly.

In addition, Her Majesty's Government will need to amend the Banking Act 1987 before Gibraltar-based credit institutions will be in a position to passport banking services into the United Kingdom.

HOME DEPARTMENT

Immigration and Nationality Directorate

Mr. Coleman: To ask the Secretary of State for the Home Department if he will list the establishment of staff at the Immigration and Nationality Directorate offices at Croydon by civil service grade; and how many vacancies at each grade currently exist. [78797]

Mr. Mike O'Brien: The following lists staff by grade employed at the Immigration and Nationality Directorate offices in Croydon:

Grade	*Number*
Senior Civil Service Grades	13
Grade 6	5
Grade 7	43
Senior Executive Officer	50
Higher Executive Officer	169
HEO(D)	2
Executive Officer	455
Administrative Officer	91
Administrative Assistant	482
Immigration Inspector	6
Chief Immigration Officer	33
Immigration Officer	46
Assistant Immigration Officer	8
Senior Personal Secretary	3
Personal Secretary	27
Chief Typing Manager	1
Typing Manager	3
Typists	15
Support Manager	1
Support Grade 1	14
Support Grade 2	111
Industrials	8
Total	2,007

The following table lists current vacancies in Croydon. They are being filled through internal selection, including promotion boards, or external recruitment.

Grade	*Number*
Grade 7	2
SEO	1
HEO	15
EO	100
AO	65
AA	98

Mr. Malins: To ask the Secretary of State for the Home Department what is the average number of members of the public who attended the Immigration and Nationality Directorate offices in Croydon per day in the last 12 months; and what is the average number of such persons interviewed by officials. [79298]

Mr. Mike O'Brien: The average number of callers who attended the Immigration and Nationality Directorate offices per day during the 12 month period from March 1998 to February 1999 was:

Public Caller Unit (PCU): 673

Asylum Screening Unit: 362.

With the exception of the four days in March 1999 when the doors were closed early in the PCU as the result of a temporary problem, all callers to the PCU during this period were assisted by officials.

Immigration and Asylum Bill

Mr. Coleman: To ask the Secretary of State for the Home Department if he will list those organisations which have made representations to his Department since the publication of the Immigration and Asylum Bill. [78796]

Mr. Mike O'Brien: The information requested could be obtained only at disproportionate cost. The Government proposed that the Bill should be considered by a Special Standing Committee. The representations submitted by organisations in response to the Committee's request for evidence will be published in the *Official Report*.

Asylum Seekers

Mr. Malins: To ask the Secretary of State for the Home Department how many asylum applications have been determined finally in the last five years; and how many were *(a)* allowed and *(b)* refused. [79296]

Mr. Mike O'Brien: I regret that the information requested in not available.

Mr. Malins: To ask the Secretary of State for the Home Department how many asylum applications have been made in each of the last 12 months by *(a)* persons already in the UK and *(b)* persons arriving at ports of entry. [79297]

Mr. Mike O'Brien: The requested information is given in the table.

Applications received for asylum in the United Kingdom, excluding dependants, by location of application

	Total applications	*Applied at port*	*Applied in country*
March 1998	3,200	1,555	1,640
April 1998	3,135	1,500	1,635
May 1998	3,110	1,465	1,645
June 1998	3,575	1,790	1,785
July 1998	4,215	1,940	2,275
August 1998	4,420	2,395	2,025
September 1998	4,455	2,585	1,870
October 1998	5,010	2,295	2,715
November 1998	4,620	2,230	2,390
December 1998	4,770	2,495	2,275
January 1999	4,700	2,200	2,500
February 1999	4,185	1,800	2,385
Total	49,395	24,250	25,140

Figures rounded to the nearest 5

Mr. Malins: To ask the Secretary of State for the Home Department (1) if he will estimate the annual cost to *(a)* central Government and *(b)* local authorities of providing financial support to persons whose rights of appeal under immigration and asylum law have been exhausted; [79306]

(2) how many persons whose rights of appeal under immigration and asylum law have been exhausted are receiving *(a)* NHS treatment, *(b)* state financial benefits, *(c)* local authority housing and *(d)* state education. [79304]

Mr. Mike O'Brien: This information is not available centrally.

Mr. Malins: To ask the Secretary of State for the Home Department if he will estimate the monetary cost in the past three years for which figures are available to *(a)* central Government and *(b)* local government of support for asylum seekers. [79305]

Mr. Mike O'Brien: Asylum support costs are currently divided between the Department of Social Security and the Department of Health. In 1996–97, asylum support cost £407.7 million, of which £395 million was borne by the Department of Social Security. In 1997–98, asylum support cost £375 million, of which £305 million was borne by the Department of Social Security. Department of Health costs for 1998–99 are estimated at £190 million. Comparable costs for the Department of Social Security for 1998–99 are not yet available.

The Department of Health has responsibility for three types of grant to local authorities for asylum seeker support. These are for asylum seekers who are supported under the National Assistance Act 1948, asylum seekers with families supported under the Children Act 1948 and unaccompanied children. As local authority expenditure above a set threshold is subject to only partial reimbursement, the full costs of asylum seeker support to local government are not known.

Mr. Malins: To ask the Secretary of State for the Home Department what steps he proposes to take *(a)* to discover the whereabouts of and *(b)* to deport those who have lost all their appeals under immigration and asylum law and who remain unlawfully in the UK. [79292]

Mr. Mike O'Brien: The Immigration Service has established procedures to discover the whereabouts of those persons who remain unlawfully in the United Kingdom, based upon the use of intelligence, the work of a dedicated absconder tracing team and liaison with other agencies such as the Department of Social Security and police. Details of absconders are also entered on the Police National Computer.

The Immigration and Asylum Bill currently before Parliament contains a range of measures to strengthen enforcement of the immigration laws. Among proposed changes that will assist immigration officers in this respect are increased powers of arrest, and new powers to search for and seize evidence. We also intend extending the present powers to fingerprint inadequately documented passengers and immigration offenders.

The Bill also provides for a new combined appeal process to prevent those at the end of the process from making further appeals in an attempt to frustrate removal, and a simplified administrative procedure to replace deportation in routine cases.

Mr. Malins: To ask the Secretary of State for the Home Department if he will estimate the number of people who have lost all their appeals under immigration and asylum law and remain unlawfully in the UK. [79289]

Mr. Mike O'Brien: The information requested is not available in the form requested.

The available information relates to the number of failed asylum seekers, excluding dependants, who have exhausted their rights of appeal (including any who did not submit an appeal against the refusal of asylum) and who are the subject of port or enforcement action. As at November 1998, that figure was estimated to be 24,000.

Mr. Malins: To ask the Secretary of State for the Home Department if he will estimate the number of asylum applicants currently in the UK with whom the authorities have lost contact. [79294]

Mr. Mike O'Brien: As at November 1998, the number of known asylum absconders—those who have applied for asylum at some stage—was 20,000. This covers persons subject to port or enforcement action who have breached conditions of temporary admission, temporary release or restriction order, or are otherwise known to be out of contact with the Immigration and Nationality Directorate (IND). Some persons recorded as absconders may have departed from the United Kingdom without the knowledge of IND. Information is not available on the numbers of in-country asylum seekers who have not had enforcement action initiated against them but who are out of contact with IND.

Mr. Malins: To ask the Secretary of State for the Home Department what steps his Department takes to renew contact with asylum applicants with whom contact has been lost. [79293]

Mr. Mike O'Brien: It is the responsibility of the asylum applicant to remain in contact with the Home Office. Failure to do so will result in refusal of the asylum claim for non compliance and consequent action to enforce departure, subject to any appeal.

Mr. Malins: To ask the Secretary of State for the Home Department how many persons were deported from the UK in each of the last five years following final refusal of asylum applications. [79295]

Mr. Mike O'Brien: The available information, relating to removals and voluntary departures under port and enforcement procedures of persons who have applied for asylum at some stage, is given in the table. Failed asylum seekers are only removed once all their rights of appeal in the United Kingdom have been exhausted. It should be noted that the figures may include some persons who withdrew their asylum application or appeal before a decision or determination had been reached.

Removals and voluntary departures of asylum applicants, excluding dependants, 1994 to 1998[1]

Number of persons

	Removed	*Departed voluntarily*
1994	1,640	580
1995	2,270	900
1996	3,680	1,140
1997	5,340	1,790
1998[2]	5,020	1,770

[1] 1998 removed and departed voluntarily figures are estimated
[2] 1998 data are provisional

Note:
All figures are rounded to the nearest 10

Mr. Clappison: To ask the Secretary of State for the Home Department what is his estimate of the annual cost of enforcement action against failed asylum applicants by *(a)* the immigration service and *(b)* the police service in each of the last five years. [78659]

Mr. Mike O'Brien *[holding answer 29 March 1999]:* This information is not available and could be obtained only at disproportionate cost.

Racial Discrimination

Mr. McDonnell: To ask the Secretary of State for the Home Department what plans the Government have to secure agreement for a European Union directive to require member states to take action to eliminate racial discrimination. [79011]

Mr. Mike O'Brien: The Government welcome the new provisions in Article 13 of the Amsterdam Treaty, which will provide a legal base for taking Community action against racism and other forms of discrimination. The Government plan to continue to play a full and positive part in the development of Community action to tackle racial discrimination once the Treaty comes into force.

Money Forgery

Mr. Maclean: To ask the Secretary of State for the Home Department if he will make a statement on the nature of the outstanding issue relating to the term forgery of money and means of payment to be re-examined by COREPER, pursuant to the EU Justice and Home Affairs Council of 12 March. [79491]

Kate Hoey: The issue relates to a request from one member state for this form of crime to be legally defined before the Justice and Home Affairs Council agrees to extend Europol's mandate. The request is in line with Article 43(3) of the Europol Convention.

Prison Service

Mr. Derek Twigg: To ask the Secretary of State for the Home Department if he will make a statement on continued agency status for the Prison Service; if a revised Framework Document has now been finalised; when he intends to publish the Prison Service's Corporate and Business plans; and what changes he has made to the Prison Service's Key Indicators for 1990–2000. [80077]

Mr. Straw: I announced in my reply to my hon. Friend for Northampton, North (Ms Keeble) on 1 February 1999, *Official Report*, columns *430–31*, that the Prison Service will remain an agency of the Home Office.

The new Framework Document is now complete and I am today placing copies of it in the Library. The Framework Document governs the relationship between the Prison Service and the core Home Office, setting out the roles of the principal players and bodies including the Prison Service Strategy Board to be chaired by my noble Friend, Lord Williams, the Minister with responsibility for prisons and probation, within a framework of responsibilities and accountabilities. The document reflects the Government's commitment to take proper ministerial responsibility for the service and the role of the Prison Service as a major component of the wider criminal justice system. It includes material about the planning framework and the Key Performance Indicators (KPIs).

The Prison Service's Corporate Plan for 1999–2000 to 2001–02 and Business Plan for 1999–2000 is published today. A copy has been placed in the Library.

The Prison Service's KPIs are kept under review regularly to ensure that they reflect current key priorities for the Service. For 1999–2000, the Prison Service will introduce new performance measures arising from the Home Office Public Service Agreement. I have approved new measures for escapes from contracted-out escorts, staff sickness, cost per prisoner and the time taken to respond to correspondence.

The KPI on overcrowding will be changed to measure the percentage of the prison population held two to a cell designed for one. This will better reflect the impact of overcrowding on individual prisoners.

Two existing measures will be discontinued next year: time out of cell and staff training. With the emphasis now being given to regimes designed to reduce re-offending, and the gradual introduction of in-cell TV, it is becoming more important to measure what prisoners do when out of their cells than the length of time they are unlocked. Staff training will remain important. A primary focus for the Service in 1999–2000 is to gain Investors in People accreditation which requires evidence of properly targeted training and development for all staff.

The full list of KPI measures, and specific targets for 1999–2000 are:

Escapes:

To ensure no category A prisoners escape.

To ensure that the number of escapes from prisons, and escorts undertaken by Prison Service staff, expressed as a proportion of the prison population, is lower than 0.05 per cent.

To ensure that the number of escapes from contracted-out escorts is no more than 1 per 20,000 prisoners handled.

Assaults:

To ensure that the number of positive adjudications of assault on staff, prisoners, and others, expressed as a proportion of the average population, is lower than 9 per cent.

Drugs:

To ensure that the rate of positive results from random drug tests is lower than 18.5 per cent.

Overcrowding:

To ensure that the number of prisoners held two to a cell designed for one, expressed as a percentage of the population, does not exceed 18 per cent.

Purposeful activity:

To ensure that prisoners spend on average at least 24 hours per week engaged in purposeful activity.

Offending behaviour programmes:

To ensure that there are at least 3,600 completions by prisoners of offending behaviour programmes accredited as being effective in reducing re-offending, of which 700 should be completions of sex offender treatment programmes.

Cost per place:

To ensure that the average cost per uncrowded prison place does not exceed £26,208.

Cost per prisoner:

To ensure that the average cost per prisoner does not exceed £27,392.

Staff sickness:

To ensure that average staff sickness does not exceed 12.5 working days per person.

Correspondence handling:

To ensure that 95 per cent. of correspondence receives a reply within 20 days by October 1999.

The target for staff sickness is provisional and will be reviewed later in the year following an independent audit of data quality.

Prisons Ombudsman

Gillian Merron: To ask the Secretary of State for the Home Department if he will make a statement about the changes to the terms of reference of the Prisons Ombudsman. [80078]

Mr. Straw: Following an internal Home Office review last November (a copy of which is in the Library), I have decided to revise and extend the terms of reference of the Prisons Ombudsman. The revised terms of reference, which have been agreed with the Ombudsman, will come into effect from 1 May. They will allow the Ombudsman a wider role in considering complaints made by prisoners, by additionally including investigation of official advice upon which Ministers' decisions are made. A full copy of the Prisons Ombudsman's revised terms has been placed in the Library.

Departmental Mileage Rates

Mr. Baker: To ask the Secretary of State for the Home Department if he will list the mileage rates applicable from January 1999 to staff, indicating changes which have been made to encourage staff to switch from cars to public transport and other less polluting forms of travel. [79441]

Mr. Straw: The Mileage Allowance Rates applicable from January 1999 are as follows:

	Engine capacity/p per mile
Home Office (excluding Prison Service)	
Motor Vehicle Rates:	
Public Transport Rate	23.8p per mile
Standard Rate Mileage	*Engine Capacity up to 1500cc*
	35.7p for first 5,000 miles
	19p for over 5,000 miles
	Engine Capacity 1501–2000cc
	43p for first 5,000 miles
	23p for over 5,000 miles
	Engine Capacity over 2000cc
	46p for first 5,000 miles
	31p for over 5,000 miles
Motor Cycle Rates:	
Public Transport Rate	Engine Capacity up to 125cc
	12.9p per mile
	Engine Capacity over 125cc
	23.8p per mile
Standard Rate Mileage	Engine Capacity up to 125cc
	16.2p for first 4,000 miles
	6.2p for over 4,000 miles
	Engine Capacity over 125cc
	26p for first 4,000 miles
	9p for over 4,000 miles
Pedal Cycle Rates:	6.2p per mile
Lease Car Rates:	9p per mile
Rates last revised 1 September 1994 but revision pending subject to Union agreement	
Prison Service	
Motor Vehicle Rates:	
Public Transport Rate	24.9p per mile
Standard Rate Mileage	Engine Capacity up to 1000cc
	28p for first 4,000 miles
	17p for over 4,000 miles
	Engine Capacity 1001–1500cc
	35p for first 4,000 miles
	20p for over 4,000 miles
	Engine Capacity 1501–2000cc
	45p for first 4,000 miles
	25p for over 4,000 miles
	Engine Capacity over 2000cc
	63p for first 4,000 miles
	36p for over 4,000 miles
Motor Cycle Rates:	
Public Transport Rate	Engine Capacity up to 125cc
	13.4p per mile
	Engine Capacity over 125cc
	24.9p per mile
Standard Rate Mileage	Engine Capacity up to 125cc
	17.5p for first 4,000 miles
	6.5p for over 4,000 miles
	Engine Capacity over 125cc
	27.2p for first 4,000 miles
	9.7p for over 4,000 miles
Pedal Cycle Rates:	7.4p per mile
Official Car Rates:	Petrol up to 1800cc
	9.9p for first 10,000 miles
	8.4p for over 10,000 miles
	Petrol over 1801cc
	10.74p for first 10,000 miles
	9.24p for over 10,000 miles
	All Diesel
	9.9p for first 10,000 miles
	8.4p for over 10,000 miles
	Heavy Trailer addition
	2.5p per mile
Rates last revised 1 November 1998	

The Home Office is committed to reducing the impact that its business travel has on the environment. Before undertaking any business travel, staff and their line managers consider whether the visit/attendance at a meeting is really necessary, whether the objectives of the meeting could be met through correspondence, e-mail, fax or telephone and whether Video-conferencing facilities could be used. If it is considered necessary, staff must use public transport unless there are operational grounds for using private vehicles/hire cars, for example, carrying heavy equipment, or if the route is poorly served by public transport.There are currently two rates of mileage allowance—Standard Rate and Public Transport Rate. The Home Office operates a strict policy when considering the payment of allowances to officers who use their private vehicles for business travel, including prior authorisation from line managers when Standard Rate Mileage Allowance is claimed. This ensures that private vehicles are only used when absolutely necessary.

Whilst those areas which have higher than average business travel have been targeted since January 1999 in an effort to promote the switch to public transport, it is also proposed to pursue the option of a single rate of Standard Rate Motor Mileage Allowance in the new financial year. If adopted, this should encourage the use of smaller cars and further encourage the use of public transport through a reduced rate of Motor Mileage Allowance for larger engine cars. The Home Office also has allowances for the use of motorcycles and pedal cycles for official travel and increases to the rates will also be sought in the new financial year.

Millennium Celebrations

Mr. Burns: To ask the Secretary of State for the Home Department when he expects to issue guidance on the operation of the licensing laws and late night extensions for millennium celebrations on 31 December 1999 and 1 January 2000; and if he will make a statement. [79550]

Mr. George Howarth: We will announce shortly the outcome of the consultation on proposals for extending permitted hours on the Millennium Eve and subsequent New Year's Eves.

Election Candidates

Mr. Drew: To ask the Secretary of State for the Home Department if he will make a statement on the decision by some returning officers not to allow candidates to describe themselves as Labour and Co-operative Party on the ballot paper. [79336]

Mr. George Howarth: My Department has issued advice to returning officers suggesting that a candidate who wishes to use a description on the ballot paper which might lead voters to associate him or her with more than one political party should be able to do so as long as the description is authorised by certificates issued by, or on behalf, of the nominating officers of both parties.

Departmental Capital Investment

Siobhain McDonagh: To ask the Secretary of State for the Home Department what is his Department's strategy for managing capital investment and assets by his Department; and if he will make a statement. [79517]

Mr. Straw: In line with the requirements outlined in the Economic and Fiscal Strategy Report, the Home Office now has a comprehensive strategy for capital investment and asset management.

The strategy covers both the Home Office's approach to future capital investment and the efficient use of existing assets. The strategy provides a framework for longer term plans to be built upon. It is the first such investment strategy for the Home Office. The Department intends to publish an updated strategy each year.

A copy of the strategy has been placed in the Library and on the Home Office website. Additional copies are available from the Home Office Press Office. The published document include the Capital Investment Strategy of the Charity Commission, which has also been placed in the Library.

Passports

Mr. Page: To ask the Secretary of State for the Home Department what security checks on passport applications were waived at the *(a)* Liverpool and *(b)* Newport offices; and for what period. [79372]

Mr. Mike O'Brien: Security checks have never been waived in the Liverpool and Newport passport offices. The question appears to be directed at recent media reports of a suspension of security checks by the Passport Agency. Managers have allowed staff to exercise wider discretion on issuing passports if they had no significant doubt about the identity of the applicant.

These instructions were withdrawn but they did not imply any suspension or relaxation in the Agency's proper security checks on passport applications.

A range of automatic and discretionary checks are undertaken at different stages of the passport issuing process to prevent and detect fraud. Additional automatic security checks are undertaken under the new issuing system operating in our Liverpool and Newport offices which also require examiners to adopt a more systematic approach to confirming an applicant's eligibility for passport facilities.

The Agency is now doing more security checking than it has ever done.

Mr. Page: To ask the Secretary of State for the Home Department when the roll-out of the new IT systems for the passport offices is currently expected to take place. [79370]

Mr. Mike O'Brien: The new high technology driven passport issuing arrangements have already been introduced into the Liverpool and Newport passport offices. The Passport Agency's present plans are for the roll-out of these new arrangements to commence in the Belfast passport office on 30 July, in the Peterborough office on 10 September, in the Glasgow office on 17 September and in the London office in early January 2000.

Mr. Page: To ask the Secretary of State for the Home Department what is the average turnaround for passport applications at *(a)* Liverpool, *(b)* Newport and *(c)* all other offices. [79369]

Mr. Mike O'Brien: The Passport Agency does not measure its turnround time by averages, but by the maximum turnround time. The current position in working days on maximum turnrounds for non-urgent passport applications is shown:

Office	*Number*
Belfast	16
Glasgow	16
Liverpool	27
London	6
Newport	34
Peterborough	13

Mr. Page: To ask the Secretary of State for the Home Department how many staff were employed at *(a)* Liverpool and *(b)* Newport passport offices (i) at the latest available date and (ii) one year previously. [79373]

Mr. Mike O'Brien: The number of staff employed in the Liverpool and Newport Passport Offices at the end of February 1999 and February 1998 broken down into permanent and seasonal staff is shown in the table:

	Liverpool		*Newport*	
	February 1998	*February 1999*	*February 1998*	*February 1999*
Permanent Full time	189.5	192.5	192	167
Permanent Part Year	86	77.5	30	65
Fixed Term Contracts	3		62	58
Casuals	174	25	161	17
Total	452.5	295	445	307

During this 12 month period, around 100 Liverpool staff and 94 Newport staff transferred to Siemens Business Services as part of the outsourcing project.

Mr. Page: To ask the Secretary of State for the Home Department how many passports were being processed at the *(a)* Liverpool and *(b)* Newport offices in the latest month for which figures are available; what is the target for the rate of processing; and when that target was originally expected to be reached. [79371]

Mr. Mike O'Brien: In February 1999, the Liverpool and Newport passport offices processed 72,702 and 74,547 passports respectively. The monthly target for each office is 120,000 issues. That target was originally expected to be achieved by the end of 1998.

Senator Pinochet

Dr. Kumar: To ask the Secretary of State for the Home Department if he will estimate the cost of court proceedings to date in connection with the extradition of Senator Pinochet; and if he will make a statement. [79092]

The Attorney-General: I have been asked to reply.

There have been proceedings in Bow Street Magistrates Court, the Queen's Bench Division of the High Court and the House of Lords. These hearings have involved work by lawyers and officials in the Crown Prosecution Service, the Home Office and the Treasury Solicitor's Department as well as counsel instructed for the Spanish Authorities, the Home Office, Senator Pinochet, Amnesty International and the Amicus Curiae.

It is not possible at this stage to provide a detailed estimate of all the cost of court proceedings. However, for costs incurred by the Home Office I refer my hon. Friend to the answer given by the Secretary of State for the Home Department to the hon. Member for Chesham and Amersham (Mrs. Gillan) on 9 February 1999, *Official Report*, column *143*. Additionally, costs incurred by the Treasury Solicitor's Department in respect of counsel instructed as amicus curiae total approximately £14,000.

ATTORNEY-GENERAL

Task Forces

Dr. Tony Wright: To ask the Attorney-General if he will list for all task forces and policy reviews with external members established by his Department since May 1997 *(a)* their dates of establishment, *(b)* those which have issued final reports and their dates of publication, *(c)* those which have been terminated and their dates of termination and *(d)* for those bodies still in existence, expected reporting and termination dates. [79271]

The Attorney-General: On 12 June 1997 I established the review of the Crown Prosecution Service under the chairmanship of the right hon. Sir Iain Glidewell, a retired Lord Justice of Appeal. He was assisted by Sir Geoffrey Dear (a retired HM Inspector of Constabulary) and Mr. Robert McFarland (a retired Chief Executive of a multinational company). Their Report was published on 1 June 1998.

In February 1998 I established a Working Party to review the system of appointing Counsel to act for the Crown in civil cases and to monitor the use of advocates appointed to act. The Working Party was chaired by the then Solicitor-General (Lord Falconer QC) and included representatives from the Bar Council (Laura Cox and Lincoln Crawford) and the two First Treasury Counsel.

I announced I had accepted their recommendations in a written answer on 30 July 1998, *Official Report*, column *407*. A copy of the Working Party's report has been placed in the Library of each House.

Dr. Tony Wright: To ask the Attorney-General if he will list all those task forces and policy reviews with external members established by his Department since May 1997 which have set up *(a)* sub-groups, *(b)* working parties and *(c)* other subsidiary committees. [79249]

The Attorney-General: On 12 June 1997 I established the review of the Crown Prosecution Service under the chairmanship of the right hon. Sir Iain Glidewell, a retired Lord Justice of Appeal. In February 1998 I established a Working Party to review the system of appointing Counsel to act for the Crown in civil cases and to monitor the use of advocates appointed to act. Neither of these set up sub groups, working parties or subsidiary committees.

Crown Prosecution Service

Mr. McCabe: To ask the Attorney-General what assessment he has made of the impact of reforms to the Crown Prosecution Service on the performance of the service, with particular reference to *(a)* the working relationship between the Police and the CPS and *(b)* the proportion of successful prosecutions. [79383]

The Attorney-General: Reforms to the CPS following the Glidewell Report are still being implemented. Under its new DPP and Chief Executive, the CPS is making good progress, but key recommendations such as those concerning the relationship between the Police and CPS remain under consideration at this stage. I hope to be able to make a further announcement soon.

HOUSE OF COMMONS

Employees

Mr. Vaz: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, if he will provide a breakdown by ethnicity and grade of employees of the House of Commons Commission. [79053]

Mr. Kirkwood: Employees of the House of Commons Commission are asked to supply information about their ethnic origin on a voluntary basis. Not all choose to reply, so our database is incomplete.

The ethnic origins of those staff who have chosen to supply information are set out in the table. In order to preserve confidentiality, we have grouped together some categories which would otherwise have contained fewer than five people.

	Mainstream bands 1 to 6 (Equivalent to Senior Civil Service) and Bands A to E.	*Refreshment Department craft grades*	*Parliamentary Works Directorate craft grades*
Number of staff on whom information is held in group	884	138	50
White	835	90	42
White as percentage of employees in group on whom data is held	94.5	65	84
Asian/other	22	11	8 employees (16%) black, Asian or other
Asian/other as percentage of employees in group on whom data is held	2.5	8	
Black	27	37	
Black as percentage of employees in group on whom data is held	3	27	

Includes the old grades 7 to 15

CABINET OFFICE

Commissioner for Public Appointments

Dr. Tony Wright: To ask the Minister for the Cabinet Office which ministerial appointments remain *(a)* outside the scope of the Nolan rules and *(b)* the jurisdiction of the Commissioner for Public Appointments. [79247]

Mr. Kilfoyle: The First Nolan Report set out a draft Code of Practice for public appointments procedures and recommended the establishment of an independent Commissioner for Public Appointments. The Commissioner's current Code of Practice reflects the Nolan rules. Ministers make appointments to a wide range of bodies, for example the judiciary, tribunals, boards of visitors and time-limited bodies, which are outside the remit of the Commissioner. The Commissioner's remit covers ministerial appointments to advisory and executive non-departmental public bodies, NHS bodies, the utility regulators, and the boards of public corporations and nationalised industries.

Marsham Street Offices

Mr. Gray: To ask the Minister for the Cabinet Office when the Government offices in Marsham Street will be demolished. [79493]

Mr. Kilfoyle: Responsibility for this matter has been delegated under the terms of the Framework Document to the Property Advisers to the Civil Estate. I have asked its Chief Executive, Mr. John Locke, to write to the hon. Member.

Letter from John C. Locke to Mr. James Gray, dated April 1999:

The Parliamentary Secretary for the Cabinet Office, Peter Kilfoyle, has asked me as Chief Executive of Property Advisers to the Civil Estate (PACE) to respond to your Parliamentary Question about the demolition of 2 Marsham Street.

2 Marsham Street is being considered by a major Government Department as temporary decant space in a PFI scheme whilst its premises are being refurbished. The current position is that the decision on the re-use of the building has been delayed because the assessment of the PFI bids which will form the basis of Departmental funding for the programme of works is taking longer than expected. Current thinking is that the evaluation will be completed by September 1999, but re-use is integral to all the bids being considered.

If re-use of 2 Marsham Street cannot be justified in Exchequer terms then the demolition process will be restarted and PACE will seek Ministerial approval to place the contract for demolition. The work is expected to take some 18 months following the letting of a contract.

Drug Misuse

Mrs. Ann Winterton: To ask the Minister for the Cabinet Office what assessment he has made of the overall equality in provision of drug misuse education and treatment across the United Kingdom since the publication of the Government's strategy document, "Tackling Drugs to Build a Better Britain". [79332]

Dr. Jack Cunningham: None. The UK Anti-Drugs Co-ordinator will report shortly on his assessment of provision of drugs education and treatment in England, based on the information in the local plans of Drug Action Teams which he received at the beginning of the year. It

is for the Secretaries of State for Scotland, Wales and Northern Ireland respectively to provide support for drugs education and treatment appropriate to their needs.

UK Anti-drugs Co-ordinator

Mrs. Ann Winterton: To ask the Minister for the Cabinet Office (1) when he intends to publish the United Kingdom Anti-Drugs Co-ordinator's first annual report and national plan; [79334]

(2) what criteria he will use to assess the effectiveness of Her Majesty's Government's anti-drugs misuse strategy since the appointment of the Anti-Drugs Co-ordinator. [79335]

Dr. Jack Cunningham: Progress towards key performance targets will be carefully monitored over the 10 years of the strategy. The targets relate to reducing young people's drug misuse and drug-related offending, increasing participation in drug treatment programmes and reducing access. Details of targets will be included in the UK Anti-Drugs Co-ordinator's first annual report and national plan due to be published shortly.

Special Advisers

Mr. Rooney: To ask the Minister for the Cabinet Office, pursuant to his answer of 16 November 1998, *Official Report*, column *354*, what was the average increase in the salaries of special advisers in 1998–99; and how many special advisers are in each pay band. [79857]

Dr. Jack Cunningham: There was no single annual pay award for 1998–99. Special Advisers' pay was restructured as set out in my answer of 16 November 1998. The increases varied depending on the individuals, the work they are now doing compared with previously, and the extent to which their jobs and responsibilities had been restructured. There was also an attempt to correct anomalies created by the previous arrangements, particularly as regards the lowest paid Special Advisers. Performance pay, which used to apply, was dropped.

The increases was staged giving an average in year increase of 5.9 per cent. This was achieved within the pay bill for the year of £3.6 million, which the Prime Minister announced on 11 June 1998, *Official Report*, column *664*.

The table sets out the number of Special Advisers in each of the new pay bands.

Special Advisers in each pay band

£

	Pay Band A	*Pay Band B*	*Pay Band C*
	26,000–45,000	40,000–60,000	54,000–76,056
Total	30	21	15

The following three appointments are outside the Special Adviser pay range and therefore excluded from the above totals.

		Salary
Jonathan Powell	Prime Minister's Chief of Staff	91,014
Alastair Campbell	Prime Minister's Chief Press Secretary	91,014
Keith Hellawell	UK Anti Drugs Co-ordinator	106,057

Mr. Tyrie: To ask the Minister for the Cabinet Office if he will list the total number of occasions when *(a)* departmental and *(b)* non-departmental special advisers have travelled abroad in an official capacity since 2 May 1997. [76833]

Dr. Jack Cunningham: Between 2 May 1997 and 28 February 1999, my Special Advisers have made visits overseas on 14 occasions in an official capacity. All travel complied with the requirements of the Ministerial Code and the Civil Service Management Code.

Asbestosis (Legal Aid)

Mr. McNamara: To ask the Minister for the Cabinet Office what instructions were given to the head of the Better Government Unit to co-ordinate policy towards the wish of Cape plc to achieve changes in the Access to Government Bill [*Lords*] to prevent former workers suffering from asbestosis receiving legal aid; and on how many occasions he met representatives of G J W or Cape plc. [78744]

Dr. Jack Cunningham: The report to which this question refers has no foundation in fact. No instructions were given, and the official named had no meetings or other contacts with the firms concerned.

Reviews and Task Forces

Mr. Soames: To ask the Minister for the Cabinet Office how many of the Government reviews and task forces announced since 1 May 1997 have concluded their work; and which have yet to report. [72899]

Mr. Kilfoyle: I am sorry for the delay in replying to the hon. Member.

Responsibility for the establishment and management of task forces and reviews rests with individual Ministers. Detailed information about Task Forces and Reviews is not held centrally.

I have today placed in the Libraries of the House a list of those established since 1 May 1997 which have yet to report, together with anticipated report dates.

Select Committee Documents

Mr. Wilshire: To ask the Minister for the Cabinet Office if he will list the leaked Select Committee documents that reached *(a)* him, *(b)* his Ministers, *(c)* his officials, *(d)* his advisers and *(e)* departmental parliamentary private secretaries during (i) 1997, (ii) 1998 and (iii) 1999. [77928]

Mr. Kilfoyle: I refer the hon. Member to my right hon. Friend's answer to the right hon. Member for Penrith and The Border (Mr. Maclean) on 17 March 1999, *Official Report*, columns *709–10*.

Departmental Staff (Ethnic Origin)

Mr. Vaz: To ask the Minister for the Cabinet Office if he will provide a breakdown, in numerical and percentage terms, of the ethnic origin, at 1 March, of *(a)* his private office, *(b)* Government special advisers, *(c)* his Policy Unit and *(d)* staff in total. [78512]

Mr. Kilfoyle: Information about the ethnic origin of civil servants is collected in Government Departments through voluntary, confidential questionnaires.

(a) As at 1 March there were 7 staff of ethnic minority origin in the Department's Private Office. This represents 24 per cent. of staff in the Department's private office.

(b) My answer to the question asked by my hon. Friend the Member for Brent, East (Mr. Livingstone), 22 February 1999, *Official Report*, column *39*, refers to this matter.

(c) I do not have a policy unit.

(d) Civil Service personnel statistics are collated and published annually for staff in post at 1 April by the Cabinet Office. Information for staff in total for 1 April 1998 is the latest available and is given in the table.

Number and percentage of ethnic minority staff in post at 1 April 1998

Department	*Ethnic minority staff*	*% of staff with known ethnic origin*
Advisory, Conciliation and Arbitration Service	40	7.3
Agriculture, Fisheries and Food	398	5.4
Cabinet Office	98	7.2
Charity Commission	71	12.8
Crown Prosecution Service	410	8.3
Culture, Media and Sport	33	9.9
Customs and Excise	1,485	6.8
Defence	1,312	2.0
Education and Employment	2,254	10.8
Office for Standards in Education (OFSTED)	18	10.1
Environment, Transport and the Regions	857	7.0
Export Credits Guarantee Department	49	16.7
Foreign and Commonwealth Office	191	4.4
Friendly Societies, Registry of	36	26.9
Government Actuary	—	8.7
Health	595	13.7
Health and Safety Executive	178	5.0
HM Prison Service	1,095	3.2
Home Office	1,138	12.4
Information, Central Office of	25	9.3
Inland Revenue	3,278	6.0
International Development	68	8.7
Intervention Board	67	8.0
Land Registry	384	4.9
Legal Secretariat	—	25.0
Lord Chancellor's Department	933	9.5
National Investment and Loans Office	5	18.5
National Savings	26	0.6
National Statistics, Office for	168	5.7
Northern Ireland Office	18	20.9
Office of Electricity Regulation	26	11.4
Office of Fair Trading	66	25.0
Office of Gas Supply	14	13.9
Office of the National Lottery	-	16.0
Office of the Rail Regulator	9	7.4
Ordnance Survey	20	1.3
Public Records Office	11	12.1
Royal Mint	—	1.1
Scottish Office	14	0.4
Other Scottish Departments	18	0.4
Security and Intelligence Services	14	0.3
Serious Fraud Office	32	21.1
Social Security	5,107	6.5
Trade and Industry	880	11.9
Treasury	103	13.1
Treasury Solicitors Department	45	15.0
Welsh Office (including OHCMI)	14	0.7
Total	21,615	5.7

- less than 5 staff

Notes:

1. Number of non-industrial staff who responded to departmental surveys on ethnic origin

Source:

Cabinet Office: Mandate and Departmental returns

Advisory Committee Appointments

Mrs. Ann Winterton: To ask the Minister for the Cabinet Office, pursuant to his answer of 17 March 1999, *Official Report*, column *710*, for what reasons current information on appointments to Government advisory committees is not held centrally; and if he will make it his policy that such information be held centrally in future. [79504]

Mr. Kilfoyle: There are over 36,000 appointments to non-departmental public bodies including advisory committees. These are the responsibility of the relevant sponsoring Minister and department. Departments post information on current appointments every six months to the Public Appointments Unit Internet Directory at (http://www.open.gov.uk/pau/paupoint.htm).

Lobbyists

Mr. Wilshire: To ask the Minister for the Cabinet Office if he will publish a list, including names and dates, of all meetings that *(a)* he, *(b)* his officials, *(c)* his advisers and *(d)* his PPS have held during (i) 1997, (ii) 1998 and (iii) 1999 with people who work for political lobbying firms or for businesses that are members of the Public Relations Consultants Association. [79654]

Dr. Jack Cunningham: I refer the hon. Member to the answer given by my right hon. Friend the Prime Minister to the hon. Member for Lewes (Mr. Baker) on 9 March 1999, *Official Report*, column *168*. Any meetings involving PPSs in an official or semi-official capacity are conducted in accordance with the requirements of the *Ministerial Code*.

NORTHERN IRELAND

Social Fund

Mr. Jenkins: To ask the Secretary of State for Northern Ireland what the Northern Ireland Social Fund discretionary budget will be for 1999–2000. [79992]

Mr. McFall: I am pleased to announce that the Social Fund gross discretionary budget for 1999–2000 will be £42.82 million. £9.86 million will be allocated to grants; £32.86 million to loans and £0.1 million will be held as a contingency reserve. The new allocations represent an increase of £2.27 million over the gross budget set at April 1998.

This increase in the Social Fund budget will ensure that more people receive help and that the Fund continues to play an important role in targeting resources to those most in need. Details of the individual District budget allocations, together with a note explaining the basis on which they have been made, have been placed in the Library today.

Violent Incidents

Mr. William Ross: To ask the Secretary of State for Northern Ireland (1) if she will list for the week ended 20 March the number of violent incidents involving paramilitary groups which took place in Northern Ireland; and how many involved (i) Loyalist and (ii) Republican groups; [78928]

(2) if she will list for the week ended 20 March the number of *(a)* punishment beatings and *(b)* punishment shootings which took place in Northern Ireland; and how many in each category were committed by (i) Loyalist and (ii) Republican groups. [78929]

Mr. Ingram: The number of security incidents during the period 14 March-20 March 1999 are as shown:

Deaths—2

Shooting incidents—2

Bombing incidents—2.

The number of casualties as a result of paramilitary-style attacks during the period are as follows:

	Loyalist	*Republican*
Assaults	2	0
Shootings	0	0
Total	2	0

Notes:
1. Figures may be subject to minor amendment.
2. The shooting and bombing incidents cannot as yet be attributed to a grouping.

Murders (Clear-up Rates)

Mr. Jenkins: To ask the Secretary of State for Northern Ireland what information she has obtained on the clear-up rates for murders committed by Loyalists and Republicans since 1969. [79993]

Mr. Ingram: From 1969, to March 24 1999, there have been 882 murders attributed to Loyalist groups. Murder charges have been brought in relation to 421 of these, a clear up rate of 49.5 per cent.

With regard to Republican murders, out of 1,926 murders murder charges have been brought in relation to 515 cases, a clear up rate of 28 per cent.

PRIME MINISTER

Senior Salaries Review Body

Mr. Corbett: To ask the Prime Minister if he will make a statement on the latest reports and recommendations of the Review Body on Senior Salaries. [80172]

The Prime Minister: Two Reports from the Review Body on Senior Salaries are published today. One on the initial pay, allowances, pensions and severance arrangements for Members of the Scottish Parliament, the National Assembly for Wales and the Northern Ireland Assembly; and a second on the salaries for Ministers and Office-holders and office support for Members in those bodies, and on certain Parliamentary Development Recommendations outstanding from the Review Body's 1996 Review of Parliamentary pay and allowances. Copies are available in the Vote Office and the Libraries of the House. I am grateful to the Chairman and the Members of the Review Body for their work.

The main recommendations of the Review Body with regard to pay in the devolved institutions are:

Members' Salaries	£
Scottish Parliament	39,000
Northern Ireland Assembly	37,000
National Assembly for Wales	33,500

Salaries for Ministers and Office-holders (Paid in addition to a Member's salary)	£
Ministerial Salary for First Minister for Scotland, First Secretary for Wales, and First Minister for Northern Ireland	62,556
Ministerial Salary for Deputy First Minister in Northern Ireland	47,503
Salary for Ministerial duties in the Executive of the Scottish Parliament, National Assembly for Wales and the Northern Ireland Assembly	32,451
Office-holder Salary for Presiding Officer of the Scottish Parliament, the National Assembly for Wales and the Northern Ireland Assembly	32,451

The Government have decided that they will accept all of these recommendations with the exception of that for the Deputy First Minister in Northern Ireland. In view of the unique political situation in Northern Ireland and the joint responsibility which the Deputy First Minister is expected to exercise with the First Minister, the Government believe that there should be parity of salary between these two posts. Consequently, the salary for the Deputy First Minister will also be £62,556.

In accordance with the Review Body's recommendation on an annual pay review for the salaries in the devolved institutions, these figures will be uprated with effect from 1 April 1999 and annually thereafter by the same percentage as the average of the movements in the mid-points of the nine Senior Civil Service pay bands below Permanent Secretary. This is the same mechanism as is used for Westminster Parliamentary salaries.

On the recommendations on allowances which the Review Body makes in the two Reports, the Government has decided that they form a useful starting point for the development of comprehensive and tightly controlled allowance systems within the new institutions. As the Review Body itself acknowledges, it is not yet possible to know exactly what the allowances will need to cover and some of the recommendations themselves point to further work. The Government believe that further work needs to be done on the basis of the recommendations and that this is best done by the Scottish Parliament, the National Assembly for Wales and the Northern Ireland Assembly themselves. We would expect them to put in place as soon as possible an appropriate but closely controlled system, mindful of the need for a prudent approach and the need to justify to the taxpayer any significant divergence from the recommendations made by the Review Body.

In both of the Reports on the new devolved institutions the SSRB noted the difficulty of judging the correct level of pay and allowances when the institutions were not yet in operation. In both cases the SSRB recommended an early review, in 2001, which would be based on the evidence of two years of operation rather than on the current basis of the anticipation of roles and responsibilities. The Government recognise the difficulty expressed by the SSRB and fully accept the arguments for a review in 2001.

In relation to Ministers in the UK Government, the Review Body recommends that the salaries for Ministers below Cabinet level in the House of Lords and certain other Office holders in the House of Lords, including the Leader of the Opposition and the Opposition Chief Whip, should be increased as follows:

Junior Ministers and other Office Holders in the House of Lords

	Current salary	*Salary after SSRB recommendation*	*Salary from 1 April 1999*
Minister of State	53,264	61,764	64,426
Parliamentary Under Secretary	44,832	53,332	55,631
Government Chief Whip	53,264	61,764	64,426
Deputy Chief Whip	44,832	53,332	55,631
Government Whip	40,547	49,047	51,161
Leader of the Opposition	44,832	53,332	55,631
Opposition Chief Whip	40,547	49,047	51,161
Chairman of Committees	53,264	61,764	64,426
Principal Deputy Chairman	49,052	57,552	60,032

Increase in line with SSRB recommendation for these and other Ministerial and Parliamentary salaries

This recommendation reflects the Review Body's finding that, since the 1996 changes to the pay arrangements for Ministers in the Commons, the salaries of these posts in the Lords has fallen behind to an unreasonable extent. The proposed one-off increase of £8,500 is broadly equivalent to the amount by which the MP's salary paid to Ministers in the Commons was abated prior to the 1996 changes and so restores the relativity. The Government support the arguments put forward by the Review Body that such an increase for these posts is fair and reasonable. We shall be bringing forward a draft Order for consideration by each House to implement the recommended changes.

The Review Body also makes a series of recommendations relating to the central provision of IT equipment for Members' offices, both at Westminster and in their constituencies. The Government are not persuaded by the arguments put forward for enforced central provision of such equipment as this would remove Members' choice in determining what equipment they needed, and how much of the Office Costs Allowance they wish individually to spend on it. The Government agree, however, that there may be cost and other advantages in central bulk procurement of IT equipment for those Members who wish to pursue such an approach. We propose therefore to invite the Information Committee to explore this option further and report its views to the House.

Al Shifa

Mr. Dalyell: To ask the Prime Minister if he will place a copy of the letter from the former engineer of the Al Shifa factory in Khartoum dated 19 March to him and his reply in the Library. [78723]

The Prime Minister: I am aware that my hon. Friend raised this issue in the House on 24 March 1999, *Official Report*, columns 366–68, and read extracts from a letter from Mr. Carnaffin into the record of the House. I also note that the Minister of State, Foreign and Commonwealth Office, my right hon. Friend the Member for Leeds, Central (Mr. Fatchett), agreed in that debate to meet Mr. Carnaffin to talk to him about the engineering involved in the factory. I am happy to place any exchange of correspondence with Mr. Carnaffin in the Library of the House.

Ministerial Code

Mr. Duncan Smith: To ask the Prime Minister what assessment he has made of the compatibility of the answer by the Chancellor of the Exchequer of 19 March 1999, *Official Report*, column 857, with paragraphs 1(iii) to (iv) of the Ministerial Code. [78526]

The Prime Minister *[holding answer 25 March 1999]*: I refer the hon. Member to the oral answer I gave to the hon. Member for Arundel and South Downs (Mr. Flight) today, *Official Report*, column 1080.

Berlin Summit

Mr. Hood: To ask the Prime Minister what was the outcome of the Berlin Summit held on 24 and 25 March; and if he will make a statement. [79496]

Mr. Jack: To ask the Prime Minister what discussions took place at the Berlin Council on new methods to counter fraud and mismanagement in the Community; and what new measures were agreed. [79775]

The Prime Minister: I refer my hon. Friend and the right hon. Member to the statement I made to the House on 29 March 1999, *Official Report*, columns 731–47.

EU Budget

Mr. Maclean: To ask the Prime Minister what estimate he has made of the effect of the EU Summit Agreement in Berlin on the net UK contribution to the EU budget. [79572]

Mr. Malcolm Bruce: To ask the Prime Minister what estimate he has made of the cost to the United Kingdom for each of the years from 1999–2000 to 2007–08 of the agreement on the United Kingdom's EU budget rebate reached at the Berlin summit on 25 March; and if he will make a statement. [79582]

Mr. Chope: To ask the Prime Minister (1) if he will express in (i) sterling and (ii) euros the level of the United Kingdom's *(a)* net contribution to the EU budget and *(b)* EU budget rebate against which he has calculated gains and losses in describing the outcome of the Berlin summit; [79561]

(2) if the United Kingdom will continue to be the second largest net contributor to the EU budget over the planning period on which the Berlin summit reached agreement. [79562]

The Prime Minister: I refer the right hon. and hon. Members to my statement to the House on 29 March 1999, *Official Report*, columns 732–47.

Mr. Malcolm Bruce: To ask the Prime Minister what structural budget reforms in the European Union were achieved at the Berlin summit; and if he will make a statement. [79581]

The Prime Minister: Following agreement at the Berlin European Council on 26 March, it was agreed that for the Structural Funds the budget for 2000–06 will be 213 billion euro (1999 prices). This is an 11 per cent. reduction on the Commission's original proposal, and is in line with the UK's objective of stabilising the overall EU budget.

Kosovo

Mr. Dalyell: To ask the Prime Minister what assessment *(a)* NATO leaders and *(b)* Her Majesty's Government made at the time they announced that there would be no question of ground forces of NATO being used in Kosovo of the likelihood of retaliatory action by (i) Serb armed forces and (ii) Serb militia units against unprotected persons in Kosovo; and if he will make a statement. [79812]

The Prime Minister: From the beginning of the negotiations for a political settlement in Kosovo, we and our allies have been agreed that any such settlement would require the presence in Kosovo of a multi-national military force to oversee its implementation. This remains the position. NATO forces in Macedonia would deploy into Kosovo once a settlement has been concluded, and with the consent of the parties involved. We have all along made it clear that a force of the size and capability required to dictate and enforce a settlement would take a long time to assemble, and would not prevent Milosevic from carrying out his ethnic cleansing activities in the intervening period. The murderous actions of the Serb security forces against the Kosovar Albanian population began before NATO launched its air strikes. However, unless Milosevic complies with the demands of the international community, NATO airstrikes are the only way of stopping him.

Child Poverty

Mr. Jack: To ask the Prime Minister, pursuant to his answer of 29 March 1999, *Official Report*, column 496, to the right hon. Member for Birkenhead (Mr. Field), if he will publish his definition of child poverty. [79811]

The Prime Minister: Child poverty is complex and can be defined in a number of ways. Below half average income is used by some as a proxy for those living in poverty, and using that proxy the last two budgets will lift 700,000 children out of poverty. But we are past the definition debate; we are tackling the causes of poverty. The most important priority is to understand and tackle the factors that damage the life opportunities of our children.

Lobbyists

Mr. Wilshire: To ask the Prime Minister if he will publish a list, including names and dates, of all meetings that *(a)* he, *(b)* his officials, *(c)* his advisers and *(d)* his PPS have held during (i) 1997, (ii) 1998 and (iii) 1999 with people who work for political lobbying firms or for businesses that are members of the Public Relations Consultants Association. [79655]

The Prime Minister: I refer the hon. Member to the answer I gave to the hon. Member for Lewes (Mr. Baker) on 9 March 1999, *Official Report*, column *168*. The requirements of the Ministerial Code also apply to Parliamentary Private Secretaries when attending any meetings in an official or semi-official capacity.

Articles (Foreign Media)

Mr. Maclean: To ask the Prime Minister if he will make it his policy to deposit in the Library those articles which he writes for publication in the foreign media. [79492]

The Prime Minister: I refer the right hon. Member to the answer given to him by the Minister of State, Foreign and Commonwealth Office, my right hon. Friend the Member for Leeds, Central (Mr. Fatchett), on 10 March 1999, *Official Report*, column *232*.

Ministerial Interests

Mrs. Ann Winterton: To ask the Prime Minister which Ministers have declared interests with *(a)* pharmaceutical and *(b)* biotechnology committees; and if he will indicate in the case of each such Minister the nature of the interest declared. [79503]

The Prime Minister: This information is not held centrally. Section 9 of the "Ministerial Code" makes it clear that it is for individual Ministers to order their affairs so that no conflict arises or is thought to arise between their private interests (financial or otherwise) and their public duties. They should normally make their own decisions on how best to proceed, consulting me only when there is any doubt. Ministers are also covered by the terms of one of the Registers of Members of Lords' Interests as appropriate.

World Trade Organisation

Mr. Baker: To ask the Prime Minister when he last discussed issues related to the World Trade Organisation with President Clinton. [78985]

The Prime Minister *[holding answer 30 March 1999]:* I am in regular contact with President Clinton on a range of matters. It is established practice under Section 1(c) of the Code of Practice on Access to Government Information not to disclose or discuss information received in confidence from foreign Governments.

Mr. Baker: To ask the Prime Minister what role he plays in co-ordinating Government policy on issues relating to the World Trade Organisation. [78987]

The Prime Minister *[holding answer 30 March 1999]:* All Government Ministers are collectively responsible for Government policy. Decisions are taken in a variety of

ways depending on the subject. My role in World Trade Organisation issues is no exception to this general principle.

Biotechnology

Mr. Baker: To ask the Prime Minister what steps he takes to ensure that members of his staff who are aware of donations to the Labour Party from biotechnology companies are not responsible for advising him on decisions on matters related to biotechnology issues. [78988]

The Prime Minister *[holding answer 30 March 1999]*: All advice is submitted to me in accordance with the requirements of the "Ministerial Code" and the "Civil Service Code".

WALES

Water Levels

8. **Mr. Öpik:** To ask the Secretary of State for Wales if he will discuss with the Secretary of State for the Environment, Transport and the Regions proposals to change the statutory water levels currently in force for *(a)* the Clywedog and *(b)* other dams in Wales. [78066]

Mr. Michael: Reservoir levels in Wales are a matter for the Environment Agency and relevant water undertakers. The statutory water levels set for the Clywedog and other dams in Wales reflect the balance between the principal purpose of the management of water resources and the mitigation of flooding.

Cwm Bypass

9. **Mr. Llew Smith:** To ask the Secretary of State for Wales if he will make a statement on the bypass road proposed for Cwm in Blaenau Gwent. [78067]

Mr. Hain: Although regrettably we were unable to include the Cwm bypass scheme in our priority list of projects to start in the next five years, we have allocated Blaenau Gwent Borough Council £200,000 in this coming year to enable preparation work on the scheme to continue.

Following the transfer of functions, any further bid for Transport Grant support will be a matter for the National Assembly.

Health Authorities and Trusts

10. **Mr. Dafis:** To ask the Secretary of State for Wales what is the latest estimate of the current year deficits of the health authorities and health trusts in Wales; and what steps is he taking to ensure that they have adequate funds for 1999–2000. [78068]

Mr. Michael: Welsh health authorities and their trusts are currently forecasting an income and expenditure deficit of £21 million in 1998–99. Following the Comprehensive Spending Review, I announced an additional £1 billion for the NHS over the three years from 1999–2000. £175 million of this is for next year. I am able to add to this some £65 million from funds being carried forward from the current year and following careful consideration of previous spending plans. Of the £240 million thus available in 1999–2000, health authorities will receive a cash increase of £168 million, including £134 million for hospital and community health services. This is additional to £18 million waiting lists funding now being made recurrent.

Following the transfer of functions, this issue will be a matter for the National Assembly.

Road Signs

11. **Mr. Fabricant:** To ask the Secretary of State for Wales what plans he has to standardise road signs in Wales. [78069]

Mr. Hain: Monolingual traffic signs for use on roads in the UK are prescribed in the Traffic Signs Regulations and General Directions 1994. In order to ensure that bilingual traffic signs are designed to the same national standards, the Department has produced a full set of drawings which have been issued to local authorities in Wales.

Following the transfer of functions, this issue will be a matter for the National Assembly.

Community Health Councils

12. **Ms Lawrence:** To ask the Secretary of State for Wales if he will make a statement on the outcome of the consultation on community health councils in Wales. [78070]

Mr. Michael: Responses to public consultation on "Involving the Public" confirmed the need to strengthen the role of Community Health Councils at all levels. The decisions I announced on 16 March were based on a careful consideration of the community interests to be represented in different parts of Wales, the local authority areas concerned and the need for an effective interface with NHS trusts and health authorities.

Increasing the number of CHCs to 28 based on nine "federations" will allow the Councils to retain and develop their local roots and at the same time exert more effective influence within the NHS. I will be meeting representatives of the CHCs shortly to discuss the implementation of the new arrangements.

Following the transfer of functions, this issue will be a matter for the National Assembly.

Agenda 2000

13. **Mr. Colvin:** To ask the Secretary of State for Wales what assessment he has made of the impact of the Agenda 2000 proposals on farm incomes in Wales. [78071]

Mr. Jon Owen Jones: Welsh Office economists are working to estimate the likely impact of the CAP reform agreement on farm incomes. These estimates will be available shortly.

National Assembly Building

14. **Mr. Ian Bruce:** To ask the Secretary of State for Wales what is his estimate of the additional costs involved in moving from the temporary National Assembly building to the Assembly's permanent location. [78072]

Mr. Michael: The Explanatory and Financial Memorandum of the Government of Wales Bill stated that the estimated capital costs of establishing the National Assembly would be £17 million. The costs of the temporary accommodation in Crickhowell House and the construction of the new Assembly building were included in this estimate. It is too early to estimate the costs of transferring some functions of the Assembly from Crickhowell House into the new building.

A5/A55 (Compensation)

15. **Mr. Ieuan Wyn Jones:** To ask the Secretary of State for Wales what representations he has received from landowners and tenants on compensation for the loss of land taken up by improvements to the A5/A55 on Anglesey. [78073]

Mr. Hain: The Welsh Office has received representations from landowners and occupiers affected by the road scheme as part of the negotiation process between their Agents and the Department's Agents on the appropriate level of compensation for the land taken for the road scheme.

Following the transfer of functions, this issue will be a matter for the National Assembly.

Drugs Misuse

16. **Mrs. Ann Winterton:** To ask the Secretary of State for Wales what steps he is taking to increase awareness of the dangers of drugs misuse in rural areas of Wales. [78074]

Mr. Jon Owen Jones: Drug misuse is prevalent in all areas of Wales. The current Welsh Drug and Alcohol Strategy, "Forward Together", addresses the needs of both rural and urban areas in Wales. Throughout Wales Drug and Alcohol Action Teams are responsible for tackling drug and alcohol misuse and for encouraging local agencies to develop activities and services appropriate to the local situation. In rural areas this has included, for example, a reconfiguration of service provision, enabling greater access for those in need.

Following the transfer of functions, this issue will be a matter for the National Assembly.

Welsh Assembly Hotline

17. **Mr. Forth:** To ask the Secretary of State for Wales what is *(a)* the total cost to date of, *(b)* the total number of calls received to date and *(c)* the estimated annual cost of the Welsh Assembly information hotline. [78075]

Mr. Michael: There has been no cost for dealing with the 550 calls made to the information line since it opened. The cost of managing the information line, line rental and sending out booklets to callers is £1,400. There will be no annual cost for the helpline which is supported by BT.

EU Structural Funds

18. **Mr. Rhodri Morgan:** To ask the Secretary of State for Wales if he will make a statement on progress on obtaining EU structural funds for Wales. [78076]

Mr. Michael: I am pleased that the Council of Ministers meeting in Berlin last week agreed the Agenda 2000 proposals which include the regulations for the Structural Funds programmes for the Union from 2000–06. These programmes will include Objective 1 status for West Wales and the Valleys. Agreement of areas eligible for Objective 2 status is subject to further discussions with the UK according to the agreed regulations. The remaining areas of the Principality will secure Objective 3 support. The Berlin agreement is subject to ratification by the European Parliament.

20. **Mr. Wigley:** To ask the Secretary of State for Wales what sum has he earmarked from within the Welsh block for 1999–2000, for spending on projects associated with European structural funds; and what is the figure for the current financial year. [78078]

Mr. Michael: The information is set out in the following table:

£000

	1998–99 plans	*1999–2000 plans*
European Agricultural Guidance and Guarantee Fund (EAGGF)	7,032	9,223
Financial Instrument Fisheries Guidance (FIFG)	254	50
European Regional Development Fund	36,046	9,046
Total	43,332	18,319

Figures are consistent with Welsh Office Departmental Report (Cm 4216) but provision available for FIFG for 1999–2000 has been increased to 964, to reflect current commitments and to assess new bids.

In addition £35.7 million which has been carried forward as a result of underspends in previous years is available to this programme.

Following the transfer of functions, this issue will be a matter for the National Assembly.

Mr. Barry Jones: To ask the Secretary of State for Wales what estimate he has made of the total sums received as a result of assisted area status for (i) the former area of Alyn and Deeside District Council, (ii) the former Clwyd County Council and (iii) the current Flintshire County Council since the status was conferred; and if he will make a statement. [78955]

Mr. Hain: The Assisted Area is designated for the purpose of allocating aid to industry. The beneficiaries of that aid are companies seeking financial assistance toward investment projects which will create or safeguard employment in that area. All, or parts, of these authorities have been included in the Assisted Area since 1972. In that time a wide range of assistance, including grant aid, has been provided to companies by the Welsh Office, the Department of Trade and Industry, the Welsh Development Agency, the Development Board for Rural Wales, the

Wales Tourist Board, the Training and Enterprise Councils, local authorities and other business development organisations. Information on all of these is not held centrally.

Grants offered since 1984 under Regional Selective Assistance (the main form of regional aid in Wales), the revised Regional Development Grant and Regional Enterprise Grant were as follows:

£ million

	Former District of Alyn and Deeside	Former County of Clwyd	Flintshire
Regional Selective Assistance	40.2	129.2	12.9
Regional Enterprise Grants[2]	1.9	6.0	0.4
Regional Development Grants[3]	43.4[4]	119.4	

[1] Information up to 31 March 1996
[2] Information since 1 April 1996
[3] Regional Enterprise Grant scheme began 1 April 1988
[4] Regional Development Grant scheme began 29 November 1984, closed 31 March 1988

Following the transfer of functions, this issue will be a matter for the National Assembly.

CAP Reform

19. **Mr. Llwyd:** To ask the Secretary of State for Wales if he has met representatives of the farming unions in Wales to discuss the impact of CAP reform on Welsh agriculture. [78077]

Mr. Jon Owen Jones: My right hon. Friend and I have met with representatives of the farming unions in Wales on numerous occasions during the negotiations on the CAP reforms. The provisional agreement reached by the Agriculture Council represents a significant change in the direction of the CAP—a direction for which the UK Government has been strongly pressing.

The Welsh Office is currently assessing how the proposed reforms will affect farmers in Wales and we will be discussing this farther with the industry in due course.

Clinical Negligence

21. **Mr. Geraint Davies:** To ask the Secretary of State for Wales what plans he has to identify and reduce the incidence of clinical negligence in the health service in Wales. [78079]

Mr. Jon Owen Jones: I take the need to identify and reduce the incidence of clinical negligence very seriously. Work has been in hand for some time to achieve this aim. We have changed the funding basis of the Welsh Risk Pool so that those with bad claims records pay more. We have also implemented minimum risk standards for pool members, to identify and address potential problem areas. Failure to achieve these standards again means higher Pool contribution levels. Finally, in our consultation document, "Quality Care and Clinical Excellence" we focus on improving the quality of care, ensuring that clinical decisions are based on the most up-to-date evidence of what is known to be effective.

Following the transfer of functions, this issue will be a matter for the National Assembly.

Welsh Economy

22. **Mr. Alan W. Williams:** To ask the Secretary of State for Wales if he will make a statement on the impact of the agreements reached at the Council of Ministers' meeting on the Welsh economy. [78080]

Mr. Michael: The Council of Ministers' meeting in Berlin reached agreement on the Agenda 2000 package of reform to the EU. This package includes the next wave of enlargement of the Union, reform of the Common Agricultural Policy (CAP) and the next round of Structural Funds programmes. The economy of west Wales and the Valleys will receive a major boost from the award of Objective 1 status which will bring around £1.2 billion in aid for economic and social development over seven years. Reforms to the CAP will help the agriculture sector in Wales increase competitiveness, enhance food safety and food quality and ensure a fair standard of living and stable farm incomes.

Employment (Non-Welsh Speakers)

23. **Mr. Chope:** To ask the Secretary of State for Wales what representations he has received regarding employment opportunities for non-Welsh speakers. [78081]

Mr. Michael: I have personally received no such representations.

Since I took office, my officials have received one such representation. My Department has also dealt with one representation made to the Deputy Prime Minister, and is dealing with one made to the Prime Minister.

Following the transfer of functions, this issue will be a matter for the National Assembly.

National Assembly (Transport)

24. **Mr. Swayne:** To ask the Secretary of State for Wales what transport facilities will be provided to Ministers in the National Assembly. [78082]

Mr. Hain: It will be for the Assembly to determine what transport facilities if any it provides for its elected members.

Following the transfer of functions, this issue will be a matter for the National Assembly.

Trade Relations

25. **Dr. Julian Lewis:** To ask the Secretary of State for Wales when he next plans to meet representatives of the CBI Wales to discuss trade relations with Europe. [78083]

Mr. Hain: My right hon. Friend and I and my officials regularly meet with representatives of the CBI Wales to discuss a range of issues.

Arts Funding

26. **Mr. Gareth Thomas:** To ask the Secretary of State for Wales if he will make a statement on the funding of the arts in Wales. [78084]

Mr. Michael: I am pleased that, as part of the Internal Review settlement, I was able to provide the Arts Council of Wales with the first increase in its budget for five years. Decisions on the grant aiding of individual projects are matters for the Council itself.

Following the transfer of functions, this issue will be a matter for the National Assembly.

Employment (Parents)

27. **Ms Julie Morgan:** To ask the Secretary of State for Wales if he will make a statement on the progress in introducing employment policies to encourage parents to take up employment opportunities in Wales. [78085]

Mr. Hain: Good progress is being made with a range of policies to help parents take up employment. The National Childcare Strategy in Wales will create many more childcare places and the Early Years Development and Childcare Partnerships and the New Opportunities Fund are now getting into their stride to deliver the strategy. The New Deal in Wales is proving very effective. Take-up of the New Deal for Lone Parents is increasing and already over 800 people have obtained jobs through this programme. The Government's Employment Relations Bill contains important new provisions for family-friendly employment practices and the Welsh Office will play a full part in promoting these practices among employers in Wales.

Following the transfer of functions, most aspects of this issue will be a matter for the National Assembly.

Aerospace Industry

28. **Mr. John Smith:** To ask the Secretary of State for Wales what plans he has for developing the aerospace industry in Wales; and if he will make a statement. [78086]

Mr. Hain: Welsh Office officials are regularly in touch with the aerospace companies in Wales. My right hon. Friend and I take a keen interest in its future and have met some of the companies. Officials together with the WDA and the TECs are working with the South Wales Aerospace Group to develop effective solutions to the skills needs of the sector. A study of the Group's recruitment and training needs was completed in 1998, with Welsh Office support, and the results of this, together with the recommendations of the Future Skills Wales survey are being used as the basis for taking forward action to ensure that the aerospace industry has the skilled personnel it needs.

Following the transfer of functions, this issue will be a matter for the National Assembly.

Welsh Assembly (Devolution of Powers)

29. **Sir Sydney Chapman:** To ask the Secretary of State for Wales what *(a)* representations he has received on and *(b)* plans he has for further devolution of powers to the Welsh Assembly. [78087]

Mr. Michael: I and my department have received several thousand representations on all aspects of the Welsh devolution settlement. It would be possible to determine how many of those advocated a transfer of further functions only at disproportionate cost.

As to plans for the Assembly to gain further powers, I refer the hon. Member to the answer I gave to the hon. Member for Arundel and South Downs (Mr. Flight) on 3 March 1999, *Official Report*, column *779–80*.

National Minimum Wage

30. **Sir Raymond Powell:** To ask the Secretary of State for Wales what assessment he has made of the prospective impact of the national minimum wage on the Welsh economy. [78088]

Mr. Hain: The national minimum wage is a UK wide policy. No separate assessment of the impact on the Welsh economy has been made, however, latest research shows that 109,000 people in Wales will benefit from the national minimum wage.

Special Advisers

Mr. Tyrie: To ask the Secretary of State for Wales if he will list the total number of occasions when *(a)* departmental and *(b)* non-departmental special advisers have travelled abroad in an official capacity since 2 May 1997. [76820]

Mr. Michael: Between 2 May 1997 and 28 February 1999, special advisers made visits overseas on two occasions in an official capacity. All travel complied with the requirements of the Ministerial Code and the Civil Service Management Code.

Primary Schools

Mr. Swayne: To ask the Secretary of State for Wales if he will list the primary schools he has visited in his Ministerial capacity in the last four months. [77460]

Mr. Michael: During the last four months I have visited Evenlode Primary School and Grangetown Infants School in the constituency of Cardiff, South and Penarth and Cornist Park County Primary School in the constituency of Delyn. I have also visited Croesyceiliog Comprehensive School, Cwmbran; Mold Alun School, Mold and Newport Duffryn Comprehensive School, Newport as well as Llandrillo College (Rhyl campus), Bridgend College and Coleg Glan Hafren.

Ministerial Visits

Mr. Swayne: To ask the Secretary of State for Wales for what purpose he used his ministerial car on Monday 15 March. [78003]

Mr. Michael: I used my ministerial car to travel to and from official engagements on Monday 15 March. I started the day with visits to a number of homeless projects in Cardiff followed by speaking engagements in the city, the opening of a new Housing Association Development in the city and in the evening I visited Carmarthen where I took part in a public question and answer session on my role as Secretary of State and on the future role of the Welsh Assembly.

New Deal

Mr. Barry Jones: To ask the Secretary of State for Wales how many people have entered *(a)* full-time jobs and *(b)* further education under the New Deal to date; and if he will make a statement. [78958]

Mr. Hain: The latest data published by the Department for Education and Employment shows that, between 5 January 1998 and 29 January 1999, almost 4,400 people had been helped into work in Wales through the New Deal and more than 2,300 others had entered full-time

education or training (some of whom had subsequently also moved into jobs). Within these totals, separate information is not available on the number of jobs which are full-time or the number of people undertaking further education as distinct from training.

I am very pleased with the positive start which the New Deal has made in Wales, and the tremendous support it has received from employers and partner organisations. I am also delighted with the enthusiasm of the New Deal participants themselves.

Rail Services

Mr. Barry Jones: To ask the Secretary of State for Wales what initiatives he had taken to improve rail services in Wales, with particular reference to the Wrexham-Bidston rail line; and if he will make a statement. [78952]

Mr. Hain: I am keen to see high quality rail services throughout Wales, and I have announced recently that the Welsh Office will be working closely with the North Wales Economic Forum to improve rail services between North and South Wales. The creation of the shadow Strategic Rail Authority is an important first step in ensuring that the train operators in Wales deliver the service which the public have a right to expect. This includes the Wrexham to Bidston line, where services are provided by First North Western with financial support from the Franchising Director and, for certain services, a consortium of local authorities.

Following the transfer of functions, responsibility for the regulation and financial support of passenger rail services will remain with the Secretary of State for the Environment, Transport and the Regions.

Drinking and Driving

Mr. Swayne: To ask the Secretary of State for Wales how much money was spent by his Department in 1998 to discourage drinking and driving. [79390]

Mr. Hain: In 1997–98 the Welsh Office spent £33,174 on measures to discourage drinking and driving using the medium of Welsh. The Department of Environment Transport and the Regions is responsible for measures to discourage drinking and driving in Great Britain.

Following the transfer of functions, this issue will be a matter for the National Assembly.

Social Inclusion

Ms Julie Morgan: To ask the Secretary of State for Wales what steps he is taking to promote Social Inclusion in Wales; and if he will make a statement on his Department's programmes to protect and promote the interests of *(a)* children and *(b)* other vulnerable groups in Wales. [80120]

Mr. Michael: As part of the Comprehensive Spending Review I have established a Social Inclusion Fund that will provide £48 million over three years to tackle some of the most intractable problems in deprived communities across Wales. It will work alongside mainstream programmes, all of which are being harnessed to promote social inclusion in support of my Department's corporate aim: to increase economic prosperity and improve the quality of life for all of the people of Wales, to promote social inclusion, to extend democratic accountability and to deliver better services throughout Wales. The initial tranche of money from the Social Inclusion Fund, totalling £8 million for 1999–2000 will be targeted at three key areas;

> £5 million will go to a new Children and Youth Partnership Fund, to promote local initiatives to life youngsters educational attainment, engage them in creative activities in their communities and to encourage them away from crime, drugs, vandalism and truancy;
>
> £1.5 million will go to support drug and alcohol treatment services, improving access to treatment particularly for vulnerable younger people; and
>
> £1.5 million will go to encourage people to participate in their communities through joining in the work of local voluntary sector initiatives.

It is important to recognise the cross-cutting nature of this work. In targeting their proposals for action, local authorities and their partners will be expected to draw out the relevant conclusions from the local crime and disorder audit as well as specific measures of deprivation. They will need to be clear about the intended outcomes and to highlight both their targets and their measurements of success.

In addition, I am making available £1.5 million for 1999–2000 and for each of the following two years to continue and expand the People in Communities programme, which is aimed at tackling social exclusion in disadvantaged communities. £1 million has been allocated to support the existing eight projects and £750,000 will be available for new projects in 1999–2000. I want to see the new projects being brought forward by local partnerships, including partnerships led by the voluntary sector and development trusts, and I have asked my officials to consult the WLGA, WCVA and other key players as they develop this proposal.

I am also making available £25 million over three years through Sure Start to give Welsh children the best possible start in life. The programme, which has been developed in consultation with local government, the health service and the voluntary sector in Wales, will provide extra services to boost the development of very young children especially those from the most deprived communities. It will complement existing mainstream programmes and link with other social inclusion initiatives including those developed under my People in Communities programme. It will also work closely with the initiatives for early years development and child care for which I have announced over £2.5 million to support local partnerships in 1999–2000.

In addition to targeting these new funds on particular groups at risk of becoming socially excluded, I am also placing a greater emphasis on social inclusion within mainstream programmes. As one example of this I am also announcing today a £4.5 million Classroom Support Fund. This will provide £1.5 million over each of the next three years to provide additional classroom assistance for those schools that have the furthest to travel to meet the national targets for Wales.

I expect the support provided under this heading to take a variety of forms, reflecting the differing needs of LEAs. Some may choose to recruit classroom assistants to support work on literacy and numeracy. Some may wish

to give a priority to raising levels of achievement within ethnic minority communities. There will also be flexibility to provide support for teachers in other ways.

I have also introduced a new element with a focus on social inclusion within the Grants for Education Support and Training (GEST) programme. The new School Improvement Fund will be worth £1.5 million during 1999–2000. It is designed to enable authorities to bring a new focus to the work of achieving the targets set out in their Education Strategic Plans. I would expect authorities to give a particular emphasis to work aimed at bringing standards in the lowest performing schools up to the level of the best.

Taken together these programmes will provide a foundation of seamless services for children and their families, to enrich children's lives and enable them to fulfil their potential.

Further details of my analysis of the challenges facing Wales and the approach my Department is taking to ensure they are addressed effectively are set out in a statement "Building an inclusive Wales: tackling the social exclusion agenda". This will provide the National Assembly with a useful starting point from which to develop its own policies. I am arranging for copies to be placed in the Libraries of the House.

In addition local authorities have a key part to play in responding to the needs of children who require specialist support. Too often in the past, they have failed children in their care with the result that the lives of some of the most vulnerable of our children have been damaged. That is completely unacceptable. Much has been done to implement recommendations from the Children's Safeguards Review. To build on that work and to ensure key recommendations are carried forward I have made available £5 million within the local government settlement for 1999–2000 for 'Children First', a three year programme to modernise and transform local authority social services for children. This is an ambitious and far-reaching programme and one we are determined to see through.

My Department is writing to local authorities and others with responsibilities for children in their care to set out the details of the improvements we expect to see and the arrangements for the National Assembly to monitor progress. I am also writing to elected members to remind them of their personal responsibilities for children in the care of their authorities, to underline my commitment to improving services for children and to challenge them to use the extra resources being made available through all of these programmes to secure real and lasting benefits.

Planning Inspectorate Agency

Mr. Edwards: To ask the Secretary of State for Wales what performance targets he has set for the Planning Inspectorate Agency's work in Wales for the financial year 1999–2000. [80121]

Mr. Jon Owen Jones: I have today set the following key targets for the Agency's work in Wales in 1999–2000. I believe these continue to be challenging, but realistic targets for the Planning Inspectorate to meet next year. I am confident that the Planning Inspectorate will continue to maintain the impartiality and quality and efficiency of its work. I have decided not to include a specific target for responding to inquiries and correspondence in Welsh this year as the Inspectorate now has its own Welsh Language Scheme in place which requires the Inspectorate to deal with inquiries and correspondence in Welsh and English within the same timescales.

Timeliness

(a) 80 per cent. of all planning appeals decided by written representations to be determined within 17 weeks;

(b) 80 per cent. of all planning appeals decided by hearings to be determined within 22 weeks;

(c) 80 per cent. of all planning appeals decided by inquiries to be determined within 30 weeks;

(d) to provide an Inspector for local plan inquiries in at least 80 per cent. of cases on the date requested by a local authority provided that the objection period has ended and at least 6 months' notice has been given;

(e) to deliver 90 per cent. of Inspectors' reports on local plan inquiries to local authorities according to timescales agreed under service agreements.

Financial

Unit costs of planning appeals decided by written representations not to exceed £839.

Efficiency

Contribute to the generation of a 3 per cent. efficiency improvement in the use of running costs for all the Inspectorate's work compared with 1998–99.

Quality

To satisfy the Advisory Panel on Standards, and thus the Secretary of State and the National Assembly for Wales, annually and following rigorous monitoring, that the quality of the Inspectorate's work is being maintained at a high standard with 99 per cent. of its casework free from justified complaint.

Information and Guidance

To carry out a customer survey of satisfaction with the inquiry and hearing processes for dealing with planning appeals, including the quality of Inspectors' reasoning in reaching a recommendation/decision.

Following the transfer of functions, the setting of targets for the Planning Inspectorate in Wales will be a matter for the National Assembly.

Departmental Cash Limits

Mr. Gareth Thomas: To ask the Secretary of State for Wales what changes he is proposing to make to the cash limits for his Department for the current financial year. [80122]

Mr. Michael: The local authority capital cash limit (WO/LACAP) will be reduced by £1,470,000 from £377,644,000 to £376,174,000; the cash limit on class XIV, vote 3 will increase by £1,470,000 from £469,689,000 to £471,159,000.

The transfer of £1,470,000 from the non-voted local authority capital cash limit to the vote 3 cash limit is in respect of work undertaken by Housing Associations on behalf of local authorities.

The above changes will not add to the overall level of public expenditure.

Cardiff Bay Development Corporation

Mr. Rhodri Morgan: To ask the Secretary of State for Wales if he will make a statement on the winding-up of the Cardiff Bay Development Corporation, with particular

reference to the main successor bodies and the Corporation's functions, assets and liabilities to be passed on. [79018]

Mr. Michael *[holding answer 29 March 1999]:* I have given careful consideration to the views of the CBDC Board, the Cardiff and Vale authorities, the Welsh Development Agency and other interested parties and I am able to confirm, as previously announced, that the Corporation shall wind up its activities on 31 March 2000 with dissolution taking place on 30 June 2000.

I regard it as essential that the momentum of development within Cardiff Bay is maintained. I have therefore decided that, from March 2000, as with other local authorities in the rest of Wales, Cardiff County Council and the Vale of Glamorgan authority should regain responsibility for the economic, social and environmental regeneration of the whole of their areas. As elsewhere, they will be able to rely on the services available from the WDA and other economic bodies on the basis of partnership. I have also discussed with those authorities the implementation of projects planned by CBDC which may not be completed within the lifetime of the Corporation, including the Penarth Link, Hamadryad Park, a significant environmental upgrade in the Bay area and an access road to the Cardiff Yacht Club. I have also considered the provision necessary for the new responsibilities and liabilities which each authority will inherit: and transitional support for certain local services in South Cardiff. For these purposes, I shall be making available over a period of 3–5 years a total of up to £13 million to Cardiff County Council and up to £8.2 million to the Vale of Glamorgan. Copies of the understandings reached with the local authorities will be placed in the Library of the House.

The Corporation's non-development assets and liabilities will be transferred to Cardiff County Council and to the Vale of Glamorgan Council respectively. Development assets and liabilities, including management of the proposed Bute Avenue PFI, will be transferred to the Welsh Development Agency. I shall invite the parties to discuss together and agree with me the timing and terms on which these transfers will take place. Land currently held by CBDC at the Ferry Road Peninsula will be transferred to Cardiff County Council, subject to terms and conditions to be agreed between the Department and the Council and taking into account the relevant provisions of the Development Agreement between CBDC and Associated British Ports.

Future sponsorship of the Techniquest organisation will transfer to my Department. Responsibility for the operation and maintenance of the Gwent Levels Bird Reserve will pass to the Countryside Council for Wales.

I attach particular importance to the efficient and safe operation and maintenance of the Barrage and to the exploitation of the impounded lake for the public benefit. These responsibilities, including groundwater monitoring and control and management of water quality in the Bay, are also of direct and significant interest to the local communities in Cardiff and the Vale. As foreshadowed in the Cardiff Bay Barrage Act 1993, I propose to establish a dedicated body with responsibility for the operation, maintenance, and management of the Barrage, the outer harbour and the inland Bay. I shall enter immediate discussions with the Corporation regarding the purpose, functions and funding of such a body and will also fully explore the opportunities for partnership between the public and private sectors. I shall consult with local authorities and other interests before final decisions are taken.

On the basis of a thorough review of Barrage costs, I have decided to increase the financial cap for the project from £191 million to £197 million, subject to settlement of any unresolved and future claims. This is the best available estimate of the final outturn cost, subject to settlement of any unresolved and future contract claims. The increase is mainly attributable to the increased cost of the Bird Reserve on the Gwent Levels and additional costs arising from new legislation. A Budget Review report on the Barrage will also be available shortly and I shall place a copy in the Library of the House.

I am also pleased to announce a public consultation on the Corporation's proposal to install a dewatering network in the area of South Cardiff most at risk from rising groundwater. Copies of the Corporation's submission, including a report by Professor Stoner, can be obtained from Mr. D. Lowe at CBDC, Baltic House, Mount Stuart Square, Cardiff CF1 8DH. Comments should be sent by Friday 30 April to Mr. G. A. Fagan, Regional Development Division, Welsh Office, Cathays Park, Cardiff CF1 3NQ.

Finally, I should like to place on record my personal admiration for the great achievements of the Chairman, Board and staff of the Corporation, in removing the legacy of dereliction in South Cardiff, transforming it into an area internationally acclaimed as a major development success and in the first rank of investment locations. I am confident that the successor arrangements I have announced today will secure the continued successful regeneration of Cardiff Bay.

Cardiff Bay Barrage

A breakdown of the costs, including a comparison with the estimates that formed the basis for the previous announcement on 24 April 1995, are in the table.

£ million

	Estimated cost 1995	*Revised estimate 1999*	*Change*
Barrage Structure	134.0	137.6	+3.6
Groundwater	11.0	11.2	+0.2
Birds Reserve	5.7	9.5	+3.8
Environment	6.7	6.2	-0.5
Legal Agreements	7.5	6.4	-1.1
Drainage	10.6	9.4	-1.2
Pre-1993 Expenditure	15.4	15.4	0
Additional Works	0	0.7	+0.7
Total	190.9	196.4	+5.5

EDUCATION AND EMPLOYMENT

Trainees (Tax)

Mr. Healey: To ask the Secretary of State for Education and Employment if a young person on non-employed status training is liable for *(a)* income tax and *(b)* national insurance contributions. [78726]

Mr. Andrew Smith: Young people who are participating in employment and training programmes funded by the Department for Education and Employment, on a non-employed basis, are not liable for income tax on any training allowance. They are, however, able to attract a credited National Insurance Contribution through their benefit claim.

Employment on Trial

Mr. Healey: To ask the Secretary of State for Education and Employment if a jobseeker's allowance claimant who has used Employment on Trial but returned to jobseeker's allowance can qualify again for Employment on Trial after 13 weeks of further unemployment; and whether such a claimant would subsequently be eligible for extended payments of housing benefit and council tax benefit. [78727]

Mr. Andrew Smith: Responsibility for the subject of the question has been delegated to the Employment Service agency under its Chief Executive. I have asked him to arrange for a reply to be given.

Letter from Peter Collins to Mr. John Healey, dated 26 March 1999:

As the Employment Service is an Executive Agency, the Secretary of State for Education and Employment has asked Leigh Lewis to reply to your question about eligibility for Employment on Trial and its linked eligibility to extended payments of Housing Benefit and Council Tax benefit. This is something which falls within the responsibilities delegated to Mr. Lewis as Chief Executive of the Agency. I am replying in his absence.

It may be helpful if I begin by confirming that Employment on Trial can only be considered when a jobseeker accepts a job having being unemployed for a period of at least 13 weeks. The job must be for at least 16 hours a week and the jobseeker must stay with the employer for at least four weeks, but no more than 12 weeks, to be eligible. Jobseeker's Allowance regulations, can qualify again for Employment on Trial after a further period of 13 weeks unemployment.

To be eligible for Housing Benefit and Council Tax Benefit extended payments, the jobseeker must have been continuously registered as unemployed and in receipt of Jobseeker's Allowance for at least 26 weeks before starting work. If someone has a second Employment on Trial period after having been unemployed for the minimum of 13 weeks, they will not have had the period of unemployment of at least 26 weeks which is required to re-qualify for extended benefit payments.

In such circumstances, people who do not re-qualify for extended benefits may still be eligible for Housing Benefit and Council Tax reductions. This will depend on the amount of earnings and the individual's personal arrangements. Advice can be sought through the local council offices of Employment Service adviser.

I hope this is helpful.

Carers

Mr. Kidney: To ask the Secretary of State for Education and Employment how he intends to inform all of his Department's and Employment Service staff of the developing policies towards carers outlined in the National Strategy for Carers. [78549]

Ms Hodge: Earlier this month my right hon. Friend the Secretary of State, the DfEE Board and the ES Chief Executive issued a message to all staff in the Department and the Employment Service letting them know what was happening on childcare and family friendly policies in DfEE and ES and emphasising their commitment to continue to make progress in this area. The message has been placed in the Library.

Both the Department for Education and Employment and the Employment Service have a programme of work in hand which will provide support for carers. This includes developing family friendly policies to meet the needs of staff with a range of caring responsibilities. We will be taking account of the National Carers Strategy as we develop our own family friendly policies. We will be keeping staff informed of progress through a variety of internal communications.

Departmental Staff (Ethnic Origin)

Mr. Vaz: To ask the Secretary of State for Education and Employment if he will provide a breakdown, in numerical and percentage terms, of the ethnic origin, at 1 March, of *(a)* his private office, *(b)* Government special advisers, *(c)* his Policy Unit and *(d)* staff in total. [78510]

Mr. Mudie: *(a) Private office* The ethnic origin of staff in the Department of Education and Employment's Private Office as at 1 March 1999 are as follows:

Category	*Numbers*	*Percentages*
White	45	85
Black	[—]	[—]
Asian	[—]	[—]
Other	[—]	[—]

[—] Represent numbers of 5 or less and percentages which correspond to numbers of 5 or less. This presentation of the statistics is in line with the DfEE code of practice on disclosure of ethnic origin to maintain confidentiality of the data for individuals.

(b) Government special advisers The numbers of special advisers are so few in the Department that I should like to refer my hon. Friend to the reply given by my right hon. Friend the Minister for the Cabinet Office to my hon. Friend the Member for Brent, East (Mr. Livingstone) on 22 February 1999, *Official Report*, column *39*.

(c) Policy unit This area is not applicable to the Department.

(d) Staff in total My right hon. Friend the Minister for the Cabinet Office will provide a response to this part of the question for all Departments.

New Deal

Mr. Field: To ask the Secretary of State for Education and Employment if he will list the proportion of under-25-year-olds on the New Deal for Young People who sign off without known destination at the point when they have

to choose one of the four full-time options in benefit offices in the parliamentary constituencies of *(a)* Newcastle upon Tyne, East and Wallsend, *(b)* Copeland, *(c)* Islington, South and Finsbury, *(d)* Hamilton, South, *(e)* Sheffield, Brightside, *(f)* Kingston upon Hull, East, *(g)* Livingston, *(h)* Holborn and St. Pancras, *(i)* Blackburn, *(j)* Birmingham, Ladywood, *(k)* Redcar, *(l)* Derby, South, *(m)* Glasgow, Anniesland, *(n)* Edinburgh, Central, *(o)* North Tyneside, *(p)* Sedgefield, *(q)* Dunfermline, East, *(r)* Darlington, *(s)* Dewsbury and *(t)* Cardiff, South and Penarth. [78542]

Mr. Andrew Smith: The information is not available in the form requested and Government Statistical Service figures are produced for Employment Service Units of Delivery which cannot currently be disaggregated to individual constituencies. The following table is drawn from all those who leave the Gateway. It lists the constituencies, the Unit of Delivery each forms a part of and those leaving the Gateway with an unknown destination expressed as a percentage of all Gateway leavers. As more data are collected the numbers in this category may subsequently be revised downwards.

Percentage of young people leaving the New Deal Gateway for whom no known destination was recorded at the end of January 1999

Constituency	*Unit of Delivery (UoD)*	*Percentage*
Newcastle-upon-Tyne, East and Wallsend	Newcastle, Gateshead and South Tyneside and Tyneside, North (covers 2 UoD)	13
		13
Copeland	Cumbria	10
Islington South and Finsbury	Hackney and City	39
Hamilton, South	Lanarkshire	12
Sheffield, Brightside	Sheffield and Rotherham	15
Kingston-upon-Hull, East	Hull	12
Livingston	West Lothian	18
Holborn and St. Pancras	Camden and North Islington	34
Blackburn	East Lancashire	19
Birmingham, Ladywood	Birmingham	25
Redcar	Tees North and South	12
Derby, South	North Derbyshire	15
Glasgow, Anniesland	Glasgow	16
Edinburgh, Central	Edinburgh, East and Mid Lothian	17
North Tyneside	Tyneside, North	13
Sedgefield	Tees North and South	12
Dunfermline, East	Fife	15
Darlington	Durham North and South	12
Dewsbury	Calderdale and Kirklees	18
Cardiff, South and Penarth	Cardiff and Value	18

Key Stage 2 SATs

Charlotte Atkins: To ask the Secretary of State for Education and Employment how many schools in 1998, 1997 and 1996 by *(a)* local education authority and *(b)* by type of school entered no pupils for the level 6 (i) Science, (ii) English and (iii) Mathematics paper in Key Stage 2 SATs test. [79245]

Ms Estelle Morris: The number of schools that entered no pupils for the level 6 test in the Key Stage 2 National Curriculum Assessment tests broken down by subject and school type is shown in the following table.

Number of schools with no children participating in the Key Stage 2-level 6 tests by subject and school type

	English	*Mathematics*	*Science*
Maintained mainstream			
1996	8,491	10,506	13,372
1997	9,107	10,585	13,228
1998	9,609	10,835	13,349
Independent			
1996	224	289	454
1997	326	392	566
1998	316	394	564
Special			
1996	866	868	867
1997	858	862	865
1998	862	866	868

Number of schools with no children participating in the Key Stage 2 level 6 tests by subject and school type

	English	*Mathematics*	*Science*
All schools			
1996	9,581	11,663	14,693
1997	10,291	11,839	14,659
1998	10,787	12,095	14,781

Tables showing the maintained number of schools broken down by subject Local Education Authority have been placed in the Library.

Grant-maintained Schools (Wandsworth)

Mr. Cox: To ask the Secretary of State for Education and Employment if he will list the grant-maintained schools in the London Borough of Wandsworth. [79057]

Ms Estelle Morris: Grant-maintained schools in Wandsworth at March 1999 are as follows:

Eardley GM Primary School

Honeywell Junior School

Honeywell Infant School

Albemarle Primary School

Ethelburga Primary School

Hillbrook Primary School (GM)

Graveney School

Burntwood School
Elliott School (GM)
Salesian College
John Paul II School
Southfields Community College (GM).

Head Teachers

Mr. Todd: To ask the Secretary of State for Education and Employment what steps he is taking to relieve the burdens on heads of small schools who teach full-time. [79078]

Mr. Charles Clarke: The funding arrangements for schools enable Local Education Authorities to take account of the particular needs of small schools. That will continue under the new funding arrangements.

In addition, in the Green Paper *teachers: meeting the challenge of change* we proposed the establishment of a Small School Support Fund to help encourage small schools to invest in shared resources and working together. This recognises that sharing services can relieve hard-pressed heads of small schools.

Teachers (Induction Year)

Mrs. May: To ask the Secretary of State for Education and Employment how much money will be available from the Standards Fund to cover the costs of introducing the induction year for newly qualified teachers; and if money will be made available directly to schools to cover the extra costs incurred. [79025]

Ms Estelle Morris *[holding answer 29 March 1999]:* In 1999–2000 we have made available additional funds through the £251.5 million School Improvement Standards Fund grant to support activity designed to improve standards of pupil performance in order to meet school, local education authority and national targets. Support provided through this grant explicitly includes induction. We have made clear in the Standards Fund guidance (Circular 13/98) local education authorities' responsibilities to pass on adequate funds to schools in respect of such induction programme for newly-qualified teachers through devolvement of the School Improvement grant.

Nutritional Standards

Charlotte Atkins: To ask the Secretary of State for Education and Employment (1) what progress is being made with introducing national nutritional standards for school meals and healthy eating initiatives in maintained schools; [79323]

(2) what guidance his Department issues to local education authorities regarding *(a)* the level of fat, *(b)* the proportion of sugar, *(c)* the amount of fibre, *(d)* the amount of fresh fruit and *(e)* the amount of fresh vegetables in the diet of schoolchildren; [79325]

(3) if he will make a statement on the impact of the Government's best value approach to local government on nutritional standards for school meals; [79326]

(4) to what nutritional guidelines local education authorities are required to adhere in delivering a school meals service to their school pupils. [79246]

Mr. Charles Clarke: The consultation period for *Ingredients for Success* has finished and the views we have received are helping us to draw up draft regulations setting out the standards. These will be the subject of a further consultation exercise. We are on target to introduce the new standards from Autumn 1999. Until then, local education authorities can decide their own nutritional guidelines for delivering a school meals service. The Government offer more general advice on healthy eating which applies to everyone over the age of five years. This is set out in *The Balance of Good Health and Eight Guidelines for a Healthy Diet.* We plan to issue further guidance to local education authorities and schools alongside the forthcoming regulations.

When the new standards take effect, local education authorities which provide meals will be under a duty to ensure that the standards are met and that prospective suppliers, selected in line with the best value legislation, can comply with them.

Staff Mileage Rates

Mr. Baker: To ask the Secretary of State for Education and Employment if he will list the mileage rates applicable from January 1999 to staff, indicating changes which have been made to encourage staff to switch from cars to public transport and other less polluting forms of travel. [79523]

Mr. Mudie: The standard motor mileage rates reimbursed to staff in the core Department are set out in the following table:

Engine size	*Up to 4,000 miles*	*Over 4,000 miles*
Up to 1500cc	35p/mile	20p/mile
1501cc+	45p/mile	25p/mile

The Department has strict rules to ensure that any travel on official business is only authorised when it is absolutely necessary and that cars may be used only when they are the most cost effective method of transport. The standard mileage allowances, which have stood without change since April 1997, are designed to discourage the use of cars with an engine capacity over 2,000cc.

A close review of travelling arrangements is planned as part of the Green Transport initiative. This will explore whether more could be done to encourage the use of cycling and public transport.

Medical Students

Dr. Tonge: To ask the Secretary of State for Education and Employment how many medical students are currently studying in the United Kingdom; and of these how many are of Afro-Caribbean origin. [79521]

Mr. Mudie: In 1997/98, the last year for which figures are available, there were 41,039 students studying medicine and dentistry in the UK of whom 118 were of Black Caribbean origin.

Individual Learning Account

Dr. Vis: To ask the Secretary of State for Education and Employment if he will make a statement on the progress he has made with individual learning accounts and plans for their future. [80076]

Mr. Blunkett: The Chancellor of the Exchequer, in his statement on 9 March 1999, *Official Report*, columns 173–190, announced a long term incentive structure for learning accounts. This proposes significant progress towards achieving a sustainable national framework from next year. Through the substantial development work undertaken over the last few months we have also learned some important lessons about the design of learning accounts.

Training and Enterprise Councils have led development by testing various options for accounts in 15 areas. These projects are reaching completion. We are also undertaking extensive market research to assess the reaction of individuals and other stakeholder to the design of learning accounts. We are consulting employers through projects led by National Training Organisations, and financial institutions about their potential involvement.

From April 1999 individuals will be able to open learning accounts with Training and Enterprise Councils; if people invest £25 of their own money they will receive £150 to set up their account.

I will be shortly publishing details of our progress on this work, and our plans for an national framework.

Consultants (Hackney)

Helen Jones: To ask the Secretary of State for Education and Employment if he has appointed consultants to help to improve education services in Hackney. [80074]

Ms Estelle Morris: I am pleased to announce that we have appointed KPMG to work with Hackney LEA to secure urgent improvements in the education service in the light of the recent OFSTED/Audit Commission report.

KPMG will start work immediately on specifications which can be used as a basis for contracting out certain LEA functions, as set out in the Secretary of State's letter on 19 March to the authority.

In addition, KPMG will work with the LEA on revising its Education Development Plan and drawing up an Action Plan to address the other recommendations in the Ofsted Inspection report.

The decision to appoint KPMG was made on the basis of quality of their proposals, the calibre of their personnel and overall value for money.

Schools Adjudicators

Helen Jones: To ask the Secretary of State for Education and Employment if he will announce the appointment of the adjudicators for schools organisation and admissions issues. [80075]

Mr. Blunkett: I announced the appointment of Sir Peter Newsam as Lead Adjudicator on 28 January 1999, and have now offered appointments to fifteen Adjudicators to work with him. They are Dr. Alan Billings, June Brown, John Clarke, Andrew Collier, Peter Downes, John Evans, Gordon Hainsworth, Ann Holt, Louise Kidd, Robert Lanwarne, Peter Neafsey, Professor David Newton, Dr Hilary Nicolle, Robin Squire and Anthony Webster. I am confident that their wealth of educational experience will ensure a professional and high quality service.

AGRICULTURE, FISHERIES AND FOOD

Live Animal Transport

Mr. Prosser: To ask the Minister of Agriculture, Fisheries and Food how many *(a)* sheep exported for slaughter, *(b)* sheep exported for further fattening, *(c)* sheep exported for breeding, *(d)* pigs exported for slaughter, *(e)* pigs exported for further fattening and *(f)* pigs exported for breeding were deemed unfit to travel in 1996, 1997 and 1998 by local veterinary inspectors when undertaking certification procedures of live animals destined for export; and if he will make a statement. [74325]

Mr. Morley: The figures available relate only to movements from Great Britain to other EU Member States and Northern Ireland. They relate to animals recorded by Local Veterinary Inspectors as being rejected as unfit when undertaking export certification procedures and are set out in the following table.

	1996	*1997*	*1998*
Sheep			
for slaughter	447	146	536
for further fattening	3,720	6,796	13,003
for breeding	17	76	13
Pigs			
for slaughter	—	1	—
for further fattening	—	120	113
for breeding	837	1,396	1,734

These statistics are for Great Britain, they are provisional and may be subject to amendment.

Mr. Prosser: To ask the Minister of Agriculture, Fisheries and Food when he expects the consultation document reviewing legislation on the live transport of animals to be issued. [78434]

Mr. Morley: We hope to undertake full public consultation as soon as possible, once the elections to the Scottish Parliament and Welsh Assembly have taken place.

Departmental Budget

Mrs. Ewing: To ask the Minister of Agriculture, Fisheries and Food what was his Department's budget in cash terms and at 1998–99 prices for *(a)* 1992–93 to 1998–99 and *(b)* his estimate for 1999–2000 to 2001–02. [77331]

Mr. Morley *[holding answer 22 March 1999]:* The information requested is set out in the following table:

£ million

Year	*Cash terms*	*1998–99 prices*
1992–93	701.2	816.5
1993–94	754.0	855.3
1994–95	705.1	788.5
1995–96	767.0	833.4
1996–97	880.4	928.1
1997–98	709.3	728.8
1998–99	768.8	768.8
1999–2000	765.3	746.6
2000–01	722.3	687.5
2001–02	760.3	706.0

Potatoes

Mr. Keetch: To ask the Minister of Agriculture, Fisheries and Food what plans he has to encourage retailers to promote sales of organically grown potatoes; and if he will make a statement. [78930]

Mr. Morley: Decisions on the sourcing of produce at retail level are matters for the commercial judgment of the various food retail companies. It is not the Government's role to interfere in such decisions. However, Regulations were laid before Parliament on 11 March which will significantly increase aid for farmers in England converting to organic practices. We expect that this will result in an increase in the area of land being farmed organically and potentially more organic produce available for sale to consumers.

River Wye Conservation Area

Mr. Keetch: To ask the Minister of Agriculture, Fisheries and Food what plans he has to draw up habitat regulations for the River Wye candidate special area of conservation. [78881]

Mr. Morley: The Conservation (Natural Habitats, &c) Regulations 1994 (SI 1994/2716) apply to all sites classified as Special Protection Areas (SPAs) under the Birds Directive and sites which have been put forward as candidate Special Areas of Conservation (SACs) under the Habitats Directive from the point when they have been agreed as Sites of Community Importance. As a matter of policy, sites such as the Rive Wye which have been submitted to the European Commission as candidate Special Areas of Conservation, are treated as if the Regulations apply when considering new proposals.

Mr. Keetch: To ask the Minister of Agriculture, Fisheries and Food (1) what plans he has to protect the traditional grasslands and meadows along the banks of salmon rivers, with particular reference to those of the River Wye candidate special area of conservation; and if he will make a statement; [78882]

(2) which national authority is responsible for regulating agricultural activities in respect of spring salmon fishing within the catchment of the River Wye candidate special area of conservation; and if he will make a statement. [78880]

Mr. Morley: The Countryside Stewardship scheme provides payments for farmers to conserve and enhance traditional grassland and meadows along rivers. The scheme is targeted to meet national and local priorities such as the protection of species rich meadows. The River Wye has been identified as a target area for the scheme in 1999.

MAFF is aware of the potential damage to salmon rivers and their spawning grounds which can occur as a result of sediment deposition caused by soil erosion. It has therefore recently produced a series of publications, including the revised Soil Code, aimed at helping farmers and growers to both protect the soil and prevent soil erosion.

In addition, MAFF officials are working closely with the statutory environmental agencies to develop workable proposals for implementation of the "uncultivated land or semi-natural areas" provisions in the EU Directive on environmental impact assessment (EIA). Projects to bring such land into intensive agricultural use will require an environmental statement if they are likely to give rise to significant environmental effects.

Dairy Processing Industry

Mr. Kidney: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the competitive position of the dairy processing industry in each EU member state. [79082]

Mr. Rooker: None, but some information is available in publications such as "Europe's Dairy Produce 1998–99".

Illegal Fishing

Dr. Godman: To ask the Minister of Agriculture, Fisheries and Food how many skippers of fishing vessels have been convicted in the courts for offences relating to illegal fishing activities in each of the past three years; what was the average financial penalty imposed; if he will list the nationality of the *(a)* skippers and *(b)* vessels; if the catch and gear were confiscated in all cases; and if he will make a statement. [78402]

Mr. Morley *[holding answer 29 March 1999]:* Substantial resources are devoted to fisheries enforcement and appropriate action is taken where infringements are detected.

Information about fisheries prosecutions in courts in England and Wales is set out in the following table:

	1996	*1997*	*1998*
No. of skippers successfully prosecuted for one or more infringements[1]	59	46	72
Average financial penalty imposed[2]	£4,663	£2,878	£2,126
Nationality of skipper[3] and vessels	*Vessel*	*Vessel*	*Vessel*
Belgian	6	5	5
Dutch	2	2	0
French	3	2	5
Lithuanian	1	—	—
Norwegian	2	—	—
Russian	1	—	—
Spanish	1	1	—
UK	43	35	62
Irish	—	1	—
Number of cases where gear and/or catch were confiscated			
Gear	1	0	0
Catch	2	2	0

[1] Includes skippers who are owners
[2] Calculated as the total value of penalties imposed (fines and any financial penalties to the value of the catch and/or gear (as appropriate) divided by the number of skippers prosecuted
[3] Information on the nationality of skippers is not readily available

Genetically Modified Crops

Mr. Steen: To ask the Minister of Agriculture, Fisheries and Food if he will list the species of genetically modified plants used during his Department's research into the safety of genetically modified crops; how many such plants were used; and what was the duration of the tests. [79328]

Mr. Rooker: Genetically modified varieties of the following species of crops plants have all been used in MAFF-funded research to assess the safety of genetically

modified crops in the agricultural environment: sugar beet, maize, potato and oilseed rape. All of the projects have a duration of three years, in most cases the research is still on-going and for this reason it is not possible to say how many plants were used.

Mr. Steen: To ask the Minister of Agriculture, Fisheries and Food if he will list the independent scientists and institutions which his Department has consulted during their research into the safety of genetically modified crops. [79327]

Mr. Rooker: The following institutions have all carried out research for MAFF to assess the safety of genetically modified crops in the agricultural environment:

AEA Technology Consultancy Services

Central Science Laboratory

Institute of Arable Crops Research, Broom's Barn

Institute of Arable Crops Research, Rothamsted

Imperial College and Queen Mary and Westfield College

Institute of Freshwater Ecology

Institute of Grassland and Environmental Research

Institute of Virology and Environmental Microbiology

John Innes Centre

Morley Research Centre

National Institute of Agriculture Botany

Scottish Agricultural College

Scottish Crop Research Institute

University of Newcastle

University of Surrey

University of Wales.

Advisory Committee on Animal Feedingstuffs

Mr. David Taylor: To ask the Minister of Agriculture, Fisheries and Food what progress has been made towards the establishment of the Advisory Committee on Animal Feedingstuffs; and if he will make a statement. [79855]

Ms Moran: To ask the Minister of Agriculture, Fisheries and Food what progress has been made towards the establishment of the Advisory Committee on Animal Feedingstuffs; and if he will make a statement. [79988]

Mr. Rooker: I am pleased to announce the first appointment to this Committee. Professor Phillip Thomas, formerly Principal of the Scottish Agricultural College, has been appointed as Chairman of the new Advisory Committee on Animal Feedingstuffs. The full membership will be finalised within the next few weeks.

I believe that the Advisory Committee on Animal Feedingstuffs will play a key role in ensuring that animal feed is safe for both animals and the ultimate food consumer. Professor Thomas has considerable knowledge of agricultural issues and animal nutrition and has the personal qualities needed to build an effective committee drawing together new members from diverse background. I am therefore delighted that he has accepted the invitation to Chair this important new independent advisory committee.

Covent Garden Market Authority

Mr. Linton: To ask the Minister of Agriculture, Fisheries and Food when he expects the Covent Garden Market Authority to begin negotiations with market tenants concerning new leases. [79998]

Mr. Nick Brown: It is clear from the legislation which set up the Covent Garden Market Authority that is for the Authority to determine the length of leases offered to market tenants. I understand that the Authority will shortly begin negotiations on a basis which best meets the needs of the Market.

We will shortly be beginning discussions with all those with an interest on the future of the market.

Easter 1998 Floods

Dr. Palmer: To ask the Minister of Agriculture, Fisheries and Food what progress the Environment Agency has made in implementing its action plan in response to the independent report on the Easter 1998 floods. [79856]

Mr. Morley: The Chairman of the Environment Agency has provided a report of progress to date, copies of which are being placed in the House Libraries.

In line with the priorities I set out last October, the Agency has completed the checking of flood warning dissemination plans for errors and omissions. It has also been elaborating, in conjunction with other operating authorities and the Ministry, its current general supervisory responsibilities for flood defence matters.

In addition, the Agency has reported substantial progress with work scheduled for completion later in the year, including the development of a flood warning strategy and review of telemetry requirements. With financial support from the Ministry, the Agency has taken forward work on flood plain mapping, public awareness of flood warning arrangements and auditing the content of its current flood warning dissemination plans. The latter work is intended to lead to development of more standardised and effective plans.

I am pleased to be able to report such positive progress and will ensure that the House is updated on future developments.

Ms Moran: To ask the Minister of Agriculture, Fisheries and Food what progress the Environment Agency has made in implementing its action plan in response to the independent report on the Easter 1998 floods. [79987]

Mr. Morley: The Chairman of the Environment Agency has provided a report of progress to date, copies of which are being placed in the House Libraries.

In line with the priorities I set out last October, the Agency has completed the checking of flood warning dissemination plans for errors and omissions. It has also been elaborating, in conjunction with other operating authorities and the Ministry, its current general supervisory responsibilities for flood defence matters.

In addition, the Agency has reported substantial progress with work scheduled for completion later in the

year, including the development of a flood warning strategy and review of telemetry requirements. With financial support from the Ministry, the Agency has taken forward work on flood plain mapping, public awareness of flood warning arrangements and auditing the content of its current flood warning dissemination plans. The latter work is intended to led to development of more standardised and effective plans.

I am pleased to be able to report such positive progress and will ensure that the House is updated on future developments.

Fish Landings

Mr. Paul Clark: To ask the Minister of Agriculture, Fisheries and Food what plans he has to amend the measures to control landings by vessels of 20 metres and over landing whitefish and shellfish into the United Kingdom. [79986]

Mr. Morley: Following representations from the fishing industry, the Fisheries Departments have looked at the designated port arrangements which came into operation on 5 January 1999 to see whether any changes should be made in advance of the wider review to be undertaken this Autumn.

The main concern was over the lack of flexibility in providing notice of landings into non-designated ports and outside specified hours at designated ports. After careful consideration, we are allowing fishermen to give between 4 and 24 hours notice of landing and 4 to 72 hours notice where landings take place on a Sunday or Monday. The Department will also exercise discretion to waive the requirement to give 4 hours notice of landing in cases of force majeure or exceptional difficulty. Additionally, some adjustments are being made to the specified landing times for Brixham, Grimsby, Hull, Kinlochbervie, Lerwick, Lochinver and Oban and the specified landing location for Kinlochbervie.

As part of the Autumn Review, the Fisheries Departments will consider the role which satellite monitoring will play in the operation of the designated port arrangements from 1 January 2000 and the provision of satellite position reports as an alternative to the prior notification of landings at non-designated ports and outside designated landing times at designated ports.

The changes will take effect from 19 April and are being notified to the owners of all vessels of 20 metres and over.

Fishing Fleet

Mr. McNulty: To ask the Minister of Agriculture, Fisheries and Food when he proposes to issue a consultation paper on the management of the under-10-metre fishing fleet. [79985]

Mr. Morley: A consultation paper on steps to improve the management of the under-10-metre fleet is being published today and copies have been placed in the Library of the House. The paper is being sent to inshore fishermen and other interests for comment by 30 June this year.

The paper confirms that the Fisheries Departments are looking at ways in which the management of quota allocations for this part of the inshore fleet can be developed with the objective of avoiding early or mid-year closures of fisheries. At the same time, it seeks views from fishermen and other interests on the steps that might be taken to constrain fishing effort. Action is also planned to deter unlicensed fishing activity, to prohibit the transshipment of fish between under and over-10-metre vessels, and to deal with vessels which have been shortened, re-registered and relicensed as under-10-metre vessels, and subsequently re-lengthened to fish as over-10-metre vessels without the necessary consequential adjustments to their registration and licence status.

The under-10-metre fleet is an important and integral part of the UK fishing industry. Its members hold wide ranging and diverse opinions, often reflecting local needs and conditions. The consultation process, which is now under way, will help to draw together these views so that informed decisions on the way forward can be taken later in the year in partnership with the newly devolved administrations. It is expected that any change in the present quota management and licensing arrangements will take effect during the year 2000.

Fishing Vessel Licensing

Mr. McNulty: To ask the Minister of Agriculture, Fisheries and Food when he received the report of the working group announced by him in December 1997 to review the operation of the current fishing vessel licensing arrangements; and what action he is taking to implement its recommendations. [79984]

Mr. Morley: I have now received the Report of the Working Group, a copy of which has been placed in the Library of the House. I am most grateful for the valuable contribution made by industry representatives in the preparation of this Report. They have had a difficult task to perform, balancing the complexities of the existing licensing arrangements against the wide ranging interests of fishermen throughout the UK.

I am also pleased to note that the primary recommendation of the Working Group is that the overall structure of the present licensing regime should be retained. However, having weighed the arguments carefully, I have concluded that there are grounds for two small changes to the current structure, to upgrade moratorium licences and those Category B licences to which are attached individual species licences to full Category A status. These changes will take effect from 1 May 1999.

Industry members of the Working Group have made a further 10 recommendations relating to various aspects of the licensing regime. These will be followed up by Fisheries Departments with one exception. The Group has recommended that there should be no further linkage between fishing licences and vessel safety certificates. This is a sensitive issue, and one which is the subject of on-going talks between Fisheries Departments and the Department of the Environment, Transport and the Regions following the publication last autumn of the MAIB report into the sinking of the Pescado. I attach great importance to the safety of fishing vessels, and

believe that it is essential that all ways of improving vessel safety are fully explored.

As a result of recommendations from the Group, three further changes to the present licensing rules will take effect from 1 April 1999. First, we are amending the provision whereby the capacity penalty may be waived where a vessel being replaced has been destroyed or permanently disabled as a result of fire, sinking or other accidental cause, so that it is no longer necessary for the age difference between the replaced and replacement vessel to be no more than seven years. The requirement for the capacity of the replacement vessel to be no greater than that of the replaced vessel (measured in VCUs) will remain.

Second, with regard to licence entitlements, the deadline for submitting a valid licence application to Fisheries Departments is extended from two years to three years from the date that the entitlement first arose. This will apply to all existing licence entitlements as well as to entitlements created after 1 April 1999.

Third, a new licence will be made available to owners of vessels fishing exclusively in external waters who have taken advantage of the arrangements announced on 31 March 1998 to replace the vessel with a vessel of larger capacity, without acquiring additional domestic water licences to cover the increase in capacity. This licence will allow them to continue to fish for non-TAC stocks in those parts of ICES Sub Areas VI, VII, VIII, IX, X, XII and XIV which lie outside Community waters. All other conditions relating to the licensing of the replacement vessel remain in force.

Finally, I have noted the Group's offer to give further consideration to measures to improve the present capacity penalty arrangements, and to act as a forum for the discussion of licensing issues in the future. I welcome this recognition of the value of constructive engagement of the industry in developing policy and envisage that this forum will be used in future. We shall be reconvening the Group later this year to look at the scope for improving the capacity penalty arrangements.

Bovine Tuberculosis

Dr. Iddon: To ask the Minister of Agriculture, Fisheries and Food what were the results of the pilot study commissioned by him on tuberculosis in cattle; and if he will make a statement. [80072]

Mr. Rooker: Following the Krebs report, it is clear that TB in cattle is a complex problem with a multiplicity of causes. A wildlife reservoir is a significant factor, but we need to be clear why it is that some farms suffer TB incidents while others in the same vicinity do not.

In order to focus our efforts on understanding these processes, and to illuminate the detailed differences between farms, we are now launching the epidemiological investigation which was piloted on a small number of farms last November.

A new database will be compiled from information collected from all farms which have suffered TB incidents, and from a number of other farms. The pilot study has proved invaluable in enabling us to streamline the collection of this information. The public consultation held at the same time has produced a number of extremely helpful suggestions which we have also been able to take on board. Copies of the new questionnaire (form TB99) have been placed in the Library.

As soon as there are enough entries in the database, we shall start to analyse the information to try and identify those factors which, either individually or in combination, are associated with TB incidents. Information on cattle movements, husbandry and farm management practices, wildlife on farms and the local environment will be analysed alongside other data, for example on local weather conditions and patterns of badger activity. The results will be used to develop new control strategies and will feed through into improved guidance for farmers.

Import Sanctions

Mr. Nicholas Winterton: To ask the Minister of Agriculture, Fisheries and Food what representations he has *(a)* made to the United States Government to secure a lifting of the import sanctions on United Kingdom products and *(b)* received from the Government of the United States of America following the imposition of trade sanctions on United Kingdom and European Union export products. [79157]

Mr. Wilson: I have been asked to reply.

As it is an external trade matter, responsibility for making representations to the United States over the EU/US banana dispute rests primarily with the European Commission, on behalf of the European Union. My right hon. Friend the Secretary of State and I have also made a number of representations direct to the US Administration in the course of this dispute. In particular, the Secretary of State summoned the US Ambassador on 4 March to protest about the unauthorised American action of withholding liquidation on a range of UK and EU export products. For its part, the United States has made known its views on the banana dispute direct to HM Government on a number of occasions, including on 4 March.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Genetically Modified Crops

Mr. Gray: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement about the monitoring of genetically modified crops. [74100]

Mr. Meacher *[holding answer 11 March 1999]:* Monitoring is a key requirement for the safe release of GM crops. Monitoring enables the assumptions made in the risk assessment to be verified, and any unanticipated effects of GMOs to be identified. The legislation in place is quite clear: if evidence comes to light of harm to the environment, action must be taken to restrict or suspend the release.

All research releases of GM crops are monitored throughout the duration of consent, and in most cases post-trial monitoring is also required. This is carried out by the consent-holder on the basis of a monitoring plan which forms part of the application. At least once a year a monitoring report must be submitted to the Secretary of State, and a copy is placed on the statutory public register.

To date, authorisations to place GM products on the market under Part C of Directive 90/220/EEC have not included conditions requiring monitoring. The Directive is currently being amended, to include the introduction of provisions for post market monitoring. The Government strongly support the amendment of the Directive to incorporate these requirements.

Pending the revision of the Directive, EU Environment Ministers agreed in December 1998 to use the flexibility within the existing Directive to introduce with immediate effect new monitoring provisions, based on monitoring proposals in the draft amending Directive. These take into account direct and indirect, and immediate and delayed, effects of GMOs on the environment. Monitoring requirements would be set out on a case by case basis for each product authorisation and enforced by the relevant competent authority.

On top of the new EC requirements, the UK Government have introduced additional measures for the monitoring of GM crops. I announced the agreement reached with the plant breeding industry for a managed development programme for herbicide tolerant GM crops with my right hon. Friend, the Minister for Agriculture, Fisheries and Food, before the House of Lords Select Committee on 21 October 1998.

Farm-scale evaluations will ensure that first commercial plantings of herbicide tolerant GM crops will be strictly limited and monitored for ecological effects alongside comparable plantings of conventional crops. The Government are funding ecological studies of the diversity and abundance of plants and invertebrates associated with the management of GM and non GM crops to test whether there are any significant differences, initially over a four year period. This will assist consideration of what effects GM crops may have on higher species and our agricultural landscape. If ecological monitoring reveals adverse effects then appropriate action will be taken.

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions if the commercial approval of genetically modified crops is required before the farm-scale field trials into their ecological effects begin. [78477]

Mr. Meacher *[holding answer 24 March 1999]:* Such approval is not necessary for the evaluations to begin. The farm-scale evaluations of genetically modified oilseed rape which will start this year are covered by an approval for research or other purposes issued under Part B of Directive 90/220/EEC. This year the gm oilseed rape will remain the property of the seed company concerned and will be destroyed at harvest.

The genetically modified maize, which is also to be studied, has Europe wide approval for general cultivation issued under Part C of the Directive by the French Competent Authority on 3 August 1998. However the maize has not yet been entered onto the National List of Seeds in the UK and so the seeds may not be sold. This year the gm maize will remain the property of the seed company concerned and will be destroyed at harvest.

In both cases experimental permits are also required for use of the herbicide, based on gluphosinate ammonium, on the genetically modified crop.

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions if the Government will allow the sale of products for *(a)* human and *(b)* animal consumption from the farm-scale field trials into the ecological effects of genetically modified crops. [78476]

Mr. Meacher *[holding answer 24 March 1999]:* All genetically modified crops produced this year from the farm-scale evaluations will be destroyed. A decision on the fate of products in subsequent years has not yet been taken, but any sale for human or animal consumption will be dependent on the product receiving all the necessary consents and authorisations.

London Underground

Mr. Ottaway: To ask the Secretary of State for the Environment, Transport and the Regions what is the level of Government grant to London Underground for the year 2000–2001. [78710]

Ms Glenda Jackson: The Government aimed to establish the public private partnership (PPP) for the Underground by 2000–01, removing the need for subsidy beyond that point. We have consistently made clear, that we will not be driven by an artificially imposed timetable. The Government's overriding objective is to secure the best value solution for London Underground. In the light of this, we are keeping funding for London Underground under review with London Transport and will take decisions in the context of LT's overall financial position.

Mr. Ottaway: To ask the Secretary of State for the Environment, Transport and the Regions what proposals he has to expand the capacity of London Underground. [78711]

Ms Glenda Jackson: The immediate priorities of the Government and London Transport are to see improved reliability and increased service levels on the existing network, plus the completion of the Jubilee Line Extension. Service levels increased by 12 per cent. over the past five years, and London Transport plans a further 8 per cent. increase in 1999–2000.

In the longer term, capacity increases will be written into the performance specifications for contractors under the Public-Private Partnership, as signalling, trains and other key assets on individual lines reach the stage when they need replacing.

Mr. Ottaway: To ask the Secretary of State for the Environment, Transport and the Regions if he will set out the forecast increases in fares on London Underground on a yearly basis, expressed as a percentage, for each of the years 2000 to 2005. [78712]

Ms Glenda Jackson: The forecast on which the financial modelling for the PPP has been based is for fares to rise by 1 per cent. above the rate of inflation in 2000 and 2001, and following that, for fares to rise by the rate of inflation.

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the public-private partnership for London Underground. [78890]

Ms Glenda Jackson: Good progress is being made, as my right hon. Friend the Minister of Transport announced on 15 March 1999, *Official Report*, column 474, in response to a question from my hon. Friend the Member for Harrow, West (Mr. Thomas).

Brown-field Sites (London)

Mr. Cox: To ask the Secretary of State for the Environment, Transport and the Regions how many brown-field sites have been identified in the Greater London area; and if he will make a statement. [78935]

Mr. Raynsford: The information requested is being collected in Phase 1 of the National Land Use Database. Summary results will be published soon showing the amounts of previously developed land that may be available for redevelopment.

Overloaded Vehicles (London)

Mr. Cox: To ask the Secretary of State for the Environment, Transport and the Regions how many prosecutions there were for the overloading of goods vehicles travelling in the Greater London area in 1998. [78891]

Ms Glenda Jackson: Enforcement officers from the Vehicle Inspectorate weighed 3,983 heavy goods vehicles in the Greater London area in 1998 and 234 prohibition notices for overloading were issued. A prohibition notice may include more than one offence and not all offences are necessarily reported for prosecution. The Inspectorate prosecuted 239 defendants for 270 overloading offences as a result of 135 prohibition notices which were reported for prosecution. This resulted in 263 convictions.

Buses (New Delhi)

Mr. Breed: To ask the Secretary of State for the Environment, Transport and the Regions from which departmental budget the cost of providing New Delhi with the buses which he offered on his recent visit will be met; and how much they will cost. [79055]

Mr. Prescott: I made no offer of UK government funding for buses in New Delhi. However I offered to assist in any way I could in consideration by UK bus companies and the Indian authorities of ways of resolving the shortage of buses in the Indian capital.

Council Houses

Mr. Hunter: To ask the Secretary of State for the Environment, Transport and the Regions how many council houses were sold in each English shire county in *(a)* 1996–97, *(b)* 1997–98 and *(c)* 1998–99. [78906]

Mr. Raynsford *[holding answer 26 March 1999]:* I have placed in the Library a table presenting the latest available information, reported by local authorities, on sales of council dwellings in each English shire county (as in existence before the creation of unitary authorities), for the financial years 1996–97 and 1997–98. Not all authorities have provided full returns during these periods and so some totals for shire counties are incomplete, as indicated. Component figures for individual districts and unitary authorities are also presented.

National Bus Pensions Trustees

Ms Walley: To ask the Secretary of State for the Environment, Transport and the Regions when he last met the National Bus Pensions Trustees. [79075]

Ms Glenda Jackson: My right hon. Friend the Secretary of State met the trustees on 15 February 1999.

Regeneration Programmes

Mr. Harvey: To ask the Secretary of State for the Environment, Transport and the Regions how much funding was received by *(a)* Government offices for the regions, *(b)* English Partnerships and *(c)* the Rural Development Commission for regeneration programmes by region annually over the last five years. [79494]

Mr. Caborn: *(a)* The table gives the breakdown of regeneration funding by Government Office Region. The figures include expenditure on programmes which formed the Single Regeneration Budget (SRB), excluding English Partnerships. A forecast figure has been provided for 1998–99.

Regeneration Expenditure by Government Office

£ million

Government Office	*1994–95*	*1995–96*	*1996–97*	*1997–98*	*Forecast 1998–99*
Eastern	14.6	9.4	8.5	11.7	11.3
East Midlands	75.6	73.6	58.8	49.4	29.7
London	320.8	351.6	336.5	384.2	314.8
Merseyside	104.6	105.4	101.8	91.8	79.6
North East	160.9	151.8	142.8	146.2	82.6
North West	148.8	142.9	142.4	110.3	80.1
South East	13.7	9.9	13.5	24.8	30.2
South West	42.7	29.9	30.4	34.2	21.8
West Midlands	176.1	147.7	141.6	127.0	92.2
Yorkshire and the Humber	161.5	131.5	128.6	110.7	91.5
Total	1,219.3	1,153.7	1,104.9	1,090.3	833.8

(b) The following table gives a breakdown of expenditure by English Partnerships regions. Before 1998–99, English Partnerships regions were not coterminous with those of Government Offices for the Regions. Spend across the year is therefore not recorded by Government Office Region. A forecast figure has been provided for 1998–99.

Spend by English Partnerships Regions, excluding Greenwich

£ million

Region	*1994–95*	*1995–96*	*1996–97*	*1997–98*	*Forecast 1998–99*
North East	47.7	34.3	31.8	46.9	47.0
North West	52.9	52.0	50.4	78.0	92.0
Yorkshire and the Humber	43.8	55.0	40.5	58.0	53.0
Midlands	63.4	58.0	67.8	55.6	—
East Midlands	—	—	—	—	26.5
West Midlands	—	—	—	—	48.0
South East	10.3	25.6	36.0	38.7	9.9
Eastern	—	—	—	—	4.6
London	—	—	—	—	20.3
South West	7.3	11.8	8.5	15.3	38.0
Total	225.4	236.7	235.0	292.5	339.3

(c) The following table gives figures for allocations made to the Rural Development Commission for regeneration. The Rural Development Commission's regions are not coterminous with those of the Government Offices. Regional figures for years before 1998–99 are not available. A forecast figure has been provided for 1998–99.

£ million

	1994–95	*1995–96*	*1996–97*	*1997–98*	*Forecast 1998–99*
England	22.0	23.6	24.4	25.5	—
North East	—	—	—	—	2.6
North West	—	—	—	—	1.2
Yorkshire and the Humber	—	—	—	—	3.1
East Midlands	—	—	—	—	3.1
West Midlands	—	—	—	—	1.7
East Anglia	—	—	—	—	2.8
South East	—	—	—	—	1.6
South West	—	—	—	—	6.0

Regional Development Agencies

Mr. Harvey: To ask the Secretary of State for the Environment, Transport and the Regions what account will be taken of sparsity factors in determining the budgets for RDAs. [79495]

Mr. Caborn: Most of the funding for Regional Development Agencies (RDAs) in 1999–2000 will be in respect of the regeneration programmes which they will inherit. The distribution of those resources is determined largely by statistical indicators of need. While sparsity is not an explicit factor, regeneration funding to rural development areas has been on the basis of a formula designed to reflect rural needs.

For later years, resources will be allocated to RDAs in response to the corporate plans which they submit to the Secretary of State. Allocations will take account of the needs of the regions, the soundness of the RDAs' plans for tackling those needs and their performance in implementing their programmes.

A review is currently underway of the Index of Local Deprivation, which is used in the distribution of the Single Regeneration Budget. It will cover all aspects of the Index, including the methodology and the indicators which make up the Index. The review will explore the possibility of introducing a measure of sparsity. However, the key consideration in determining the content of the Index is that it is a good measure of deprivation and is based on robust data which are available on a nationally consistent basis for small areas across England.

Maria Eagle: To ask the Secretary of State for the Environment, Transport and the Regions if he intends to exercise his powers under paragraph 8(5) of Schedule 2 to the Regional Development Agencies Act 1998; and if he will make a statement. [79705]

Mr. Caborn: My Department has today issued a Dispensation under paragraph 8(5) of Schedule 2 to the Regional Development Agencies Act 1998. The effect of the Dispensation is that, in certain circumstances, members of the boards of Regional Development Agencies are not debarred from participating in the deliberations or decisions of the Agencies in respect of matters in which they have a direct or indirect interest. The purpose of the Dispensation is to ensure that, so long as the requirements of propriety are met, members are not debarred from participating in discussion or decisions for which they have a relevant expertise. I have placed copies of the Dispensation in the Library.

Mrs. Ellman: To ask the Secretary of State for the Environment, Transport and the Regions what guidance he will give to the regional development agencies on their strategies. [79706]

Mr. Caborn: Developing a new strategic vision for the English regions will be the first and most important task for the RDAs. I am today issuing statutory guidance to advise them on what Government expects of their strategies. The guidance has been prepared in consultation with all relevant Government Departments, in particular the Department of Trade and Industry and the Department for Education and Employment. Its publication follows a wide public consultation launched last October. The comments we received enabled us to refine the guidance and I am grateful to all those who responded to our request for comments.

The fundamental purpose of RDAs' strategies will be to improve regional economic performance and enhance regional competitiveness. The guidance stresses the need for RDAs to develop an integrated and sustainable approach in their strategies. The aim should be to tackle business competitiveness and the need to increase productivity and to address also the underlying problems of unemployment, skills shortages, inequalities, social exclusion and physical decay. By integrating economic, social and environmental issues in this way, the strategies will set the context for sustainable economic growth in the English regions.

We want the RDAs' strategies to support and enhance national policies while addressing the particular needs of regions. In this way they will be able to inform and influence national Government's economic policies and to provide a framework for the delivery of national and European programmes.

RDAs' strategies will provide focus and coherence not only to the RDAs' own work, but also to the work of their regional partners. The strategies should be the product of regional dialogue, and should identify priorities for action which regional partners can buy in to and help to deliver. Only through strong and effective partnership will the RDAs ensure that their strategies command support. Their relationship with the emerging regional chambers will be of particular importance.

I am also giving to the RDAs today a supplementary package of non-statutory policy and programme guidance to underpin the statutory guidance on their strategies. This will include material on regeneration, competitiveness, skills, sustainable development, rural policy, equal opportunities and working with the voluntary and community sectors.

Copies of all the guidance have been placed in the Library and will also be available on the DETR website.

Millennium Village

Mr. Mitchell: To ask the Secretary of State for the Environment, Transport and the Regions how many of the dwellings at the Greenwich Millennium village will be available for habitation by 31 December 1999; and how many will be available to accommodate visitors to the Millennium Experience. [79544]

Mr. Caborn: Subject to the necessary planning consents, at least 90 dwellings should be under construction by 31 December 1999. It is hoped that the first residents will be able to move in early in 2000.

A Visitor Centre should be open from September 1999 which will include two show flats and information on all aspects of the Village.

EU Transport Council

Mr. Hood: To ask the Secretary of State for the Environment, Transport and the Regions what was the outcome of the Transport Council held in Brussels on 29 March; and if he will make a statement. [79768]

Dr. Reid: The Transport Council met in Brussels on 29 March. I represented the United Kingdom. The Council held policy debates on a number of legislative proposals. Council Conclusions were agreed unanimously on two other issues.

Two of the items on the Council agenda for policy debate—proposals for a regulatory framework for the Community's railways, and a proposed package of measures designed to promote combined transport—had already been considered at previous meetings, while two—a draft Directive to regulate working time in the road transport sector, and a Commission proposal to amend the transport Trans-European Network guidelines to include ports and inter-modal terminals—had not been discussed in detail by the Council before. In each of these debates, once Member States had given their views the Presidency invited the Committee of Permanent Representatives to undertake further work, with the aim of enabling decisions to be taken at the June Council.

Council conclusions were agreed on the position to be taken by Member States at the forthcoming Diplomatic Conference to modernise the Warsaw Convention on air carrier liability. The Council also agreed conclusions explaining its decision to delay adoption of the Regulation restricting the use of aircraft modified ("hushkitted") or re-engined to meet current noise standards. The Council agreed that the Regulation should be adopted, by the end of April, to allow time for discussions with affected third countries.

The Commission gave a presentation of its recent Communication proposing a new European satellite navigation and positioning system, which it has named "Galileo". Delegations identified a number of questions for further consideration at an informal meeting of EU Transport Ministers in April.

Under other business, the Commission reported on two legislative proposals on which it was working. One would amend the Second Directive on driving licences, to allow certain professional drivers who met the previous, but not the latest eyesight standards, to renew their licences. The other consisted of a replacement for the draft Directive on airport safety checks, on which the Council had reached a common position but which could not be adopted because of objections by Spain over its application to Gibraltar Airport. These proposals could not however be put forward formally until the new Commission was appointed.

Water Abstraction

Mr. Burgon: To ask the Secretary of State for the Environment, Transport and the Regions what decisions he has reached about changes to the water abstraction licensing system in England and Wales. [79819]

Mr. Meacher: Together with the Welsh Office, my Department will today publish a document entitled "Taking Water Responsibly: Government decisions following consultation on changes to the water abstraction licensing system in England and Wales". Copies are available in the Library of the House. Those decisions reflect the Government's intention that the abstraction authorisation system should contribute to sustainable development by protecting and, where possible, enhancing the aquatic environment whilst facilitating economic growth and higher living standards with minimum impact on water customers' bills. These decisions relate to changes which:

provide the Environment Agency with additional tools for the conduct of its duty to manage water resources, whilst encouraging a voluntary approach to necessary changes by abstractors;

increase the scope and public availability of information on water resources, enabling abstractors to review their present operations and plan ahead in an environmentally responsible manner;

increase the system's flexibility, accountability and administrative efficiency, thereby increasing the ease of access to sustainable water resources for existing and new entrants to the sectors for which water abstraction is vital; and

incorporate appropriate transitional arrangements, both for existing abstractors and for those who will be subject to controls for the first time.

The package of changes will also provide improved scope for the application of economic instruments in relation to water abstraction which might emerge from research work currently in progress and the further consultation thereafter to which the Government are already committed.

Many of the changes will be made within the existing legal framework, but the Government will bring forward the legislation necessary for other changes as soon as Parliamentary time allows.

Waste Exports and Imports

Mr. Burgon: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to review the policies in the United Kingdom Management Plan for Exports and Imports of Waste. [79820]

Mr. Meacher: Existing policies on exports and imports of waste are set out in the United Kingdom Management Plan for Exports and Imports of Waste, which came into effect on 1 June 1996. These reflect the long-standing UK commitment to self-sufficiency in waste disposal and the well-established proximity principle, namely that waste should be disposed of in, or as close as possible to, the country or origin.

Since the Plan has been in force, there have been a number of changes at national and international level which have altered the arrangements for transfrontier shipments of waste. My Department, along with other Government Departments, therefore intends to begin a review of the plan in the near future. We would aim to produce a document for public consultation in the Autumn of 1999.

Soil Conservation

Mr. Dalyell: To ask the Secretary of State for the Environment, Transport and the Regions when he expects to publish the draft proposals of the committee chaired by Mrs. Pam Williams on soil conservation; and if he will make a statement. [79180]

Mr. Meale: The Soil Strategy for England and Wales will be published for formal public consultation later this spring.

Contaminated Land

Mr. Steen: To ask the Secretary of State for the Environment, Transport and the Regions how many acres of contaminated land are in urban areas. [78404]

Mr. Meale: The information requested is not currently available. When the new Contaminated Land regime under Part IIA of the Environmental Protection Act 1990 is brought into force later this year, local authorities will have a duty to inspect their ideas to identify, and require the remediation of contaminated land which is causing unacceptable risks, assessed in the context of the current use of the land. Part IIA will also place a duty on the Environment Agency to prepare a periodic statistical report on contaminated land, based on information produced by local authorities.

Vacant Land

Mr. Steen: To ask the Secretary of State for the Environment, Transport and the Regions how many acres of vacant land in urban areas are currently in *(a)* private ownership and *(b)* public ownership. [78405]

Mr. Meale: This information is not currently held centrally. My Department is, however, developing phase 1 of the National Land Use Database, which will provide estimates of vacant previously developed land in urban areas by public and private ownership.

Mr. Steen: To ask the Secretary of State for the Environment, Transport and the Regions how many acres of public vacant land remain on the land registers; and when the registers were last updated. [78406]

Mr. Meale: All requirements for local authorities, government bodies and other public bodies to maintain and publish registers of unused and underused land were cancelled in 1996. The information requested is consequently not available. However my Department is currently developing the National Land Use Database Phase 1, collecting information on vacant previously developed land including that in public ownership.

Lobbyists

Mr. Wilshire: To ask the Secretary of State for the Environment, Transport and the Regions if he will publish a list, including names and dates, of all meetings that *(a)* he, *(b)* his officials, *(c)* his advisers and *(d)* his PPS have held during (i) 1997, (ii) 1998 and (iii) 1999 with people who work for political lobbying firms or for businesses that are members of the Public Relations Consultants Association. [79650]

Mr. Prescott: I refer the hon. Member to the reply given by the Prime Minister on 9 March 1999, *Official Report*, column *168*. The requirements of the Ministerial Code also apply to Parliamentary Private Secretaries when attending any meetings in an official or semi-official capacity.

Regional Eurostar Services

Mr. Ernie Ross: To ask the Secretary of State for the Environment, Transport and the Regions when he will publish a response to the Environment, Transport and Regional Affairs Committee's fifth report of Session 1998–99 into Regional Eurostar Services (HC89); and if he will make a statement. [79853]

Mr. Prescott: The Government welcome the Committee's report which contained a considerable number of detailed recommendations which have been invaluable in drawing up the terms of reference for the Government's independent review. We are today publishing our formal response which has been laid before the House.

Transport Safety

Jacqui Smith: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to consult bodies with an interest in transport safety, as part of the review announced in the Transport White Paper. [79854]

Dr. Reid: My Department is today publishing a consultation document seeking views on arrangements for transport safety. Nothing is more important than safety, and I am determined that we will continue to work towards the highest possible standards of safety in transport. Part of that means making sure that transport safety is organised in ways which are modern, effective and efficient, and which are capable of delivering continued improvements.

The results of the consultation will form a key input to the review of transport safety arrangements which we announced in our transport White Paper.

The review is concerned, not with specific safety strategies or measures, but with the *principles* which should govern the organisational and institutional framework for ensuring safe transport. In our consultation we are asking for views on that, and on the relationship between accident investigations and inquiries, and the pursuit of legal proceedings.

The consultation document is being distributed widely to bodies with an interest in transport safety, and is also available on the Internet. The closing date for responding is 14 June 1999. Copies of the document have been placed in the Library, and are available in the Vote Office.

Airport Transport Forums

Mr. Geraint Davies: To ask the Secretary of State for the Environment, Transport and the Regions when he intends to publish guidance on the setting up of airport transport forums, announced in the New Deal for Transport White Paper; and if he will make a statement. [79994]

Ms Glenda Jackson: The Government's White Paper on the Future of Transport "A New Deal for Transport: Better for Everyone" (Cm 3950) indicated that all airports in England with scheduled services should establish Airport Transport Forums and prepare Airport Surface Access Strategies to feed into Local Transport Plans. The Forums should have three specific objectives:

to draw up and agree challenging short and long-term targets for increasing the proportion of journeys to the airport made by public transport;

to devise a strategy for achieving those targets, including green transport plans to cover commuting and business travel for all employees based at airports; and

to oversee implementation of the strategy.

Draft guidance on the setting up of Airport Transport Forums and on the scope, content and handling of Airport Surface Access Strategies has been published today as a consultation documents, and copies have been placed in the House Libraries. We propose that those airports which have 1,000 or more scheduled passenger air transport movements per annum should be required to set up Forums. It has been agreed that the requirements to set up Forums, and the guidance, will apply to Wales as well as to England. Separate guidance will be published in respect of Scotland.

A separate good practice guide with illustrations of surface access improvements which have been implemented at airports is in preparation and will be published alongside the final guidance note later in the Spring.

Rating Revaluation

Mr. Ivan Henderson: To ask the Secretary of State for the Environment, Transport and the Regions if he will continue to prescribe the rateable value of some industries at the 2000 rating revaluation; and if he will make a statement. [79995]

Mr. Meale: Most ratepayers have their rateable values assessed using conventional methods by the Valuation Office Agency (VOA) and the Assessors in Scotland. However, this has to date been problematic for certain industries. Instead, these industries have had their rateable values prescribed by Order by the respective Secretaries of State. The industries currently in prescribed assessment are:

Electricity generators

National Grid

Regional Electricity Companies

British Gas Transco

Railtrack

London Underground

the water companies

large docks and harbours.

The VOA and the Scottish Assessors' Association have been examining whether it would be feasible for these industries to have their rateable values assessed by conventional methods. Although they have concluded that conventional assessment would be possible, the results would be far from clear. Conventional assessment would lead to significant differences of opinion over possible values which in many cases, would be properly resolved by only the courts. The level of uncertainty is significantly above that which could be expected from most properties. Resolving this uncertainty could take several years.

Therefore, the Secretary of State has, together with my right hon. Friends the Secretaries of State for Scotland and for Wales, concluded that the industries currently subject to prescribed assessment will continue to have their rateable value prescribed by the respective Secretaries of State for the 2000 revaluation. We will begin discussions with the industries in prescribed

assessment with a view to agreeing their new rateable values for the 2000 revaluation. In Scotland, by 1 July 1999, this will be a matter for the Scottish Parliament.

Prescribed assessment is not an ideal way of setting rateable values but it is the best available at this time. We will continue to work towards ending prescribed assessment in the future.

Flooding (Huntingdonshire)

Mrs. Brinton: To ask the Secretary of State for the Environment, Transport and the Regions if he will provide financial assistance to Huntingdonshire district council under the Bellwin scheme for costs incurred following the severe flooding on the weekend of 9 to 12 April 1998. [79996]

Mr. Meale: I am satisfied that financial assistance under the Bellwin scheme is justified in the case of Huntingdonshire District Council given the exceptional nature of the floods and the damage caused. A scheme will, therefore, be established under section 155 of the Local Government and Housing Act 1989. Grant will be paid to the authority to cover 85 per cent. of eligible costs above a threshold and which have been incurred by the authority in dealing with the flooding.

Plant and Machinery Rating

Mr. White: To ask the Secretary of State for the Environment, Transport and the Regions if he will publish the report of the second Wood Committee on the Rating of Plant and Machinery currently subject to prescribed assessment; and if he will make a statement. [79997]

Mr. Meale: My right hon. Friend the Secretary of State, together with my right hon. Friends the Secretaries of State for Scotland, for Wales and for Northern Ireland, published the report of the Second Wood Committee as a Command Paper which has been laid before the House today. The Committee examined the Rating of Plant and Machinery in Industries currently subject to Prescribed Assessment.

The Committee has made a series of recommendations which we will consider in time for the 2000 revaluation in England, Scotland and Wales. The Government would welcome views on the report before considering changes to the plant and machinery regulations.

The Committee has recommended that a tools of the trade exemption should apply to generating plant and machinery belonging to the power generators, although such plant which was in the nature of a building or structure should continue to be rated. If accepted, this exemption would not extend to many Combined Heat and Power (CHP) plants which are used in wider industry. The Government are committed to encouraging CHP technology and, therefore, will consider extending the tools of the trade exemption to all CHP technology if the Committee's recommendations are accepted.

The Committee also recommended that sewers be brought into rating. We do not intend to end sewers' exemption in 2000: it would create a significant and unexpected burden on the water industry and would cause considerable uncertainties in the periodic review of water prices currently being undertaken by the Director General of Water Services and similar work in Scotland.

The Government would welcome views on the report by 14 May 1999.

Planning Procedures

Mr. Ian Stewart: To ask the Secretary of State for the Environment, Transport and the Regions how he intends to proceed following the response to the improving planning appeal procedures consultation paper published in August 1998. [79999]

Mr. Caborn: I am pleased by the very positive reaction to the proposals in this consultation paper. The Government's objectives of streamlining appeal procedures and speeding up planning decisions, while safeguarding public participation and the fairness, openness and quality of decision-making, were widely welcomed. All the proposals were supported by a majority of the 122 respondents and there were also a number of helpful suggestions for improving individual proposals which are reflected in our final conclusions. I am grateful to all those who took the trouble to comment. Their views have been given careful consideration in deciding how to proceed.

The changes we have made to our published proposals are designed to introduce a measure of flexibility into the timescales proposed while delivering real reductions in the overall time taken to handle appeals whether by written representations, hearings or inquiries. It is incumbent upon all parties to co-operate with the Planning Inspectorate in introducing greater discipline into the procedures and observe the deadlines which are set.

I am putting in the Library a list of our proposals, showing the changes made following consultation. The Department is now preparing the necessary statutory instruments and guidance to implement the changes. As indicated in the consultation paper, we shall monitor the modified procedures, and review their effectiveness after the first 12 months of operation. If necessary, we shall consult on further measures to ensure compliance with procedures in the light of that experience.

Planning Inspectorate Agency

Mr. Geraint Davies: To ask the Secretary of State for the Environment, Transport and the Regions what performance targets he proposes to set for the Planning Inspectorate Agency for the financial year 1999–2000. [80000]

Mr. Caborn: I have set challenging Key Performance targets for the Planning Inspectorate for 1999–2000. These underline the importance I attach to the role of the Inspectorate in helping to improve the efficiency of the planning system as part of our drive for better public services. Business and the community want a system which combines good quality decision-making with speed and certainty. I have therefore set the Inspectorate especially demanding targets for handling planning appeals and these will become even more demanding in subsequent years. It is vital, however, that parties to the appeals process play their part by co-operating with the Inspectorate in meeting deadlines and agreeing dates offered for inquiries.

The targets for 1999–2000 are as follows:

Timeliness

(a) 80 per cent. of all planning appeals decided by written representations to be determined in 18 weeks;

(b) 80 per cent. of all planning appeals decided by hearings to be determined in 24 weeks;

(c) 80 per cent. of all planning appeals decided by inquiries to be determined in 36 weeks;

(d) to provide an Inspector for local plan inquiries in at least 80 per cent. of cases on the date requested by a local authority provided that the objection period has ended and at least 6 months' notice has been given.

(e) to deliver 90 per cent. of Inspectors' reports on local plan inquiries to local authorities according to timescales agreed under service agreements.

Financial

Unit costs of planning appeals decided by written representations not to exceed £839;

Efficiency

Generate a 3 per cent. improvement in the use of running costs compared with 1998–99.

Quality

To satisfy the Advisory Panel on Standards, and thus the Secretary of State and National Assembly for Wales, annually and following rigorous monitoring that the quality of all the Inspectorate's work is being maintained at a high standard, with 99 per cent. of its casework free from justified complaint.

Information and Guidance

To carry out a customer survey of satisfaction with the inquiry and hearing processes for dealing with planning appeals, including the quality of Inspectors' reasoning in reaching a recommendation/decision.

Future Targets for Appeals

The timeliness targets for appeals represent the first step towards achieving the very significant improvements in handling times for 2001–02 set out in the Public Services Agreement for DETR. These are that the Inspectorate should decide:

80 per cent. of all planning appeals decided by written representation within 16 weeks

80 per cent. of all planning appeals decided by hearings within 22 weeks

80 per cent. of all planning appeals decided by inquiries within 30 weeks

I am also setting the Inspectorate provisional targets for handling planning appeals for the interim year 2000–01. These are to decide planning appeals as follows:

80 per cent. by written representations within 17 weeks

80 per cent. by hearings within 23 weeks

80 per cent. by inquiries within 33 weeks.

I shall confirm the planning appeals timeliness targets for 2000–01 in the light of performance in 1999–2000.

Flooding (Shrewsbury)

Mr. Paul Marsden: To ask the Secretary of State for the Environment, Transport and the Regions if he will provide financial assistance to Shrewsbury and Atcham Borough Council under the Bellwin scheme for costs incurred following the severe flooding between 25 October and 1 November 1998. [80061]

Mr. Meale: I am satisfied that financial assistance under the Bellwin scheme is justified in the case of Shrewsbury and Atcham Borough Council given the exceptional nature of the floods and the damage caused. A scheme will, therefore, be established under section 155 of the Local Government and Housing Act 1989. Grant will be paid to the authority to cover 85 per cent. of eligible costs above a threshold and which have been incurred by the authority in dealing with the flooding.

Haringey

Ms Ryan: To ask the Secretary of State for the Environment, Transport and the Regions what recent financial arrangements he has made to assist the London Borough of Haringey. [80062]

Mr. Meale: Haringey has serious short-term financial difficulties brought about by a variety of circumstances which have combined to put their revenue budget under severe pressure. After having regard to all the relevant factors, and in view of the fact that some of the Council's circumstances could not reasonably have been foreseen and planned for by the authority, I have concluded that Haringey should receive some form of assistance in order to protect the delivery of local statutory services.

The most appropriate form of assistance is the offer of a Supplementary Credit Approval (SCA) of £1.3 million in 1998–99. This, with a capitalisation direction, will allow the Council to spread some of its costs in 1999–2000 over a number of years and so bring its budget back to a manageable level. It will be for Haringey in the first instance to decide which costs they intend to finance through the SCA.

Greater London Authority

Mr. Efford: To ask the Secretary of State for the Environment, Transport and the Regions what arrangements he is making to ensure that the Greater London Authority can discharge its responsibilities. [80063]

Mr. Raynsford: Subject to the passage of the GLA Bill now before Parliament, the GLA will assume its responsibilities on 3 July 2000. We have commissioned consultants, KPMG, to advise on transition arrangements for the GLA. KPMG have now completed their report and copies are being placed in the Library. Among their conclusions, KPMG recommend that a dedicated Transition Team be established under the leadership of a Head of Transition and that the latter should be recruited as a matter of urgency.

The Audit Commission has kindly agreed to second to my Department Dr. Robert Chilton, Director Local Government Studies at the Commission to be the Head of Transition. Dr. Chilton, who will report to Ministers through the Director of the Government Office for London, will work closely with my officials to plan a smooth transition for the GLA and to ensure that the necessary financial controls and administrative machinery are in place. He will also be available, should the Authority so decide, to act as statutory Chief Administrative Officer of the Authority and is in a position to make a permanent appointment. I am most grateful to the Audit Commission for making this assistance available. It will be for the GLA, once elected, to make its own arrangements for permanent appointments to senior positions.

London Taxi Fares

Mr. McNulty: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement about London taxi fares. [80065]

Ms Glenda Jackson: The Secretary of State is making an Order increasing London taxi fares by 4.32 per cent. on average with effect from Saturday 24 April 1999. The new tariff will incorporate a minimum charge of £1.40 (including a hire charge of £1.00) for the first 438 metres (479.2 yards) or 96 seconds. The rate will then be 20p for every 219 metres (239.6 yards) or 48 seconds until the fare exceeds £10.00, and 20p for each 146 metres (159.7 yards) or 32 seconds thereafter.

In addition, the Order will increase the supplements for evenings, nights, weekends and public holidays, which have not been increased since the early 1980s. The supplement for hirings during weekday evenings and during the day on Saturdays will therefore go up from 40p to 60p; the supplement for night-time hirings on weekdays and hirings around Sundays and public holidays will increase from 60p to 90p; and the supplement for hirings over the Christmas and New Year period will increase from £2.00 to £3.00.

Ordnance Survey

Mr. Derek Twigg: To ask the Secretary of State for the Environment, Transport and the Regions what performance targets have been set for the Ordnance Survey Department and Executive Agency in 1999–2000. [80066]

Mr. Raynsford: The following performance targets have been set for Ordnance Survey in 1999–2000:

1. To achieve a revenue target of £83.4 million (excluding the National interest in Mapping Service Level Agreement);
2. To achieve a return on sales (excluding the National Interest in Mapping Service Level Agreement) of not less than 5 per cent.;
3. To ensure that, by 31 March 2000, 98.8 per cent. of existing major detail is surveyed and available to customers in the National Topographic Database at any one time. The target will increase to 99 per cent. by the year 2001;
4. In order to provide a quality service to customers, to despatch 92 per cent. of small scale products within 5 working days.

These targets have been reviewed in the light of Ordnance Survey's change to a Trading Fund from 1 April 1999. They demonstrate the Agency's continuing commitment to customers whilst increasing the emphasis on key financial monitors.

Valuation Tribunals

Mr. Derek Twigg: To ask the Secretary of State for the Environment, Transport and the Regions what is the conclusion of the financial management and policy review of valuation tribunals. [80067]

Ms Armstrong: I have today placed in the Libraries of the House copies of the FMPR report of Valuation Tribunals. The report has also published on the DETR's web site.

This is the second FMPR of the VT service. It covers the full range of judicial, management and procedural issues. It takes account of extensive consultations with the VT service, the Valuation Office Agency (VOA), local authorities and the private sector.

We have decided that VTs should remain lay, independent and local bodies. A move to the private sector is considered inappropriate for such quasi-judicial bodies. A national agency is also considered inappropriate at the moment, although an efficiency scrutiny might consider the scope for rationalising jurisdictions and support services for a range of similar services.

A new Management Board, supported by a new national office, is needed to set standards and spread best practice within the service. To raise the quality of the service requires a review of membership levels, new arrangements for their appointment, and a requirement for new members to attend appropriate training and to provide written certain undertakings.

Significant savings are to be made by the establishment of 14 administrative units to replace the 38 offices which existed at the start of the review. New staffing arrangements are needed to support the new administration structure. Consultants have recently been appointed to bring forward detailed proposals.

Effective administration needs the continued modernisation of the VT IT system, and better use of IT for communicating with the 'outside world'.

The appeal procedures need reform to reduce delays, improve information and guidance to rate and tax payers, and to address the existing culture of brinkmanship. The review recommends more effective incentives and a simpler system. These proposals are the subject of a further consultation paper, which I am also publishing today (copies of which have also been placed in the House Libraries and on the DETR's web site).

The aim is to implement recommendations on judicial management and staffing aspects by 1 April 2000. Changes to office accommodation and the establishment of the 14 administrative units will be phased in over a longer period. New appeal procedures need to be developed in time for appeals arising from the non-domestic rating revaluation on 1 April 2000, though implementation may need to be phased.

Waste Management

Mr. Burgon: To ask the Secretary of State for the Environment, Transport and the Regions what action he intends to take in response to the consultation exercise for amending the Special Waste Regulations 1996 and Waste Management Licensing Regulations 1994. [80068]

Mr. Meacher: The proposals set out in the consultation paper issued by my Department, the Scottish Office and the Welsh Office on 2 April 1998 were generally welcomed by both industry and the Environmental Agencies. Having analysed the responses, we intend to proceed with the proposed amendments to the Special Waste Regulations, together with some further minor changes to the format of the consignment note and to the schedule under which carrier's notify movements of multiple loads—aimed at assisting monitoring and enforcement. In response to representations from business, we also intend to amend the Regulations to enable registers of Special waste to be retained in exceptional cases at sites other than those from which special waste has been removed, subject to consent by the local Environment Agency. Two consequential changes will also be made. First, to update references in the

Regulations to the latest versions of the Approved Supply List and Approved Classification and Labelling Guide. Secondly, the Government's powers to set fees in respect of Special waste will be repealed, in order to enable the Agencies to utilise powers to set charges under the Environment Act 1995.

A number of respondents to the consultation exercise said that lower fees should apply to wastes being recycled or recovered. Although it is not feasible to consider this issue as part of the current exercise, the Environment Agencies will in the longer term be reviewing the fees for Special waste in the context of making a charging scheme. This would be subject to consultation and subsequent approval by the Government. Later this year, it is also intended to undertake a general review of the Regulations.

Following advice from the Environmental Agencies, we also intend to proceed with a small number of adjustments to the Waste Management Licensing Regulations 1994 aimed at encouraging the recycling or recovery of Special waste. Exemptions from licensing will be provided, subject to various conditions, to enable:

i. storage of up to 23,000 litres of unused (waste) household paint pending re-use;

ii. laundering of up to 250 tonnes of waste textiles contaminated with oil, together with associated storage;

iii. storage of up to 5 tonnes of nickel cadmium or nickel metal hydride batteries and up to 10 tonnes of lead acid batteries pending recovery;

iv. storage of up to 23,000 litres of silver-bearing waste from printing or photographic processing pending recovery.

The consultation paper additionally proposed that the existing exemption for operations recovering silver from waste should be extended to include Special waste. There was very little support for this proposal and strong arguments against it which we have discussed with the Environment Agency in the context of ensuring proper protection for the environment and human health. As a consequence we have decided not to proceed. The Government have been considering the introduction of regulations to set standards for oil storage installation on which an announcement is planned later this year. The proposal in the consultation paper to amend the exemption for temporary storage of Special waste to include a separate limit for waste oil will be considered in the context of that announcement.

A further announcement will be made when the amending Regulations for England are ready to be laid before Parliament. As a devolved matter, the amendments for Scotland and Wales will be for consideration by the Scottish Parliament and the National Assembly for Wales.

Small Cetaceans

Mr. Burgon: To ask the Secretary of State for the Environment, Transport and the Regions what action he intends to take to minimise disturbance to small cetaceans in accordance with the United Kingdom's obligations under the agreement on the conservation of small cetaceans of the Baltic and North seas. [80069]

Mr. Meacher: I have today published two sets of guidelines aimed at minimising disturbance to cetaceans in UK waters. The first is aimed at those involve in whale watching, both tour operators and members of the public who participate in tours; the second at those involved in recreational activities in UK coastal waters who may incidentally encounter cetaceans.

The Government are committed to protecting all species of whales, dolphins and porpoises and to maintaining healthy population levels for our and future generations. Where guidelines do not already exist we hope that this initiative will stimulate the development of locally targeted codes of conduct based on the over-arching principles contained in these guidelines.

Works Notice Powers

Mr. Burgon: To ask the Secretary of State for the Environment, Transport and the Regions when he expects the works notice powers to come into force. [80070]

Mr. Meacher: I have laid before the House new regulation, the Anti-Pollution Works Regulations 1999, which will enable new powers for the Environment Agency to serve works notices on polluters or potential polluters to be brought into force.

The works notice powers will enable the Environment Agency to serve a notice on polluters or potential polluters requiring them to carry out works or operations to remedy or prevent water pollution. They represent a more direct regulatory measure for the Agency than its existing powers to carry out anti-pollution works itself and then recover costs from the person responsible.

Works notices provide an additional regulatory goal for the Agency that will help prevent pollution incidents which in the past have occurred when a potential polluter has failed to respond to an informal approach.

The Regulations are largely procedural and make provision for the content of work notices, appeals against works notices, compensation for rights of entry and entry on to the Agency's public pollution control registers of particulars relating to works notices.

The Regulations have been subject to wide public consultation. In addition to comments on procedural matters some concerns were raised about the service of works notices in relation to other regulatory regimes, in particular the contaminated land powers. As a result the Environment Agency has set out its policy on the use of the works notice powers in a statement which my Department has agreed. Essentially, where other powers apply, for example the contaminated land regime, action would be taken under those powers.

LORD CHANCELLOR'S DEPARTMENT

Staff (Ethnic Origin)

Mr. Vaz: To ask the Minister of State, Lord Chancellor's Department if he will provide a breakdown by ethnic origin and grade of (1) the judiciary, (2) members of tribunals and (3) the magistracy. [79049]

Mr. Hoon: The available information is as follows: (1) The Judiciary: the figures for the ethnic origin of judges are believed to be correct, but as the ethnic origin of candidates for judicial office was not sought before October 1991, the data may be incomplete. (see table).

2. Tribunals: this information is only available for the Employment Tribunal and Social Security Appeals Tribunal where it has been collected on the same basis as for the judiciary since October 1991. It is set out below. Information in respect of other tribunals has only been collected on a consistent basis since 1998. (see table).

3. Magistracy: complete information is not readily available. It is held on individual records and not yet collated centrally. It could therefore only be provided at disproportionate cost. However, an ethnicity questionnaire was sent out to Lay Magistrates in England and Wales (excluding the Duchy of Lancaster) in May 1997 to which there was a 93 per cent. response rate. The details are set out in the table.

Table 1. The Judiciary
Judges of ethnic minority origin as at 1 March 1999

Post	*Black*	*Asian*	*Other non white*	*Total*	*% Ethnic minorities*
Lords of Appeal in Ordinary	—	—	—	12	—
Lords Justices of Appeal	—	—	—	35	—
High Court Judges	—	—	—	98	—
Circuit Judges	—	3	2	562	0.9
Recorders	5	4	4	879	1.5
Assistant Recorders	5	5	4	385	3.6
District Judges	2	7	3	741	1.6
Stipendiary Magistrates	—	2	—	93	2.2
Acting Stipendiary Magistrates	2	—	2	96	4.2

Note:
The statistics have only been recorded since October 1991

Table 2. Tribunals
Employment Tribunal and Social Security Appeals Tribunal Chairmen of ethnic minority origin as at 1 March 1999

Post	*Black*	*Asian*	*Other non white*	*Total*	*% ethnic minorities*
Chairman of Employment Tribunals (full time)	1	3	—	84	4.8
Chairman of Employment Tribunals (part time)	2	1	1	205	2.0
Full time Chairman of Social Security Appeals Tribunals	1	—	1	54	3.7
Part time Chairman of Social Security Appeals Tribunals	4	6	1	532	2.1

Note:
The statistics have only been recorded since October 1991

Table 3. Magistrates in post at May 1997
Lay Magistrates (excluding the Duchy of Lancaster): Analysis of the Public Appointments and Equal Opportunities Survey— as at 12 May 1997

Post	*Black*	*Asian*	*Other non white*	*Total*	*% ethnic minority*
Magistrates in post as at May 1997	374	465	187	23,461	4.1

Note:
There were 25,124 Lay Magistrates in post (excluding the Duchy of Lancaster) at May 1997. 1,663 did not return their questionnaire

Task Forces

Dr. Tony Wright: To ask the Minister of State, Lord Chancellor's Department if he will list all those task forces and policy reviews with external members established by his Department since May 1997 which have set up *(a)* sub-groups, *(b)* working parties and *(c)* other subsidiary committees. [79261]

Mr. Hoon: The information requested is set out in the table.

Reviews and Task Forces

Review/Task force	*Other subsidiary committee*
Review of Enforcement of Civil Court Judgments	Panels of Experts: General cross-cutting issues Oral examinations/judgment summons Attachment of Earnings/Charging Orders/Garnishee Orders Warrants and Writs
Quality Task Force	

Note: 3 working groups set up

Dr. Tony Wright: To ask the Minister of State, Lord Chancellor's Department if he will list for all task forces and policy reviews with external members established by his Department since May 1997 *(a)* their dates of establishment, *(b)* those which have issued final reports and their dates of publication, *(c)* those which have been terminated and their dates of termination and *(d)* for those bodies still in existence, expected reporting and termination dates. [79273]

Mr. Hoon: The information requested is set out in the table.

Reviews and Task Forces

Review/Task Force	*Date of establishment*	*Anticipated Report and Termination Date*
Review of the Lord Chancellor's Department Funding for Marriage Support and Research Services	November 1998	Report due 31 March 1999 termination due 31 March 1999
Review of Enforcement of Civil Court Judgments	March 1998	First report due June 2000 termination unknown
Quality Task Force	February 1999	Expected to report to the Lord Chancellor by end of 1999 termination due end 1999
Review of Crown Office List	March 1999	Expected to report to the Lord Chancellor by end 1999 termination due end 1999

Bus Employees

Mr. Bob Russell: To ask the Minister of State, Lord Chancellor's Department how much his Department spent on legal fees including those of the BEST trustees relating to the Bus Employees Superannuation Trust, *(a)* in total and *(b)* in connection with the High Court hearing of 1 March. [79541]

Mr. Hoon: None.

Performance Targets

Jacqui Smith: To ask the Minister of State, Lord Chancellor's Department what are the key performance targets for Her Majesty's Land Registry, the Public Record Office, the Public Trust Office and the Court Service executive agencies for 1999–2000. [79852]

Mr. Hoon: The following tables set out the key performance targets that the Lord Chancellor has set for, Her Majesty's Land Registry, the Public Record Office, the Public Trust Office and the Court Service for 1999–2000.

HM Land Registry Key Performance Indicators and Targets 1999–2000

Indicator Financial	*Target*
Percentage return on average capital employed[1]	6%
Efficiency	
Cost per unit in real terms	£25.13
Cost per unit in cash terms[2]	£29.89
Service First Standards Speed	
Percentage of office copy and official search applications handled within two working days and	98%
Percentage of office copies and official searches processed in three working days	100%
Percentage of all registrations processed within in 25 working days[3]	80%
Accuracy	
Percentage of registrations processed free of any error	98.5%
Percentage of customers responding to the Annual Survey who perceive the accuracy of registrations to be excellent or good	Better than 90%
Delivery of Electronic Services	
Percentage of dealings (key customer interactions) capable of electronic delivery	30%
Percentage of titles in the Land Register capable of electronic delivery	95%
Percentage of titles plans in the Land Register capable of electronic delivery	60%
Number of scanned pages of filed documents (millions).	8.5

[1] ROCE below 6% reflects agreement with HM Treasury to apply surplus income generated in 1993–95 (when ROCE exceeded 25% in each year) to fee reductions in 1996–99. The ROCE for 1999–2000 is subject to confirmation by HM Treasury.
[2] The inflation factor for the cost per unit in cash terms is derived from the GDP indices announced by HM Treasury on 9 March 1999.
[3] Denotes the aim in the Registry's Statement of 'Service First' Standards which are detailed in Annex C of the Business Plan 1999–2000.
Note:
Fuller details of the agency's targets are given in its Business Plan, which is available from Her Majesty's Land Registry.

Public Record Office Key Performance Indicators and Targets 1999–2000

Indicator	*Target*
1. Efficiency	
Unit costs of key activities:	
(a) selecting and preserving the public records	£107.64 per metre: i.e. limit increase to 5%
(b) giving access to records	£3.82 per information transaction: i.e. reduce by 50%
Backlog of records in departments reported as being over 30 years old and awaiting review.	Process backlog by:
(a) reviewing 480 metres	
(b) preparing for review an additional 1,000 metres	
Provision of acceptable storage conditions i.e. meeting the preservation and environmental standards recommended by BS 5454: 1989 Recommendations for storage and exhibition of archival documents (BSI, 1989).	Increase the proportion of records stored to the standards from 88.29% to 88.45%.

Public Record Office Key Performance Indicators and Targets 1999–2000

Indicator	*Target*
Management efficiency in running support services and projects. (b) increase the proportion of invoices paid within thirty days from 97.5% to 99%	(a) reduce the level of staff sick absence in 1999 by 4.3%
2. Quality of Service The achievement of Charter Standards (a) Charter Standard targets for answering letters, delivering documents to users and reprographic services	Achieve 98.5% against the targets.
(b) User satisfaction surveys	Achieve assessment of 'excellent' on 56% of survey forms returned.
3. Effectiveness Performance in achieving specified milestones towards strategic objectives in the light of emerging government policies.	(a) increase revenue by 3% against the 1998–99 target
(b) make our lists of records available on the Internet by 31 October	
(c) complete and disseminate three quality standards to guide public record bodies on the selection of records in line with the new Acquisition policy	

Note:
Full details of the Office's targets are given in its Business Plan, which is available from the Public Record Office.

Public Trust Office Executive Agency Key Performance Targets 1999–2000

Indicator	*Target*
1. To carry out accounting transactions within target times.	To bring to account at least 99 per cent. of receipts and payments transactions within turnaround targets by volume wrighted performance.
2. To achieve investment targets.	To pay interest on the special rate account at an annual rate at or above the average of the agreed comparator, and to pay at least 75% of that rate on basic rate accounts; to ensure that 92.5% of all funds which have a Dedicated Investment Portfolio[1] have a formal investment review[2] at least once a year.
3. To achieve Charter Standards.	To achieve 98% of the 19 Charter Standards of most importance to the Office's users
4. To meet the unit cost target.	*To operate within a unit cost of £198.41.*
5. Percentage of full costs recovered	To ensure that 100% of full costs are recovered.

[1] A Dedicated Investment Portfolio is one which has been constructed to accommodate the specific requirements of the client and has a sufficiency of funds and duration to allow it to be adjusted in line with stockmarket or client circumstances.
[2] The formal investment review is a full consideration of the overall investment strategy being pursued for a particular portfolio. It is complemented by PTO policies of unitising smaller funds and benchmarking larger portfolios against stock exchange models. The investment media held in the funds are subject to on-going review as company announcements or relevant research material becomes available and actioned at any time.
[3] The target includes two new standards for the review of receivership accounts, they are to:
complete a review of 80% of receivers' accounts within 12 weeks of receipt;
review 80% of the Receiver's accounts within 12 weeks.
These standards will be reviewed on receipt of the Committee of Public Accounts' recommendations on the Comptroller and Auditor General's report 'Protecting the Financial Welfare of People with Mental Incapacity'.
Note:
Fuller details of the Office's performance targets will appear in the PTO Plan, which will be available from the Public Trust Office later in the year.

Court Service Key Performance Indicators and Targets 1999–2000

Indicator	*Target*
Provide a courteous, reliable and accurate service, relevant information and suitable facilities	
KPI 1 the quality of service provided to court users.	83%
Complete all administrative processes promptly	
KPI 2 the percentage of administrative work in the civil courts dealt with within target time	92%
Reduce waiting times for trial or hearing	
KPI 3 the percentage of Crown Court cases that commence within target.	78%
KPI 4 average waiting time for Asylum Appeals from receipt at Immigration Appellate Authorities to promulgation of the Adjudicator's decision.	23 weeks

Court Service Key Performance Indicators and Targets 1999–2000

Indicator	*Target*
Reduce the cost of the services we provide	
KPI 5 the unit cost of a case in the Crown Court.	£2,118
KPI 6 the unit cost of an item of originating process in the civil courts.	£118
Achieve full cost recovery in the civil courts	
KPI 7 the percentage of the cost of the civil courts recovered through fees	94%

Barristers' Services

Mr. Ruffley: To ask the Minister of State, Lord Chancellor's Department if he will list the sets of barristers' chambers in London who have rendered

services for his Department since 1 May 1997 and the remuneration made in respect of such services in each case. [68623]

Mr. Hoon *[pursuant to his reply, 1 February 1999, c. 480]:* I regret that some of the figures given in the answer were incorrect. The correct figures as at the date of my original answer are set out in the table.

£

London Chambers	*Total paid*
Blackstone Chambers, Blackstone House, (formerly 2 Hare Court)	13,565
4 Breams Buildings	6,373
1 Brick Court	3,995
Brick Court Chambers 15–19 Devereux Court	731
1 Crown Office Row, Ground Floor	5,551
Devereux Chambers, Devereux Court	1,486
5 Essex Court	164
39 Essex Street	20,180
Falcon Chambers	2,361
4–5 Gray's Inn Square	3,624
1 Hare Court	3,348
Keating Chambers, 10 Essex Street	1,686
1 King's Bench Walk	3,378
6 King's Bench Walk	7,832
11 King's Bench Walk (Chambers of Mr. Eldred Tabachnik QC and Mr. James Goudie QC)	
(i) excluding fees paid to Mr. Philip Sales	3,143
(ii) fees paid to Mr. Philip Sales whilst on the Attorney General's Panel, but prior to his appointment as First Treasury Counsel on 1 December 1997	9,370
(iii) fees paid to Mr. Philip Sales since his appointment as First Treasury Counsel on 1 December 1997	39,596
11 King's Bench Walk (Chambers of Mr. Franz Muller QC)	1,645
Monckton Chambers, 4 Raymond Buildings	2,355
13 Old Square, 1st Floor	2,393
3 Pump Court, Upper Ground Floor	2,585
6 Pump Court, Ground and Lower Ground Floor	2,350
Queen Elizabeth Buildings	18,682
3 Raymond Buildings	1,092
3 Serjeants' Inn	840
7 Stone Buildings, Ground Floor	1,175
1 Temple Gardens	34,213

SCOTLAND

Scottish Parliament (Costs)

Mr. Gorrie: To ask the Secretary of State for Scotland what was the initial budget for converting and fitting out the Church of Scotland Assembly Hall and adjacent buildings as a temporary home for the Scottish Parliament; and what is the latest estimate of the cost. [70210]

Mr. Dewar *[holding answer 15 February 1999]:* The current estimates are:

Converting the buildings: £4.5 million

Fitting out (including IT, telecom, security equipment, furniture, office equipment): £3.1 million.

The initial estimate was given in my answer on 12 May 1998, *Official Report*, column *88*, to the right hon. Member for Caernarfon (Mr. Wigley), and included rent and rates. This was a provisional estimate and I made it clear then that it did not include fitting out costs, which were still being assessed. The estimate of building conversion costs at that time was £2m. Full building condition surveys were carried out on the CEC office buildings when the Scottish Office took occupation at the end of November 1998. These surveys revealed that significantly more work would have to be carried out in these building than was previously envisaged. In particular, work was required to ensure that lighting throughout the office buildings complied with current statutory requirements and to improve electrical systems, fire alarms and emergency lighting to meet current building regulations. In addition special services to meet the needs of the Parliament such as IT networks, security measures and provision for broadcasters have had to be provided.

The costs of these items could only be properly assessed once the Scottish Office had occupation of the buildings.

All of these costs will be met from the financial provision made for the establishment of the Parliament in 1998–99 and 1999–2000.

Mr. Gorrie: To ask the Secretary of State for Scotland what is the estimated cost of those roadworks made necessary by the siting of the new Scottish Parliament building. [77939]

Mr. Dewar *[holding answer 26 March 1999]:* I refer the hon. Member to the answer I gave him earlier today.

Mr. Gorrie: To ask the Secretary of State for Scotland what is the estimated cost in relation to the new Scottish Parliament building of *(a)* VAT, *(b)* fees, *(c)* site purchase, *(d)* site clearance and preliminary works and *(e)* road works; and which of these are included in the £50 million cost referred to in his answer of 28 January 1999, to the hon. Member for Linlithgow (Mr. Dalyell), *Official Report*, column *385*. [77438]

Mr. Dewar *[holding answer 24 March 1999]:* The figures requested (with the exception of *(e)*) are shown in the table, along with the estimated construction cost of £50 million (excluding VAT and fees) referred to in my answer to my hon. Friend the Member for Linlithgow (Mr. Dalyell) on 28 January 1999, *Official Report*, columns 385–86.

	Cost estimate £ million
Site Purchase	4
Site Preparation	1
Construction	50
Fees	10.5
VAT on construction and fees	10.6

The figures shown are estimates and subject to review in the light of the development of the detailed design for the building and, in due course, of the results of the competitive procurement of works packages. The costs for item *(e)* will be estimated once the proposals for the surrounding area have been developed further.

Reviews and Task Forces

Mr. Maclean: To ask the Secretary of State for Scotland what *(a)* reviews, *(b)* task forces and *(c)* advisory

groups have been established by his Department since 1 May 1997; what costs they have incurred to date; and what reports they have published. [71514]

Mr. Dewar *[holding answer 22 February 1999]:* Details of reviews, task forces and advisory groups established since 1 May 1997 and of the reports they have published follow. Where the information is readily available, approximate costs incurred on matters such as members' expenses, publication of reports and consultation exercises are shown. Staff costs are not included as these are subsumed within the Department's running costs.

Title	*Costs incurred (£)*	*Report published*
(a) Reviews		
Review Countryside Access Legislation in Scotland	—	Access to the Countryside for Open Air Recreation (December 1998)
Review into the System of Land Ownership and Management in Scotland	51,400	Recommendations for action (January 1999)
Review of EA and SEPA Environmental Legislation (with DETR)	—	—
Review of National Air Quality Strategy (with DETR)	—	Review of the National Air Quality Strategy Consultation Document (January 1999)
Review of Protection Orders made under the Freshwater and Salmon Fisheries (Scotland) Act 1976	—	—
Review of Rural Water and Sewerage Grant Scheme	8,400	—
Review of SSSIs in Scotland	8,500	—
Review of the Scottish Water Industry	6,800	—
Review to Identify Areas of Scotland Appropriate for Designation as National Parks	—	National Parks for Scotland (January 1999)
Strategic Study of Organic Wastes to Land	—	Strategic Review of Organic Waste Spread on Land (October 1998)
Planning Policy Review on Opencast Coal in Scotland	700	—
Review of Skye Bridge Tolls	77,200	—
Review of the Law and Practice of Compulsory Purchase and Land Compensation	31,200	Inception report (January 1999); Interim report (February 1999)
Review of the Scottish Roads Programme	241,000	—
Review of Transport Policy in Scotland	20,200	Travel Choices for Scotland—White Paper (July 1998)
Scottish Homes' Support for Owner Occupation	4,000	—
Scottish Enterprise Strategy Review	—	—
Scottish Homes' Support for Social Rented Housing	15,000	—
Committee on Review of Mental Health (Scotland) Act 1984	—	—
HIV Health Promotion Review Group	—	—
National Review of Health Resource Allocation	23,500	—
Review of the Public Health Function	5,900	—
Review of Public Health Legislation	—	—
A Review of Aspects of Gaelic Broadcasting	7,000	A Review of Aspects of Gaelic Broadcasting (May 1998)
Review of Community Education	14,650	Communities Change Through Learning (November 1998)
Review of Community Disposals and the use of Custody for Women Offenders in Scotland	16,800	A Safer Way: A Review of Community Disposals and the use of Custody for Women Offenders in Scotland (May 1998)
Lord MacLean's Committee on Serious Offenders	—	—
Review of the Student Awards Agency for Scotland	—	—
Review of Arrangements for the Supervision of Sex Offenders in Scotland	20,000	A Commitment to Protect: Review of the Arrangements for the Supervision of Sex Offenders in Scotland (December 1997)
Review of Domestic Violence	650	—
Scottish Interdepartmental Review of the Treatment of Vulnerable and Intimidated Witnesses	600	Towards a Just Conclusion (November 1998)
Review of the Processing of Cases in the Children's Hearings System	25,000	Just in Time (March 1999)
Learning Disability Review	50,000	—
(b) Task forces		
Task Force to Follow the Outcome of the Review of Protection Orders made under the Freshwater and Salmon Fisheries (Scotland) Act 1976	800	Freshwater and Salmon Fisheries (Scotland) Act 1976: Review of the arrangements for Protection Orders (December 1998)
Joint COSLA/Scottish Office Best Value Task Force	—	Best Value Task Force Report (July 1997); Best Value Task Force Second Report (July 1998)
Joint COSLA/Working Group on Council Tax Collection	200	—
Coronary Heart Disease Task Force	2,000	—
Action Group on Standards in Scottish School	3,150	—
Borders Working Party	1,700	Rebuilding the Borders Economy Interim Report (December 1998); Rebuilding the Borders Economy Final Report (March 1999)
Prestwick Task Force	2,150	Reaching the Full Potential Interim Report (September 1997); Prestwick—A Leading Edge Location Final Report (December 1998)
Scottish Advisory Task Force on the New Deal	6,400	—

Title	*Costs incurred (£)*	*Report published*
(c) Advisory groups		
Air Quality Forum	—	—
A Comprehensive Review of the Food-Related Scientific Services in Scotland	26,000	Review of Food-Related Scientific Services in Scotland (October 1998)
National Goose Forum	10,850	—
Review of Scotland's Bathing Waters	—	—
Commission on Local Government and the Scottish Parliament	163,200	—
National Transport Forum for Scotland	2,900	—
New Housing Partnerships Advisory Group	3,500	—
Scottish Social Inclusion Network	1,150	Social Inclusion Strategy—Opening the door to a better Scotland (March 1999)
Social-Inclusion Partnerships Advisory Group	—	Report of the Social Inclusion Partnerships Advisory Group's Consideration of Expressions of Interest (November 1998); Report of the Social Inclusion Partnerships Advisory Group's Consideration of Full Social Inclusion Partnership Bids (March 1999)
Acute Services Group	700	—
Health Targets Working Group	—	—
Scottish Medical and Scientific Advisory Committee	—	—
Scottish National Blood Transfusion Service Users Group	—	—
Waiting List Support Force	23,700	—
Scottish Cancer Group	2,700	Cancer Genetics Services in Scotland (November 1998)
Scottish Childcare Board	2,650	—
Inter-Agency Forum on Women's Offending	350	—
Lady Cosgrove's Expert Panel on Sex Offending	—	—
Riddell Advisory Committee on Severe Low Incidence Disabilities	5,150	—

From 1 July, this will be a matter for the Scottish Parliament.

Hypothermia

Mr. David Taylor: To ask the Secretary of State for Scotland how many deaths, where hypothermia was mentioned on the death certificate as the main or contributory cause of death, took place in each *(a)* region and *(b)* parliamentary constituency of Scotland in 1997, amongst those (i) of all ages, (ii) aged 60 to 74, (iii) aged 74 to 84 and (iv) aged over 85 years; what were the winter mortality rates in each of those areas for (1) the population as a whole, (2) people aged 60 to 74, (3) people aged 75 to 84 and (4) people aged 85 years and over; and what the percentage increase was in each group in each area compared to non-winter deaths in 1997–98. [72593]

Mr. McLeish *[holding answer 1 March 1999]:* The information requested is presented in the following tables.

There is no universally recognised definition of winter mortality. The information presented in the second table is based on a formula that has been used in recent years by the Office for National Statistics when presenting data for England and Wales. This defines 'excess' winter deaths as the difference between the number of deaths during the four months December to March and the average number of deaths during the preceding four months (August to November) and the following four months (April to July). A negative figure occurs when the average non-winter deaths exceed the winter deaths. As this is a crude measure of the increase in mortality associated with winter conditions the numbers of excess deaths have been rounded to the nearest ten.

Deaths where hypothermia was mentioned as a main or contributory cause of death, by health board area and selected age group, Scotland, 1997

	All ages	*60–74*	*75–84*	*85 and over*
Scotland	89	23	21	20
Argyll and Clyde	10	2	4	1
Ayrshire and Arran	6	1	0	5
Borders	1	1	0	0
Dumfries and Galloway	0	0	0	0
Fife	2	0	0	2
Forth Valley	3	0	0	0
Grampian	8	0	4	1
Greater Glasgow	24	6	6	3
Highland	4	0	2	1
Lanarkshire	11	5	1	1
Lothian	19	7	4	6
Orkney	0	0	0	0
Shetland	0	0	0	0
Tayside	1	1	0	0
Western Isles	0	0	0	0

Deaths where hypothermia was mentioned as a main or contributory cause of death, by parliamentary constituency and selected age group, Scotland, 1997

	All ages	*60–74*	*75–84*	*85 and over*
Aberdeen Central	3	0	0	1
Aberdeen South	3	0	3	0
Angus	1	1	0	0
Argyll and Bute	2	0	0	0
Ayr	3	1	0	2
Banff and Buchan	1	0	1	0
Caithness, Sutherland and Easter Ross	1	0	0	0
Central Fife	1	0	0	1
Clydebank and Milngavie	2	1	0	1
Clydesdale	3	2	1	0
Cumbernauld and Kilsyth	1	0	0	1
Dumbarton	1	1	0	0

Deaths where hypothermia was mentioned as a main or contributory cause of death, by parliamentary constituency and selected age group, Scotland, 1997

	All ages	60–74	75–84	85 and over
East Kilbride	1	0	0	0
East Lothian	2	0	1	1
Eastwood	2	1	1	0
Edinburgh Central	2	0	1	1
Edinburgh East and Musselburgh	3	2	0	0
Edinburgh North and Leith	4	1	0	2
Edinburgh West	3	1	1	1
Glasgow Anniesland	1	0	0	0
Glasgow Baillieston	1	0	0	0
Glasgow Govan	2	0	0	0
Glasgow Kelvin	4	1	1	1
Glasgow Maryhill	2	1	0	1
Glasgow Pollock	1	0	0	0
Glasgow Rutherglen	1	1	0	0
Glasgow Shettleston	4	1	1	0
Glasgow Springburn	2	0	2	0
Greenock and Inverclyde	1	0	1	0

Deaths where hypothermia was mentioned as a main or contributory cause of death, by parliamentary constituency and selected age group, Scotland, 1997

	All ages	60–74	75–84	85 and over
Hamilton North and Bellshill	2	0	0	0
Hamilton South	2	1	0	0
Inverness East, Nairn and Lochaber	1	0	1	0
Kilmarnock and Loudoun	3	0	0	3
Linlithgow	3	3	0	0
Livingston	2	0	1	1
Moray	1	0	0	0
Motherwell and Wishaw	2	2	0	0
North East Fife	1	0	0	1
Ochil	2	0	0	0
Paisley South	4	1	2	0
Ross, Skye and Inverness West	2	0	1	1
Roxburgh and Berwickshire	1	1	0	0
Stirling	1	0	0	0
Strathkelvin and Bearsden	2	0	1	0
West Renfrewshire	2	0	1	1

Note:
There were no such deaths in constituencies not listed

Winter mortality by health board area and selected age group, Scotland 1997–98

	All ages		60–74		75–84		85 and over	
	Excess winter deaths	% increase compared to non-winter deaths	Excess winter deaths	% increase compared to non-winter deaths	Excess winter deaths	% increase compared to non-winter deaths	Excess winter deaths	% increase compared to non-winter deaths
Scotland	2,270	12	650	12	830	14	720	16
Argyll and Clyde	70	9	10	5	40	17	10	5
Ayrshire and Arran	210	13	60	14	70	14	80	17
Borders	220	14	70	16	50	10	100	24
Dumfries and Galloway	80	6	10	3	60	14	20	6
Fife	320	12	100	14	110	13	80	12
Forth Valley	0	0	10	9	20	14	–20	–14
Grampian	140	15	20	7	70	23	50	21
Greater Glasgow	300	18	80	16	140	28	80	20
Highland	440	12	150	13	120	11	120	15
Lanarkshire	320	17	140	23	90	15	70	19
Lothian	120	8	30	7	20	4	80	24
Orkney	10	2	–20	–10	20	11	30	19
Shetland	20	27	0	0	10	43	10	53
Tayside	0	0	0	0	0	0	0	0
Western Isles	20	16	10	37	0	0	10	24

Provisional

Winter mortality, by parliamentary constituency and selected age group, Scotland, 1997–98

	All ages		60–74		75–84		85 and over	
	Excess winter deaths	% increase compared to non-winter deaths	Excess winter deaths	% increase compared to non-winter deaths	Excess winter deaths	% increase compared to non-winter deaths	Excess winter deaths	% increase compared to non-winter deaths
Aberdeen Central	40	15	0	0	40	51	0	0
Aberdeen North	40	22	10	17	20	38	20	56
Aberdeen South	50	22	10	19	10	15	10	13
Airdrie and Shotts	30	11	20	23	20	25	10	17
Angus	60	21	10	13	10	10	50	59
Argyll and Bute	30	9	10	11	30	32	10	10
Ayr	60	20	0	0	10	10	20	23
Banff and Buchan	30	11	0	0	0	0	20	31
Caithness, Sutherland and Easter Ross	30	14	20	35	20	32	0	0
Carrick, Cumnock and Doon Valley	50	16	30	32	20	20	10	15
Central Fife	10	4	0	0	30	39	–10	–17
Clydebank and Milngavie	20	8	–10	–13	10	11	20	37
Clydesdale	60	20	30	41	20	20	20	27
Coatbridge and Chryston	50	21	10	11	0	0	30	81
Cumbernauld and Kilsyth	20	12	10	15	10	21	0	0
Cunninghame North	10	3	0	0	0	0	20	27
Cunninghame South	10	4	–20	–24	20	31	0	0
Dumbarton	60	22	20	26	30	42	20	27
Dumfries	0	0	–20	–20	0	0	20	24
Dundee East	30	9	10	10	0	0	0	0

Winter mortality, by parliamentary constituency and selected age group, Scotland, 1997–98

	All ages		60–74		75–84		85 and over	
	Excess winter deaths	% increase compared to non-winter deaths	Excess winter deaths	% increase compared to non-winter deaths	Excess winter deaths	% increase compared to non-winter deaths	Excess winter deaths	% increase compared to non-winter deaths
Dundee West	60	20	30	34	20	23	10	14
Dunfermline East	10	4	0	0	10	12	10	18
Dunfermline West	30	14	0	0	10	14	20	42
East Kilbride	20	8	20	24	0	0	10	18
East Lothian	60	21	30	45	0	0	20	26
Eastwood	20	8	0	0	0	0	20	28
Edinburgh Central	30	12	10	16	0	0	20	28
Edinburgh East and Musselburgh	60	20	0	0	30	35	10	14
Edinburgh North and Leith	60	24	20	30	20	28	10	13
Edinburgh Pentlands	50	26	30	71	10	16	10	19
Edinburgh South	20	6	10	14	10	10	10	8
Edinburgh West	40	16	20	27	10	12	10	18
Falkirk East	30	12	10	12	30	42	0	0
Falkirk West	50	19	0	0	30	36	20	30
Galloway and Upper Nithsdale	10	3	10	11	20	23	10	13
Glasgow Anniesland	70	21	30	34	20	16	10	12
Glasgow Baillieston	10	4	0	0	0	0	0	0
Glasgow Cathcart	20	8	10	12	20	27	10	18
Glasgow Govan	10	3	20	26	10	12	0	0
Glasgow Kelvin	30	12	30	38	10	14	10	18
Glasgow Maryhill	60	20	20	21	10	12	10	20
Glasgow Pollock	60	20	20	21	30	32	10	16
Glasgow Rutherglen	40	15	30	38	10	11	10	16
Glasgow Shettleston	30	10	0	0	20	24	10	20
Glasgow Springburn	40	12	10	9	30	34	10	17
Gordon	30	14	20	37	0	0	10	16
Greenock and Inverclyde	40	14	10	12	20	22	10	17
Hamilton North and Bellshill	40	18	10	14	10	14	10	26
Hamilton South	30	14	10	14	10	15	0	0
Inverness East, Nairn and Lochaber	0	0	0	0	10	11	10	11
Kilmarnock and Loudoun	10	3	20	20	20	16	10	15
Kirkcaldy	20	7	20	28	0	0	20	26
Linlithgow	0	0	10	13	0	0	10	21
Livingston	20	8	10	12	20	33	10	21
Midlothian	10	4	10	13	10	12	10	21
Moray	30	12	10	14	0	0	20	27
Motherwell and Wishaw	90	35	30	33	30	38	20	42
North East Fife	30	11	0	0	10	11	0	0
North Tayside	40	14	0	0	10	10	20	24
Ochil	40	15	20	26	10	11	20	31
Orkney and Shetland	30	19	0	0	10	20	10	21
Paisley North	60	26	30	37	20	33	20	48
Paisley South	60	22	20	24	20	24	20	30
Perth	30	9	20	24	0	0	10	11
Ross, Skye and Inverness West	30	12	10	14	10	11	30	49
Roxburgh and Berwickshire	10	4	10	17	20	23	10	14
Stirling	30	13	0	0	10	14	20	30
Strathkelvin and Bearsden	20	8	10	14	10	13	10	21
Tweeddale, Ettrick and Lauderdale	20	8	10	17	0	0	10	14
West Aberdeenshire and Kincardine	0	0	0	0	0	0	0	0
West Renfrewshire	30	14	0	0	10	14	10	20
Western Isles	20	16	10	37	0	0	10	24

Provisional

From 1 July 1999, this will be a matter for the Scottish Parliament.

Mr. David Taylor: To ask the Secretary of State for Scotland how many deaths, where hypothermia was mentioned on the death certificate as the main or contributory cause of death, took place in Scotland in *(a)* 1997, *(b)* 1992, *(c)* 1987, *(d)* 1982 and *(e)* 1977 amongst those (i) of all ages, (ii) aged 60 to 74, (iii) aged 74 to 84 and (iv) aged over 85 years; what were the winter mortality rates for (1) the population as a whole, (2) people aged 60 to 74, (3) people aged 75 to 84 and (4) people aged 85 years and over; and what the percentage increase was in each group compared to non-winter deaths in 1997–98, 1992–93, 1987–88, 1982–83 and 1977–78, respectively. [72594]

Mr. McLeish *[holding answer 1 March 1999]:* The information requested in presented in the following tables.

There is no universally recognised definition of winter mortality. The information presented in the second table is based on a formula that has been used in recent years by the Office for National Statistics when presenting data for England and Wales. This defines 'excess' winter deaths as the difference between the number of deaths during the four months December to March and the average number of deaths during the preceding four months (August to November) and the following four months (April to July). As this is a crude measure of the increase in mortality associated with winter conditions the numbers of excess deaths have been rounded to the nearest ten.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Winter mortality, by selected age group, Scotland, 1977–78 to 1997–98

	Age group							
	All ages		*60–74*		*75–84*		*85 and over*	
	Excess winter deaths	*% increase compared to non-winter deaths*	*Excess winter deaths*	*% increase compared to non-winter deaths*	*Excess winter deaths*	*% increase compared to non-winter deaths*	*Excess winter deaths*	*% increase compared to non-winter deaths*
1977–78	4,890	25	1,630	21	1,770	31	1,020	40
1982–83	4,390	22	1,310	18	1,590	27	1,130	40
1987–88	2,390	12	760	11	890	14	630	18
1992–93	2,630	13	610	10	920	14	930	23
1997–98	2,270	12	650	12	830	14	720	16

1997–98 figures are provisional

Deaths where hypothermia was mentioned as a main or contributory cause of death, selected age groups, Scotland, 1977–97

Year	*All ages*	*60–74*	*75–84*	*85 and over*
1977	158	42	70	29
1982	196	61	73	38
1987	153	39	51	34
1992	117	39	31	26
1997	89	23	21	20

Note:
because of coding changes in 1979, information for 1977 is not directly comparable to that for later years.

Higher Still (English)

Mr. Savidge: To ask the Secretary of State for Scotland if he will list the schools which are ready to implement the Higher Still in English. [73083]

Mrs. Liddell *[holding answer 3 March 1999]:* I list the 71 local authority schools which, according to returns received from local authorities by the beginning of February 1999, are planning to implement "Higher Still" Higher English in 1999–2000.

Authority	*School*
Aberdeen City	—
Aberdeenshire	Kemnay Academy
Angus	Arbroath Academy
	Arbroath High School
	Montrose Academy
	Brechin High School
Argyll & Bute	Rothesay Academy
	Tobermory High School
Clackmannanshire	Alva Academy
	Lornshill Academy
Dumfries & Galloway	Castle Douglas High School
	Kirkcudbright Academy
	Langholm Academy
	Maxwelltown High School
	Moffat Academy
	Stranraer Academy
	Wallace Hall Academy
Dundee City	Craigie High School
East Ayrshire	—
East Dunbartonshire	—
East Lothian	—
East Renfrewshire	St. Ninian's High School
Edinburgh City	Balerno Community High School
	Holy Rood High School
	Liberton High School
	Portobello High School
Falkirk	Grangemouth High School
Fife	Balwearie High School
	Beath High School
	Buckhaven High School
	Glenrothes High School
	Inverkeithing High School
	Kirkcaldy High School
	Kirkland High School
	Madras College
	Waid Academy
Glasgow	Smithcroft Secondary School
Highland	Wick High School
	Gairloch High School
	Inverness High School
	Inverness Royal Academy
	Grantown Grammar School
	Kinlochleven High School
	Lochaber High School
	Mallaig High School
	Plockton High School
Inverclyde	Port Glasgow High School
Midlothian	—
Moray	—
North Ayrshire	Auchenharvie Academy
	Irvine Royal Academy
North Lanarkshire	Braidhurst High School
	Coatbridge High School
	Columba High School
	Our Lady's High School (Cumbernauld)
	St. Aidan's High School
	St. Margaret's High School
	Taylor High School
Orkney	—
Perth & Kinross	Auchterarder High School
Renfrewshire	Castlehead High School
Scottish Borders	Earlston High School
	Eyemouth High School
	Galashiels Academy
	Hawick High School
	Jedburgh Grammar School
	Kelso High School
	Selkirk High School
Shetland	—
South Ayrshire	Girvan Academy
South Lanarkshire	Blantyre High School
	Duncanrig Secondary School
Stirling	Bannockburn High School
	Stirling High School
	Wallace High School
West Dunbartonshire	—
West Lothian	Armadale Academy
	Linlithgow Academy
Eilean Siar	The Nicolson Institute
	Castlebay School

Departmental Advisers

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland, pursuant to his answer of 22 February 1999, *Official Report*, column *143*, for what reasons he did not supply an estimate for spending on special advisers in 1996–97; if he will provide estimates of total spending on special advisers for *(a)* 1996–97, *(b)* 1997–98, and *(c)* 1998–99; and if he will make a statement. [74165]

Mr. Dewar *[holding answer 5 March 1999]:* I refer the hon. Member to my answer of 22 February 1999, *Official Report*, column *143*. Details of costs relating to the Special Advisers in 1996–97 could be supplied only at disproportionate cost.

Special Advisers

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland what is his estimate of the total cost of special advisers in his Department for each of the years *(a)* 1995–96, *(b)* 1996–97, *(c)* 1997–98, *(d)* 1998–99 and *(e)* 1999–2000; and if he will make a statement. [74240]

Mr. Dewar *[holding answer 3 March 1999]:* I refer the hon. Member to my answer of 22 February 1999, *Official Report*, column *143*. Details of costs relating to the Special Advisers in 1995–96 and 1996–97 could only be supplied at disproportionate cost.

Scottish Executive

Mr. Swayne: To ask the Secretary of State for Scotland what estimate he has made of the cost of funding the private offices of the First Minister and the other Ministers of the Scottish Executive in the Scottish Parliament. [74980]

Mr. McLeish *[holding answer 11 March 1999]:* The number of Ministers in the Scottish Executive will not be known until after the election on 6 May 1999. However, the question of private office support for the First Minister and other Ministers is currently being considered as part of the general planning associated with devolution. No estimate of the cost of funding the private office has yet been made. The cost will be met from within the overall provision made for expenditure on administration of the Scottish Executive.

Student Finance

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland what estimate he has made of the annual cost, for each of the next 20 years, of replacing the university maintenance loan with a maintenance grant for Scottish students at United Kingdom universities; if he will set out the figures in terms of *(a)* their cash accounting and funding impact and *(b)* their effect in terms of resource accounting; and if he will make a statement. [74711]

Mrs. Liddell *[holding answer 5 March 1999]:* The information is set out in the table. Figures have been provided by statisticians from the Department for Education on a U.K. wide basis and the Scottish share has been calculated as approximately 11% of the total. Information is not available for each of the next twenty years. However a selection of years was modelled for illustrative purposes.

£ million

Year	*Cash accounting*	*Resource accounting*
1998–99	16.5	38.5
1999–2000	44	115.5
2000–01	71.5	176
2005–06	159.5	231
2010–11	264	253
2015–16	308	236.5

Salmon Farmers (Compensation)

Mr. Swayne: To ask the Secretary of State for Scotland what plans he has to pay salmon farmers compensation when they are required to slaughter their stock as a consequence of a List 1 disease. [76210]

Mr. Macdonald *[holding answer 18 March 1999]:* The Government have no plans to pay compensation but have proposed a financial aid package for the industry. I refer the hon. Member to the reply given by my right hon. Friend to my hon. Friend the Member for Inverness, East, Nairn and Lochaber (Mr. Stewart) dated 8 February 1999, *Official Report*, column *62*.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Schools

Mr. Gorrie: To ask the Secretary of State for Scotland how many (i) pupils and (ii) teachers there were in Scottish *(a)* primary schools and *(b)* secondary schools in 1998–99. [76625]

Mrs. Liddell *[holding answer 19 March 1999]:* The information requested is set out in the table.

Provisional numbers of pupils and full-time equivalent (FTE) teachers in publicly funded primary and secondary schools in Scotland in 1998–99

	Primary	*Secondary*
Pupils	435,518	311,277
FTE teachers	22,493	23,459

As from 1 July 1999, this will be a matter for the Scottish Parliament.

Highlands and Islands Enterprise

Mrs. Ewing: To ask the Secretary of State for Scotland what was the Scottish Office budget for Highlands and Islands Enterprise in cash terms and at 1998–99 prices for *(a)* 1992–93, *(b)* 1993–94, *(c)* 1994–95, *(d)* 1995–96, *(e)* 1996–97, *(f)* 1997–98 and *(g)* 1998–99; and what is his estimate for (i) 1999–2000, (ii) 2000–01 and (iii) 2001–02. [76864]

Mr. Dewar *[holding answer 16 March 1999]:* The Scottish Office Budget for Highlands and Islands Enterprise in cash terms and at 1998–99 prices for the years 1992–93 to 1998–99 and the plan figures for 1999–2000 to 2001–02 are as follows.

£ million

Year	Budget	1998–99 prices
1992–93	78.8	91.5
1993–94	79.2	89.5
1994–95	76.3	85.0
1995–96	77.7	84.2
1996–97	75.8	79.6
1997–98	79.1	81.1
1998–99	79.7	79.7
1999–2000 (plans)	78.7	76.8
2000–01 (plans)	77.0	73.3
2001–02 (plans)	77.0	71.5

Plan figures for 1999–2000 are subject to adjustment to reflect annual and in-year post CSR changes to baseline provision. The budget figure shown for 1999–2000 includes the £1.7 million recently announced for the purpose of attracting inward investment projects to the Highlands and Islands.

Future year plans reflect a realignment of Highlands and Islands Enterprise's existing training programmes to reflect the introduction of the New Deal, in which the enterprise network will play a key role. About £300 million of New Deal resources will also be available in Scotland over the lifetime of this Parliament by way of Employment Service spending. A proportion of this will be available for delivery of the New Deal programme in the Highlands and Islands.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Police Budget

Mrs. Ewing: To ask the Secretary of State for Scotland what was his Department's policing budget in cash terms and at 1998–99 prices for *(a)* 1992–93, *(b)* 1993–94, *(c)* 1994–95, *(d)* 1995–96, *(e)* 1996–97, *(f)* 1997–98 and *(g)* 1998–99; and what is his estimate for (i) 1999–2000, (ii) 2000–01 and (iii) 2001–02. [76861]

Mr. McLeish *[holding answer 16 March 1999]:* The information is as follows:

£ million

Year	Cash Terms	1998–99 Prices
1992–93	537	625
1993–94	567	643
1994–95	626	700
1995–96	622	676
1996–97	666	702
1997–98	735	755
1998–99	741	741
1999–2000	768	749
2000–01	795	757
2001–02	815	757

Sources.
For the years 1992–93 to 1998–99: Departmental Reports and GAE announcements.
For the years 1999–2000 to 2001–02: Comprehensive Spending Review.

As from 1 July 1999, this will be a matter for the Scottish Parliament.

Highers

Mr. Gorrie: To ask the Secretary of State for Scotland how many pupils in Scottish schools gained passes in Highers at C or above in (i) 1997–98, (ii) 1992–93, (iii) 1987–88, (iv) 1982–83, (v) 1977–78 in *(a)* French, *(b)* German, *(c)* other modern languages, *(d)* English, *(e)* mathematics, *(f)* history, *(g)* geography, *(h)* modern studies, *(i)* physics, *(j)* chemistry, *(k)* biology, *(l)* art, *(m)* music, *(n)* graphic design, *(o)* computing and *(p)* Latin, Greek or classical studies. [77264]

Mrs. Liddell *[holding answer 24 March 1999]:* The information is shown in the following table, except for Graphic Design for which a Higher was not available. The figures will be affected by the overall increase in the number of S5 and S6 pupils from around 51,700 in 1977–78 to around 74,300 in 1997–98.

Passes in Highers at C or above for school pupils in Scotland

	1997–98	1992–93	1987–88	1982–83	1977–78
French	3,678	4,046	4,561	6,506	6,417
German	1,525	1,414	1,178	1,593	1,650
Other Modern Languages	699	497	451	631	627
English	21,776	20,970	21,960	24,467	19,179
Mathematics	13,532	12,866	13,242	15,036	10,919
History	5,074	5,039	6,189	6,718	6,437
Geography	6,095	5,747	6,489	6,752	5,632
Modern Studies	5,228	5,116	3,843	2,604	1,979
Physics	7,945	8,790	8,319	9,893	8,150
Chemistry	7,774	8,217	9,098	10,443	8,749
Biology	6,997	7,375	7,649	6,724	4,271
Art and Design	5,810	4,941	5,126	3,963	2,112
Music	2,353	1,569	863	617	479
Computing Studies	2,993	1,856	—	—	—
Latin, Classical Greek and Classical Studies	604	385	650	1,137	1,852

Includes Spanish, Italian, Russian, Swedish, Norwegian and Portuguese
The Higher in Computing Studies was introduced in 1989
The Higher in Classical Studies was introduced in 1994. Latin, Classical Greek and Classical Studies are separate Highers

As from 1 July 1999, this will be a matter for the Scottish Parliament.

Consultancy Fees

Mr. Gorrie: To ask the Secretary of State for Scotland what fees to consultants have been paid or incurred in (i) 1996–97, (ii) 1997–98 and in (iii) 1998–99 so far by *(a)* each section of the Scottish Office, *(b)* each local enterprise company, *(c)* Scottish Enterprise and Highlands and Islands Enterprise, *(d)* each health board in Scotland, *(e)* each water authority in Scotland, *(f)* each of the Lottery-fund distributors in Scotland, *(g)* each local

authority in Scotland, *(h)* the Scottish Arts Council and Scottish Sports Council and *(i)* Scottish Homes. [77420]

Mr. Dewar *[holding answer 24 March 1999]:* Expenditure on external consultancy by The Scottish Office, its executive agencies and associated departments in the years requested, is as follows:

	£ million
1996–97	2.7
1997–98	2.5
1998–99	2.1

The information requested about expenditure by other public bodies is not held centrally and could be obtained only at disproportionate cost.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Education Expenditure

Mr. Gorrie: To ask the Secretary of State for Scotland how much *(a)* has been and *(b)* is planned to be spent in Scotland in each year between 1991–92 and 2001–02 on (i) early and primary education, (ii) secondary education, (iii) further education, (iv) higher education, (v) community education, (vi) special educational needs, (vii) other categories of education and (viii) education in total in (1) cash terms and (2) at 1998–99 prices. [77273]

Mrs. Liddell *[holding answer 24 March 1999]:* The actual and planned expenditure figures are set out in the following tables. It should be noted that planned figures cannot be compared with actual figures. The actual expenditure figures include local authority expenditure funded by both Central Government and council tax, whilst the figures for planned expenditure include only estimates of grant aided expenditure.

Actual expenditure

£ million in cash terms

	1991–92	*1992–93*	*1993–94*	*1994–95*	*1995–96*	*1996–97*
Early and primary education	775	836	844	858	890	904
Secondary education	842	888	889	910	937	932
Further education	237	258	273	294	300	300
Higher education	431	508	835	900	924	924
Community education	73	81	83	85	88	86
Special educational needs	128	140	144	156	164	168
Other	266	290	321	323	343	367

Actual and planned expenditure

£ million in cash terms

	Actual expenditure 1997–98	*Estimated outturn 1998–99*	*Planned expenditure 1999–2000*	*2000–01*	*2001–02*
Further education	293	289	330	359	395
Higher education	841	849	896	1,039	1,068
Other Central Government Expenditure	138	182	222	259	264
Local Authority Expenditure	2,375	2,438	2,591	2,703	2,809
Total	3,647	3,758	4,039	4,360	4,536

Actual expenditure

£ million in constant 1998–99 prices

	1991–92	*1992–93*	*1993–94*	*1994–95*	*1995–96*	*1996–97*
Early and primary education	929	970	954	956	964	980
Secondary education	1,009	1,031	1,005	1,014	1,015	979
Further education	284	299	309	328	325	315
Higher education	517	590	944	1,003	1,001	971
Community education	88	94	94	95	95	90
Special educational needs	153	162	163	174	178	177
Other	319	337	363	360	373	386
Total	3,299	3,483	3,831	3,930	3,950	3,867

Actual and planned expenditure

£ million in constant 1998–99 prices

	Actual expenditure 1997–98	*Estimated outturn 1998–99*	*Planned expenditure*		
			1999–2000	*2000–01*	*2001–02*
Further education	300	289	322	342	367
Other Central Government Expenditure	141	182	217	246	245
Local Authority Expenditure	2,435	2,438	2,528	2,573	2,608
Total	3,739	3,758	3,941	4,150	4,212

Notes:
1. A split of local authority expenditure in the categories requested is not available for 1997–98 and 1998–99.
2. Local authority plans for 1999–2000 to 2001–02 are not yet known. The table shows Government estimates of Grant Aided Expenditure for these years. Expenditure figures for earlier years include funding from council tax in addition to support from central Government.
3. Planned expenditure for 1999–2000 to 2001–02 has been adjusted to take account of 1999 budget decisions.
4. Local authority capital expenditure is not included. Nor are loan and leasing charges or capital funded from revenue accounts.
5. Figures for 1997–98 and 1998–99 include the proceeds of the sale of student debt.
6. Other includes the Careers Service; transport, residential accommodation and bursary assistance for school pupils; education administration costs; school meals and miscellaneous education expenditure.
7. Higher education includes student support costs.

From 1 July 1999 this will be a matter for the Scottish Parliament.

Special Needs

Mr. Gorrie: To ask the Secretary of State for Scotland what plans he has to change the current arrangements whereby employers are expected to pay a training allowance to special needs trainees in Scotland. [77422]

Mr. Dewar *[holding answer 24 March 1999]:* Trainees in Skillseekers who are designated as having special training needs (STN) and who are on placement with an employer do not receive a training allowance from the employer. The training allowance is paid by the training provider at a level set by the LEC. An employer who is delivering the training under contract to the LEC and is, therefore, acting as the training provider, would be responsible for managing the training allowance. If an employer has chosen to employ an STN trainee, then he will pay the trainee a wage, not a training allowance.

As from 1 July 1999, this will be a matter for the Scottish Parliament.

EU Subsidies

Mrs. Laing: To ask the Secretary of State for Scotland if he will list the total amount of EU subsidies paid to farmers in each year since 1992 in *(a)* cash terms and *(b)* 1998–99 prices. [77762]

Mr. Macdonald *[holding answer 25 March 1999]:* Outturn figures since 1992–93 for direct subsidies to Scottish farmers which are 100 per. cent EU funded (these include livestock premium schemes and arable aid payments but exclude HLCAs and agri-environment schemes) are given in the table at both current and 1998–99 prices.

£ million

Year	*Current Prices*	*Real Terms (1998–99 prices)*[1]
1992–93	132	153
1993–94	243	275
1994–95	284	317
1995–96	345	374
1996–97	417	439
1997–98	319	327

[1] Converted to 1998–99 prices using the GDP deflator.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Departmental Staff (Ethnic Origin)

Mr. Vaz: To ask the Secretary of State for Scotland if he will provide a breakdown, in numerical and percentage terms, of the ethnic origin, at 1 March, of *(a)* his private office, *(b)* Government special advisers, *(c)* his Policy Unit and *(d)* staff in total. [78507]

Mr. Dewar: Information on the ethnic origin of the civil servants is collected using a voluntary, confidential questionnaire. To protect the privacy of individual staff, data relating to fewer than five people are not disclosed in equal opportunities monitoring. Information is therefore not available for (*a*) my private office and (*b*) government special advisers in my department. My department does not have a separate Policy Unit.

As regards information on special advisers and staff in total, I refer to the answers given by my right hon. Friend the Minister for the Cabinet Office, as follows:

(b) special advisers—*22 February 1999, Official Report,* column *39;*

(d) staff in total— 31 March 1999, *Official Report, column 711.*

European Structural Funds

Mr. Wallace: To ask the Secretary of State for Scotland how many claims for payment by objective 1 projects have been delayed for more than *(a)* three months, *(b)* six months and *(c)* one year since the inception of the Highlands and Islands partnership programme. [78252]

Mr. Dewar *[holding answer 24 March 1999]:* This information is not available in the form requested and could be obtained only at disproportionate cost. Since the beginning of the Highlands and Islands Objective 1 programme in 1994, more than 80,000 separate payment claims have been processed. The processing of individual claims may have been delayed for various reasons, including the need to clarify with the project sponsor the information provided in the claim. Until recently, payments could only be made when the relevant funds had been transferred from the EU Commission. New arrangements have now been introduced to ensure that payments are no longer delayed for this reason.

With effect from 1 July 1999, the administration of the European Structural Funds in Scotland will be the responsibility of the Scottish Administration.

Mr. Wallace: To ask the Secretary of State for Scotland how many Objective 1 project claims for payment, and to what value, are currently awaiting settlement; and how many of these have been waiting in excess of *(a)* six months and *(b)* 12 months. [78251]

Mr. Dewar *[holding answer 24 March 1999]:* 3001 payment claims with a value of £20,082,092 are currently awaiting payment. 106 of these, with a value of £1,817,145, have been outstanding for more than six months, while 69 payment claims, with a value of £470,847, have been outstanding for more than 12 months, mostly due to the need to seek additional information on the claims.

With effect from 1 July 1999, the administration of the European Structural Funds in Scotland will be the responsibility of the Scottish Administration.

Mr. Wallace: To ask the Secretary of State for Scotland on which dates the 1996 annual progress report in respect of the Highlands and Islands partnership programme was *(a)* submitted and *(b)* re-submitted to the European Commission; for what reasons the report was required to be re-submitted; and if he will make a statement. [78253]

Mr. Dewar *[holding answer 24 March 1999]:* The Highlands and Islands 1996 Annual Report was first submitted to the European Commission on 21 September 1998. Following the Commission's request for amendments, it was re-submitted on 17 November.

The format of the 1996 Annual Report was originally based on the format of the 1995 Annual Report which was agreed by the European Commission on 3 July 1998. When the Commission initially received the 1996 Annual Report, it requested certain further changes to the format, which was why it had to be re-submitted.

With effect from 1 July 1999, the administration of the European Structural Funds in Scotland will be the responsibility of the Scottish Administration.

Multi-layer Democracy Report

Mr. Maclean: To ask the Secretary of State for Scotland (1) on the basis of whose request the hon. Member for Inverness, East, Nairn and Lochaber (Mr. Stewart) agreed to let the Secretary of State see extracts from the Scottish Affairs Committee report on Multi-Layer Democracy (HC 460 of Session 1997–98); [79353]

(2) if he, other Ministers or advisers contacted any other members of the Scottish Affairs Committee seeking information on its report on Multi-Layer Democracy (HC 460 of Session 1997–98) prior to its publication; [79354]

(3) if he initiated the contact with the hon. Member for Inverness, East, Nairn and Lochaber (Mr. Stewart), which led to him receiving extracts from the Scottish Affairs Committee report on Multi-Layer Democracy (HC 460 of Session 1997–98); [79355]

(4) if he will list the people in his Department who saw the leaked copy of the Scottish Affairs Committee report on Multi-Layer Democracy (HC 460 of Session 1997–98) prior to publication and the approximate dates when this occurred; [79356]

(5) what use *(a)* he, *(b)* his Ministers and *(c)* his advisers made of the leaked copy of the Scottish Affairs Committee report on Multi-Layer Democracy (HC 460 of Session 1997–98) in briefing the press. [79352]

Mr. Dewar *[holding answer 30 March 1999]:* I refer the right hon. Member to the answer I gave him on 24 March 1998, *Official Report*, column *324*.

The *Herald* newspaper carried extensive extracts from the Select Committee's report on 26 November, together with a feature and a leading article on the subject. The newspaper confirmed to my office that it had a leaked copy of the entire report. The story was followed up by many Scottish and UK newspapers and by the broadcast media.

As a result of that coverage, I received many requests for a response from journalists and complaints from members of the Select Committee who felt that the press reports misrepresented their position. This led me to comment, when approached by journalists during an unrelated engagement on the morning of 26 November, that the report appeared to have been subject to selective quotation.

I spoke to my hon. Friend the Member for Inverness, East, Nairn and Lochaber (Mr. Stewart) later that day. Our conversation centred on his disquiet and that of other Members of the Committee about the leaking of the report and the omission from the quoted extracts of the sole conclusion, which he described to me.

At the time of our conversation, the report had already been made to the House, was at the printers, had been leaked in its entirety, had been extensively quoted and commented on in the press and was the subject of many requests for comments made to my office. It was already in the public domain, and the possibility of influencing its contents, which would have been wholly improper, could not arise.

My conversation with my hon. Friend was on that basis. To the best of my recollection, I asked him if he could confirm the accuracy of the quotations and findings of which I was already aware. Given the concerns which he had already expressed to me, my hon. Friend said that he was prepared to give that confirmation. He told me he would do so after consulting the report, which he did not then have to hand. Relevant extracts were sent by fax to my office a short time later. They were seen by no-one other than me, staff in my Private Office and my Special Advisers and no further use was made of them.

Mr. Swayne: To ask the Secretary of State for Scotland if he asked the hon. Member for Inverness, East, Nairn and Lochaber (Mr. Stewart) to show him a pre-publication copy of the report of the Scottish Affairs Committee into Multi-Layer Democracy (HC 460 of Session 1997–98); and if he will make a statement. [79351]

Mr. Dewar *[holding answer 30 March 1999]:* I refer the hon. Member to the answer provided to the right hon. Member for Penrith and The Border (Mr. Maclean) today, *Official Report*, column *796*.

Registers of Scotland Executive Agency

Dr. Godman: To ask the Secretary of State for Scotland if he will make a statement about the prior options review of the Registers of Scotland Executive Agency. [80169]

Mr. Dewar: A prior options review of the Registers of Scotland Executive Agency was carried out recently for my Department. The review concluded that there will continue to be a need for a function to maintain a register of title to land with the power to make independent decisions in cases of dispute, and recommended continuation of both Agency and Trading Fund status.

Extensive recommendations on issues such as governance and target setting were made to enhance the strategic management of the Agency and to improve its commercial approach.

I have accepted the recommendations on Agency status and on improvements to the coverage and stringency of the Agency's targets, which will be revised as soon as possible.

I have not, however, accepted the review's recommendation that decisions on the Agency's accommodation strategy should be brought forward. As recently as last November, I agreed that the Agency should maintain its presence in its existing, or similar, locations in Edinburgh and Glasgow until 2007. This option will have the least impact on the Agency's productive capacity at a time when it will be undertaking the major task of completing the extension of the Land Register to the whole of Scotland.

The recommendations on Trading Fund status, governance arrangements and the future strategic management of the Agency will be considered by Ministers of the Scottish Executive and the Scottish Parliament. Interim arrangements have been made to continue Trading Fund status until 31 March 2000.

From 1 July 1999 this will be a matter for the Scottish Parliament.

Opencast Coal

Mr. Eric Clarke: To ask the Secretary of State for Scotland when he will issue finalised planning policy guidance on opencast coal. [80170]

Mr. Macdonald: The Government's planning policy for opencast coal is being published today in National Planning Policy Guideline 16: Opencast Coal and Related Minerals. This NPPG, which replaces NPPG 4: Land for Mineral Working as the relevant guidance for opencast coal and related minerals, indicates the considerations which planning authorities should take into account in framing development plan policies and in determining planning applications for the extraction of opencase coal and related minerals. NPPG 4 continues to provide policy guidance for all other minerals.

The new guidance takes account of the Ten Point Plan prepared by the Government before the Election, the outcome of the Energy Fuels Review and the responses made to consultation on the draft revised guidance which I announced to the House on 22 October 1998. The guidance ensures that a robust framework is in place to protect communities and the environment from any potential harm caused by proposed opencase coal developments. It will ensure that all proposals are subjected to tough scrutiny and if consent is granted the highest environmental standards will apply.

As a result of the new guidance, planning authorities will need to review existing development plan policies for controlling opencase coal and related mineral extraction. To ensure early action, the Secretary of State is issuing a direction requiring all the relevant planning authorities to prepare and submit an alteration to their structure plan policies to bring them into line with the guidance. The Direction relating to the notification of certain applications to the Secretary of State, issued on 22 October 1998, remains in force, although it will be reviewed once the new guidance is reflected in planning authorities' structure plans.

The Government do not envisage a prohibition on the working of opencast coal. However, NPPG 15 properly puts concern for communities and the environment at the heart of decision making by seeking to apply a sustainable approach in determining where extraction may take place. Full weight should be given to the effect and potential disturbance on local communities as well as other environmental considerations including nature conservation and the impact on the landscape. Where a proposal would cause demonstrable harm, the guidance is clear that permission should not be granted except where the benefits of the development proposal to the community would out-weigh the potential harm. The Government look to planning authorities to steer proposals to environmentally acceptable sites and, where necessary, to refuse consent where they judge such developments would not be in the overall best interests of the affected local communities and environment.

A copy of the guidance is being placed in the House Library. Copies are also being widely circulated to those with an interest including planning authorities, the industry and environmental interests.

From 1 July 1999 this will be a matter for the Scottish Parliament.

Packaging Regulations

Miss Begg: To ask the Secretary of State for Scotland if he will make a statement on the outcome of the review of the operation of the Packaging Waste Recovery Note system to demonstrate compliance with the Packaging Regulations. [80171]

Mr. Macdonald: I have considered the conclusions of the Advisory Committee on Packaging together with representations made in the course of the review of the Regulations. Obligated parties are keen to see greater transparency in reprocessors' treatment of Packaging Recovery Note (PRN) revenue so that they know that the resources they are putting in are being used as intended. I therefore propose the following changes to the PRN system in Scotland:

(i) that as a condition of accreditation, reprocessors should provide an annual return to the Scottish Environment Protection Agency (SEPA) showing PRN revenue for the previous year; the proportion of PRN revenue that has been passed to others to develop the collection infrastructure; and what proportion was directed at either developing reprocessing capacity or at developing end-use markets for recycled materials. Details

should also be provided as to what additional capacity is planned and what steps have been taken to develop markets for recyclate.

(ii) that PRNs should be issued to obligated parties only or to those representing them. In addition, individual businesses who are obligated members of the packaging chain and bring waste for reprocessing, should be given first refusal on the PRN when such waste is accepted for reprocessing.

Reprocessors should therefore make reasonable forward provision for such obligated parties who wish to have PRNs, and I would expect the obligated parties also to do what they can to ensure that the reprocessors are informed as soon as possible about their PRN requirements.

I will be asking SEPA to amend their Guidance Note to reflect these changes.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Scottish Parliament (Tax)

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland what estimate he has made of the proportion of expenditure on the set-up costs of the tax varying powers of the Scottish Parliament which will have been incurred before the end of the 1999–2000 fiscal year for the *(a)* Inland Revenue and *(b)* Department of Social Security; and if he will make a statement. [79551]

Mr. Dewar: Work is currently in progress to ensure that all the necessary arrangements are in place to allow the tax varying powers to be used with effect from 6 April 2000 if the incoming Scottish Executive wishes to do so. If that work continues, therefore, all of the set-up costs for Inland Revenue and the Department of Social Security will have been incurred by then. It will, however, be a matter for the incoming Scottish Executive to decide whether or not this preparatory work should continue.

Mr. Malcolm Bruce: To ask the Secretary of State for Scotland, pursuant to his answer of 16 February 1999, *Official Report*, columns *644–45*, on the Scottish Parliament's tax-varying powers, if he will update his answer to reflect the changes to income tax bands and rates announced in the Budget statement. [78523]

Mr. Dewar *[holding answer 25 March 1999]*: Following the measures announced in Budget 99 it is currently estimated for 2000–01 that the yield from a decision to increase the basic rate of income tax by one penny for Scottish taxpayers would be as follows:

	£ million
Gross	230
Net	225

Net of Working Families Tax Credit and income related benefits: Income Support, Housing Benefit and Council Tax benefit

Social Inclusion

Mrs. Fyfe: To ask the Secretary of State for Scotland if he will estimate the amount of resources to be made available to increase the level of social inclusion under *(a)* working families tax credits, *(b)* the national minimum wage, *(c)* general practitioners for deprived communities, *(d)* Listening To/Working for Communities and *(e)* New Deal for Communities Pathfinder projects for each of the next three years. [78714]

Mr. Macdonald: The estimated net value of the Working Families Tax Credit to families in Scotland is £170 million in 2000–01 and £180 million in 2001–02.

It is estimated that 157,000 workers in Scotland will benefit from the introduction of the National Minimum Wage. An estimate of the value of this initiative to workers in Scotland is in preparation, and a letter will be sent to my hon. Friend.

A total of £7.5 million in each of the next 3 years is being invested in payments to general practitioners working in deprived communities.

Investment in the 2 strands of the New Deal for Communities in Scotland (Working for Communities and Listening to Communities) amounts to £3.3 million in 1999–2000, £3.3 million in 2000–01 and £6.3 million in 2001–02.

From 1 July 1999, funding of health services in Scotland and the Working for Communities and Listening to Communities programmes will be matters for the Scottish Parliament.

Census (Religious Affiliation)

Mrs. Ray Michie: To ask the Secretary of State for Scotland (1) what factors underlay the decision not to include a question about religious affiliation in the 2001 census form in Scotland; [79367]

(2) what representations he has received from church and ethnic minority groups requesting a question about religious affiliation in the 2001 census form in Scotland. [79368]

Mr. McLeish: The Government's proposals for the 2001 Census of Population set out in the White Paper (CM 4253) published on 4 March were made after extensive consultation. Potential users were asked to submit business cases setting out the uses and value of collecting information from the Census for each topic. The criteria against which these cases were judged included an assessment of the resources that are distributed on the basis of the information, the value of the information for very small areas (which the Census in particular can provide), the existence or otherwise of alternative sources, the acceptability of the question to the form-filler, the quality of the information obtained, and the costs of collection.

The main reason for the proposal not to include a question about religious affiliation in Scotland was that no strong case has been made by users in central and local government or elsewhere that the uses to which information from such a question would be put require a Census question (rather than obtaining the information from alternative approaches such as a sample survey). A change in primary legislation would also be required to ask a religion question in Scotland.

Although, during consultation, Action of Churches Together in Scotland and the Scottish Council for Racial Equality indicated that they would like to see a religion question in the Census, a strong case was not established.

Since publication of the Government's proposals, representations have been received from Bailie Bashir Maan and Councillor Hanzala Malik, both of Glasgow City Council and the latter in his role as Chairperson of the West of Scotland Community Relations Council.

Final decisions on the content of the Census in Scotland will be for the Scottish Parliament.

From 1 July 1999, this will be a matter for the Scottish Parliament.

Sheriffs (Retirement)

Sir Robert Smith: To ask the Secretary of State for Scotland what is his policy regarding the retirement ages of *(a)* sheriffs and *(b)* temporary sheriffs and (i) what policy change in relation to the retirement age of temporary sheriffs he has made since May 1997, (ii) what consultation he had about such policy change and (iii) with whom such consultation took place. [78763]

Mr. McLeish: Retiral ages for all Sheriffs are set by statute and no changes have been made, or are proposed, in relation to permanent sheriffs. Temporary Sheriffs are appointed for one year at a time and commissions are subject to review annually in the light of the needs of the courts. On the recommendation of the Lord Advocate, a number of Commissions of older Temporary Sheriffs have not been renewed to make way for the appointment of younger recruits who can be tested on their ability to move on to permanent posts. This policy has been discussed on two occasions with the Temporary Sheriffs Association. Individuals affected by the ruling have been invited to make representations and some Commissions have been extended where exceptional cases have been put forward.

From 1 July 1999 this will be a matter for the Scottish Parliament.

Lobbyists

Mr. Wilshire: To ask the Secretary of State for Scotland if he will publish a list, including names and dates, of all meetings that *(a)* he, *(b)* his officials, *(c)* his advisers and *(d)* his PPS have held during (i) 1997, (ii) 1998 and (iii) 1999 with people who work for political lobbying firms or for businesses that are members of the Public Relations Consultants Association. [79642]

Mr. Dewar: I refer the hon. Member to the answer given by the Prime Minister to the hon. Member for Lewes (Mr. Baker) on 9 March 1999, *Official Report*, column *168*. The requirements of the Ministerial Code also apply to Parliamentary Private Secretaries when attending any meetings in an official or semi-official capacity.

TRADE AND INDUSTRY

Secondments

Mr. Baldry: To ask the Secretary of State for Trade and Industry how many staff, at what grade and what cost, are currently seconded from Overseas Trade Services to *(a)* Government Offices and *(b)* Business Links as export development consultants. [78437]

Mr. Wilson: None.

Export Development Counsellors are employed directly by Business Links and are recruited from the private sector with recent overseas commercial experience.

There are currently 82 Export Development Counsellors (EDC) based at 69 Business Links. All Business Links require access to an EDC to obtain accreditation.

Mr. Baldry: To ask the Secretary of State for Trade and Industry what the grades and locations are of the staff seconded from Government Offices to Business Links to act as access points for overseas trade missions as set out in paragraph 19 of Sir Richard Wilson's review of export promotion. [78441]

Mr. Wilson: I have placed copies of the information matrix entitled "International Trade Teams in Business Links" in the Library of the House. The information is kept by British Trade International.

Renewable Energy

Mr. Casale: To ask the Secretary of State for Trade and Industry how many people in the United Kingdom are currently employed in the production of electricity from *(a)* wind power, *(b)* solar power and *(c)* wave power. [73773]

Mr. Battle: The UK renewables industry currently employs some 3,500 people in 700 companies. The British Wind Energy Association estimate that of these there are around 2,600 full-time equivalent jobs currently engaged in the production of electricity from wind power. As I said in my recent announcement of the publication of our Renewables Review Document, on 30 March 1999, *Official Report*, columns *577–78*, through creating an export drive, and by further developing the industry and the UK market, up to 45,000 jobs could be created.

Mr. Casale: To ask the Secretary of State for Trade and Industry what percentage of the United Kingdom's energy needs were met by renewable energy sources *(a)* in 1979 and *(b)* in 1997. [73887]

Mr. Battle: In 1979 less than one third of a per cent. of the inland consumption of primary fuels in the United Kingdom were met from renewable sources, that is less than $\frac{1}{4}$ million tonnes of oil equivalent. This rose to 1.0 per cent. by 1997, equating to 2.3 million tonnes of oil equivalent.

Currently, approximately 2 per cent. of UK's electricity is generated from renewable sources. We expect this to rise to 5 per cent. by 2003.

The Government are working towards a target of renewable energy providing 10 per cent. of UK electricity supplies as soon as possible. We hope to achieve this by 2010.

Structural Funds

Mr. Chope: To ask the Secretary of State for Trade and Industry how much the UK has received in EU structural funds during the last five years; and what is his estimate for the next five years as a result of the Berlin summit. [79578]

Mr. Wills: The UK has received total allocations of 11,[illegible] meuro for the years 1995–99. At this time we cannot say what allocations will be for the next five years.

Mr. Chope: To ask the Secretary of State for Trade and Industry what ceiling for expenditure on structural funds in the period 2000 to 2006 *(a)* in cash terms and *(b)* as a percentage of GDP was agreed at the Berlin summit. [79569]

Mr. Wills: Following agreement at the Berlin Council, the overall allocations for the Structural and Cohesion Funds in the 15 Member States over the period 2000–06 will total 213 beuro. In 1999 prices this is likely to be about 0.35 per cent. of the EU-15 GDP for the seven years.

Mr. Chope: To ask the Secretary of State for Trade and Industry if he will estimate the percentage of EU GDP which will be spent on EU structural funds in each of the next five years as a result of the agreement at the Berlin summit. [79570]

Mr. Wills: Following the agreement at the Berlin Council the allocations for the EU Structural and Cohesion Funds in the 15 member states is likely to be about the following percentages of the EU-15 GDP in each of the next five years;

Year	*Percentage of EU GDP*
2000	0.40
2001	0.38
2002	0.37
2003	0.35
2004	0.34

Mr. Chope: To ask the Secretary of State for Trade and Industry (1) which areas in the United Kingdom which are currently in receipt of Objective 2 and Objective 5b structural funds will continue to receive funds throughout 2000 to 2006 as a result of the Berlin summit agreement; [79567]

(2) which areas in the United Kingdom which are currently in receipt of Objective 2 and Objective 5b structural funds will cease to be eligible as a result of the agreement at the Berlin summit; [79566]

(3) what proportion of the United Kingdom population currently resides in areas eligible for Objective 2 and Objective 5b structural funding; and what proportion will reside in such areas from 2000; [79565]

(4) what percentage of the population currently benefiting from EU structural funding under objectives 2 and 5b will continue to benefit as a result of the safety net agreed at the Berlin summit; [79563]

(5) what proportion of the population of the EU will be eligible for EU structural funds as a result of the Berlin summit; [79560]

(6) what arrangements for enabling the United Kingdom to have increased flexibility in designating eligible areas for assistance under the structural funds were concluded at the Berlin summit. [79564]

Mr. Wills: I refer the hon. Member to the answer I gave to my hon. Friend the Member for South Thanet (Dr. Ladyman) on 30 March 1999, *Official Report*, columns *576–77*.

Cohesion Fund

Mr. Chope: To ask the Secretary of State for Trade and Industry (1) which members of the EU which have been admitted to stage 3 of EMU will still be eligible for assistance from the Cohesion Fund; and to what extent after 1 January 2000 as a result of the Berlin summit; [79558]

(2) what was agreed at the Berlin summit in respect of the future of the Cohesion Fund. [79568]

Mr. Wills: Following agreement of the Agenda 2000 package at the Berlin Council of Ministers on 25 March.

It was concluded that the four current beneficiaries: Spain, Greece, Portugal and Ireland should continue to be eligible for funding in 2000 while they met the criteria. A review of eligibility based on 90 per cent. average GNP criterion will be undertaken at mid-term in 2003. In the event of a Member State becoming ineligible, resources for the Cohesion Fund will be reduced accordingly.

The Council agreed that the overall level of resources available to be committed under the Cohesion Fund for the years 2000 to 2006 should be 18 billion euros. On the financial management and control provisions in the regulation it was concluded that there should be consistency with the relevant provisions of the Structural Fund regulation, subject to taking due account of the specific features of the Cohesion Fund.

Timber Production Costs

Mr. Chope: To ask the Secretary of State for Trade and Industry if he will estimate what proportion of the differential in timber production costs between the Baltic States and the United Kingdom is attributable to lower wages. [74149]

Mr. Wilson *[holding answer 2 March 1999]:* Recent information from UK industry sources, consistent with official data, indicates that in the UK an average wage in a modern sawmill is approximately an hourly rate of £7 (including employers' costs).

Information from official statistical sources in the Baltic States indicates that the daily average rates in the Baltic States industry are in the range of £7–11 (including employers' costs). However, information from UK industry sources suggests that wage rates in some individual mills, such as modern sawmills, may be somewhat higher. The range of £7–11 is broadly consistent with International Labour Organisation estimates for wages in the much broader agriculture and timber products industries in the Baltic States.

Assisted Area Status

Mr. Chope: To ask the Secretary of State for Trade and Industry what percentage of the working population of the United Kingdom is at present covered by assisted area status; and if he will estimate the percentage after 1 January 2000. [79559]

Mr. Wills: The Commission Guidelines designate levels of coverage in terms of residence-based population. The current level for the United Kingdom is 38.3 per cent. In December 1998, the Commission informed the UK that the coverage of its Assisted Areas designated under Article 92(3)a and 92(3)c after 1 January 2000 should be no more than 28.7 per cent.

Mr. Chope: To ask the Secretary of State for Trade and Industry if he will publish the criteria which are being used in drawing up the new map of assisted areas in the UK for submission to the European Commission. [79580]

Mr. Wills: The Government have not yet decided the criteria which it will use in drawing up the new Assisted Areas map. They will be published as soon as possible.

Nuclear Waste Storage Plants

Mr. Corbyn: To ask the Secretary of State for Trade and Industry what plans his Department has to expand nuclear waste storage plants at *(a)* Winfrith, *(b)* Aldermaston and *(c)* Harwell. [79510]

Mr. Battle *[holding answer 30 March 1999]:* I have no plans to expand the storage of nuclear waste at Winfrith and Harwell as this is an operational matter for the UKAEA which is subject to independent regulation by the Nuclear Installations Inspectorate (NII) and the Environment Agency (EA) to ensure compliance with nuclear safety and environmental standards. I have therefore asked the Chairman of the UKAEA to write to my hon. Friend with the information required and to place a copy of his reply in the Library of the House.

Aldermaston is a Ministry of Defence establishment and I refer my hon. Friend to my right hon. Friend the Secretary of State for Defence for information about that site.

Advisory Services

Mr. Corbyn: To ask the Secretary of State for Trade and Industry what surveys he has undertaken of the provision of advisory services by *(a)* citizen's advice bureaux, *(b)* law centres, *(c)* local authorities and *(d)* voluntary bodies in each London borough; and if he will make a statement on his Department's policy on the level of provision. [76233]

Dr. Howells *[holding answer 15 March 1999]:* The level of support for advisory services is a matter for local authorities to consider in the light of local needs and priorities and the resources available to them. We are, however, concerned to ensure the provision of good quality, accessible advice to anyone who needs it. This is a central strand in our consumer strategy aimed at furthering our commitment to giving consumers a fair deal. A White Paper will be published in the summer.

Northern Cyprus (Exports)

Mr. Cox: To ask the Secretary of State for Trade and Industry what has been the value of exports from the territory of the Turkish Cypriot regime in Northern Cyprus to the United Kingdom in each of the last three years. [79548]

Mr. Wilson: The information requested is not available. HM Customs and Excise collect statistics for UK trade in goods with Cyprus as a whole. These data do not separately identify Northern Cyprus. Information on trade in services with Cyprus is not available.

Company Law Harmonisation

Mr. Jim Cunningham: To ask the Secretary of State for Trade and Industry what plans he has to promote the harmonisation of company law in the EU. [78917]

Mr. Byers *[holding answer 30 March 1999]:* A number of harmonising Directives in the field of company law have already been adopted or proposed.

In addition, during its Presidency in 1998, the UK achieved significant progress on the proposal for a European Company Statute which will make it easier for companies with operations in more than one Member State to restructure their business.

European Space Agency

Mr. Jim Cunningham: To ask the Secretary of State for Trade and Industry how much funding *(a)* Her Majesty's Government and *(b)* each other EU member state provided to the European Space Agency in the last year for which figures are available. [78945]

Mr. Battle *[holding answer 30 March 1999]:* The UK's commitment to the European Space Agency in 1998 amounted to 186 MEuros. Other ESA Member States' commitments, including those which are not EU Member States, were as follows (also in MEuros):

Member States	*Amount*
France	632
Germany	553
Italy	269
Belgium	125
Spain	93
Netherlands	78
Switzerland	72
Sweden	60
Austria	30
Denmark	24
Norway	22
Finland	14
Ireland	6

Export Licences

Mr. Flynn: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 12 March 1999, *Official Report*, column *406*, if he will give details of the four licences granted for the export of military equipment to the Rwandan Government since 1 May 1997. [78980]

Dr. Howells *[holding answer 29 March 1999]:* These licences covered communications equipment, as noted in the Government's Annual Report on Strategic Export Controls, published by the Foreign and Commonwealth Office on 25 March. Inquiries have been made under the Code of Practice on Access to Government Information, and I can accordingly disclose the following further details about these licences.

Issue date	Goods covered	Enduser
4 June 1997	50 HF Manpack stations comprising: 50 HF transceiver 5 watt c/w technical manual 100 Nicad batteries 12V 50 battery chargers c/w technical manual	Ministry of Defence
15 September 1997	2 HF transceiver 20 watt (export after repair)	Ministry of Defence
4 August 1997	2 HF transceiver 20 watt (export after repair)	Ministry of Defence
9 December 1997	2 HF transceiver 20 watt (export after repair)	Ministry of Defence

Insolvency Service

Mr. Hood: To ask the Secretary of State for Trade and Industry if he will list the professional bodies with responsibility for the conduct of those acting for his Department's Insolvency Service. [79035]

Dr. Howells *[holding answer 29 March 1999]:* Under the Insolvency Act 1986, only authorised persons may act as insolvency practitioners. Authorisation may be granted either by a professional body recognised by the Secretary of State or directly by the Secretary of State. Professional bodies are recognised on the basis that they have rules to ensure that practitioners have appropriate educational qualifications and experience and that they remain fit and proper.

The recognised professional bodies are:

The Association of Chartered Certified Accountants

The Insolvency Practitioners Association

The Institute of Chartered Accountants in England and Wales

The Institute of Chartered Accountants in Ireland

The Institute of Chartered Accountants of Scotland

The Law Society and The Law Society of Scotland.

Workplace Surveillance

Helen Jones: To ask the Secretary of State for Trade and Industry what discussions he has had about placing a legal obligation on employers to consult their employees on surveillance at work; and if he will make a statement. [78491]

Mr. Ian McCartney *[holding answer 25 March 1999]:* I have not had any such discussions.

Helen Jones: To ask the Secretary of State for Trade and Industry what estimate he has made of the number of employers using surveillance cameras in the workplace; and if he will make a statement. [78490]

Mr. Ian McCartney *[holding answer 25 March 1999]:* I have not made any estimate.

Corporate Governance

Mr. Kirkwood: To ask the Secretary of State for Trade and Industry if he will make a statement on when the consultation process on corporate governance will end. [78295]

Mr. Byers: The Department is playing an active role in promoting discussion on issues relating to good corporate governance both within the United Kingdom and in international fora. The rules on the governance of companies are, for example, being considered by the major review of company law announced by the Government in March 1998. The review is planning to publish a consultation document on key areas of corporate governance around the turn of the year.

Utility Regulation

Mr. Kirkwood: To ask the Secretary of State for Trade and Industry if he will make a statement on his plans to make progress with the proposals which appear in his Department's White Paper, "A Fair Deal for Consumers: Modernising the Framework for Utility Regulation the Response to Consultation". [78294]

Mr. Byers: Many of the proposals announced in the White Paper will require legislation. We will introduce this as soon as Parliamentary time permits. Other elements of the reform package either do not require legislation, or can be advanced ahead of legislation. Where this is the case, the Department is acting itself, or asking others to act. For example, the Department has appointed a single individual as both gas regulator and electricity regulator. The Department has also encouraged the regulators to carry forward work on the regulatory issues associated with multi-utilities.

Employment Tribunals

Dr. Ladyman: To ask the Secretary of State for Trade and Industry if he will review the expenses paid to witnesses attending employment tribunal hearings. [80125]

Mr. Ian McCartney: The expenses payable to parties, witnesses and others attending employment tribunal hearings were reviewed in December and increases took effect from 1 February. The following expenses may now be claimed:

- travel expenses in excess of £5 including, exceptionally, the cost of travel from overseas where this is in the interests of justice;
- overnight expenses of up to £81 per night (previously £63.30) in central London and £71 (previously £54.30) elsewhere. Additional payment may be made to people with a disability where there is a shortage of suitable local accommodation within a reasonable price range;
- a loss of earnings allowance of up to £45 per day (previously £40);
- child and adult care allowances of up to £5 per hour (previously limited to child care and a limit of £2 per hour). Additional payments may be made where special needs are established;
- the cost of a helper where, because of a medical condition, a party/witness needs to be accompanied;
- reasonable charges for professional interpreters, including interpreters for the deaf/blind; and
- reasonable charges for the attendance of medical professionals or the production of medical reports.

These changes will be particularly important in responding to the needs of those with fa

commitments or who have a disability. They will be of extra benefit to those who need the money most and will ensure that people can obtain access to the tribunals.

Mr. McDonnell: To ask the Secretary of State for Trade and Industry what plans he has to introduce a statutory right to time off work to serve as an employment tribunal wing member. [79009]

Mr. Ian McCartney: Section 50(2) of the Employment Rights Act 1996 provides the right to reasonable time off work for this purpose.

Mr. McDonnell: To ask the Secretary of State for Trade and Industry what steps he plans to take to increase the number of wing members of employment tribunals from minority ethnic groups. [79008]

Mr. Ian McCartney: The Government are reviewing the process of recruitment and appointment of employment tribunal wing members and a consultation paper setting out our proposals has been sent to the social partners.

A major aim of the review is to ensure that members are drawn from as wide a variety of backgrounds as possible, including the ethnic minorities. Measures to achieve this include placing advertisements which will foster applications from the ethnic minorities amongst others, and ensuring that all stages of the recruitment and selection process are in line with equal opportunities principles. We are taking advice on this from bodies such as the Commission for Racial Equality.

Competition Commission

Mr. Laxton: To ask the Secretary of State for Trade and Industry if he will make a statement about the establishment of the Competition Commission. [80123]

Mr. Byers: I am pleased to announce that the Competition Commission will be established on 1 April. The Minister for Competition and Consumer Affairs made the relevant commencement and other necessary orders on 25 February and 2 March.

The current Chairman of the Monopolies and Mergers Commission, Dr. Derek Morris, will become the first Chairman of the Competition Commission.

I am further pleased to announce, following consultation with my right hon. and learned Friend the Lord Chancellor, the appointment of Judge Christopher Bellamy QC, currently British judge at the Court of First Instance of the European Communities in Luxembourg, as the first President of the Appeal Tribunals of the Competition Commission.

Gas-fired Power Stations

Mr. Loughton: To ask the Secretary of State for Trade and Industry what estimate his Department has made of the likely impact on the targets for emissions of gases agreed at Kyoto of *(a)* the lifting of the moratorium on gas-fired powered stations in the UK and *(b)* the lifting of the moratorium on gas-fired powered stations in the UK accompanied by the phasing out of coal-fired power stations. [79358]

Mr. Battle *[holding answer 30 March 1999]:* The White Paper of October 1998, 'Conclusions of The Review of Energy Sources for Power Generation and Government response to fourth and fifth Reports of the Trade and Industry Committee' (Cm 4071), set out the Government's programme of reform in the electricity market and introduced a stricter policy on consents for gas-fired stations to protect diversity and security of supply while the programme of reform was under way. The White Paper discussed the environmental aspects of the Government's policy in chapter 9 ('Achieving sustainable energy supplies'). An environmental appraisal was provided as Annex H.

Unfair Dismissal Claims

Mr. Maclean: To ask the Secretary of State for Trade and Industry if he will list for *(a)* small and medium enterprises and *(b)* larger companies the number of claims for unfair dismissal that were made after (i) two, (ii) three, (iii) four, (iv) five and (v) 10 years employment, in each of the three most recent years. [76668]

Mr. Byers *[holding answer 16 March 1999]:* The information is not available in the form requested.

Parental Leave

Mr. Maclean: To ask the Secretary of State for Trade and Industry what estimate he has made for *(a)* small and medium enterprises and *(b)* larger companies of the extra number of employees who will receive maternity leave as a result of the reduction in the minimum employment period for eligibility to one year. [76673]

Mr. Byers *[holding answer 16 March 1999]:* The Regulatory Impact Assessment which was published alongside the Employment Relations Bill estimates that 23,000 mothers will take more maternity leave as a result of this change. The data are not broken down by size or firm.

Consumer Affairs Council

Mr. Maclean: To ask the Secretary of State for Trade and Industry if he will publish the agenda for the EU Consumer Affairs Council of 13 April. [79577]

Dr. Howells: The Consumer Council on 13 April 1999 will debate the following issues:

Exchange of views and adoption of a Council Resolution on the Commission Communication on the Consumer Policy Action Plan 1999–2001;

Policy debate on a Proposal for a Directive of the European Parliament and of the Council concerning the Distance Marketing of Consumer Financial Services and amending Directives 90/619/EEC, 97/7/EC and 98/27/EC.

Civil Servants (Appraisal)

Mr. McDonnell: To ask the Secretary of State for Trade and Industry what were the appraisal performance markings awarded to civil servants in 1998 for *(a)* each agency in his Department and *(b)* the Department broken down by (i) grade, (ii) gender, (iii) ethnicity, (iv) part-time/full-time working and (v) disability; and for (1) each agency and (2) the Department, if the Cabinet Office's four fifths rule for detecting potential adverse impact was applied to the appraisal markings of civil servants in the 1998 report round. [78139]

Dr. Howells: The appraisal performance markings awarded to civil servants in Department of Trade and Industry headquarters in 1997–98 broken down by the various groups are given in the percentages.

Per cent.

	Box mark					
	1	*2+*	*2*	*3+*	*3 and under*	
Ranges 1–2	3.59	11.21	23.32	39.46	22.42	100.00
Ranges 3–4	2.88	14.66	33.46	37.47	11.53	100.00
Ranges 5–6	2.29	15.59	36.77	35.62	9.73	100.00
Ranges 7–8	3.02	18.79	41.00	31.01	6.18	100.00
Ranges 9–11	4.38	23.71	40.04	28.49	3.39	100.00
SCS	11.11	28.99	29.95	28.99	0.97	100.00

Per cent.

	Box mark					
	1	*2+*	*2*	*3+*	*3 and under*	
Men	3.30	18.51	36.20	33.39	8.60	100.00
Women	4.32	19.10	37.25	32.39	6.95	100.00
White	4.10	20.31	37.42	31.08	7.09	100.00
Ethnic	2.15	11.94	30.53	42.47	12.92	100.00
Status unknown	2.54	14.86	39.49	35.51	7.61	100.00
Part-time	2.88	15.23	34.16	41.15	6.58	100.00
Full-time	3.77	18.99	36.79	32.42	8.03	100.00
Disabled[1]	2.61	18.95	30.72	37.26	10.46	100.00

[1] self-nomination of a disability, not necessarily falling within the definition in the Disability Discrimination Act 1995.

The Department's statistics directorate was commissioned to analyse data for headquarters staff to ascertain whether there is evidence to suggest any potential adverse impact in box markings received. The technique of categorical modelling was used for this analysis, being far more robust than the 'four-fifths' rule and with the advantage of being able to identify any interrelationships between several factors, for example, ethnicity, gender, grades and box mark as opposed to the relationship between just two variables, for example, ethnicity and box mark received.

I have asked the chief executives of the DTI's Agencies to write to my hon. Friend direct. Copies of these letters have been placed in the Library of the House.

Race Discrimination Cases

Mr. McDonnell: To ask the Secretary of State for Trade and Industry how many race discrimination cases have been heard at employment tribunals in London since May 1997. [79006]

Mr. Ian McCartney: There are three employment tribunals which cover London and its surrounding areas, London North, Stratford and London South. Since April 1997 these tribunals have heard 1,889 race discrimination cases.

Mr. McDonnell: To ask the Secretary of State for Trade and Industry how many of those employment tribunals in London which heard race discrimination cases since May 1997, included a wing member from a minority ethnic group. [79010]

Mr. Ian McCartney: There are three employment tribunals which cover London and its surrounding areas. 391 lay members have been appointed to hear cases in these tribunals, 50 of whom are known to be from ethnic minority groups. In addition to member from ethnic minority groups there is a panel of special members who are available to sit on discrimination cases because of their experience and knowledge.

Information is not readily available to enable us to identify how many ethnic minority members have heard race discrimination cases and could only be supplied at disproportionate cost.

The Government are reviewing the process of recruitment and appointment of employment tribunal wing members and a consultation paper setting out our proposals has been sent to the social partners. A major aim of the review is to ensure that members are drawn from a wide variety of backgrounds as possible, including the ethnic minorities.

National Minimum Wage

Mr. Pike: To ask the Secretary of State for Trade and Industry if he will make a statement on the Low Pay Commission's Review of the National Minimum Wage Accommodation Offset. [80124]

Mr. Byers: During the drafting of the National Minimum Wage regulations 1999 the Government received a number of submissions from employers and intentional communities about the operation and amount of offset that may be allowed to count against the National Minimum Wage where a worker is provided with accommodation, and its long term future. The Government fully recognise that the offset is an important factor in pay in some sectors, such as hotel and catering, and that if set at the wrong level it would have a detrimental impact for those sectors and their employees.

Because the offset in the regulations reflects the recommendation of the Low Pay Commission, the Government asked the Commission to look again at this issue as a matter of urgency and report to Government. The Government is today publishing its report and copies are available in the Vote Office.

The Government would like to thank the Commission for looking at this matter so quickly.

The Commission has made three recommendations:

(1) There should be no immediate change to the rate of the accommodation offset in the national Minimum wage regulations, but the Commission should monitor the use and impact of the accommodation offset on business and employees.

(2) The Commission should monitor the administration of the accommodation offset and, in the light of practical experience, report on its future application in their second report.

(3) Members of intentional communities should be regarded as volunteers rather than workers, and not covered by the National Minimum Wage.

In considering the matter the Commission looked again at the evidence and basis for their earlier recommendation and took further oral and written evidence. They also looked at current practice through collective agreements, arrangements under the Agricultural Wages Boards, previous practice under the Wages Council and arrangements in other countries. The Commission concluded that there was little evidence at this stage that businesses could not cope with the level recommended and that therefore no changes should be made at this time.

However, it recognised that it would be important to monitor the operation of the offset in light of practical experience and the application of the National Minimum Wage Regulations. It proposes that it should do this as part of its remit to monitor and evaluate the introduction and impact of the national minimum wage. The Commission has agreed with the Office for National Statistics a trailer question to the 1999 New Earnings Survey which it is hoped will provide a clearer insight into the practice of providing an accommodation allowance.

The Government agree with the Commission's conclusions and accept their recommendations not to change the offset at this time. However, the Government are keen that the Commission should closely monitor the practical effects of its application. The Government also note the Commission's acknowledgement that the continuation of the offset is of significance for a number of businesses and workers and welcome its intention to undertake a full review of its next Report.

The Commission also looked at the position of individuals who follow a particular lifestyle living and working as members of a religious or charitable community—intentional communities—in receipt of board and lodging and a small amount of subsistence. The Commission concluded that the position of members of intentional communities was similar to that of volunteers, who are specifically excluded from the National Minimum Wage, and that they should be treated as such. The exclusion of volunteers in the National Minimum Wage Act 1998, which was agreed with the support of all parties and the voluntary sector, is drawn very narrowly and does not cover members of intentional communities. It will therefore be necessary to amend the 1998 Act to provide an exclusion.

The Government accept the Commission's recommendation that members of intentional communities should not be covered by the National Minimum Wage and propose to introduce a suitable amendment to the 1998 Act through the Employment Relations Bill which is currently before Parliament.

Kenya (Tear Gas and Rubber Batons)

Joan Ruddock: To ask the Secretary of State for Trade and Industry if he will make a statement about licences issued to Pains-Wessex Ltd. and Haley and Weller Ltd. for the export to the Kenyan security forces of tear gas canisters and rubber batons. [80168]

Dr. Howells: I can confirm that a licence was issued to Pains-Wessex Ltd. on 16 December 1992 for the export to the Kenyan Police of 150 Mk 2 multi-purpose guns, 2,000 rubber batons and 1,500 CS gas grenades. Another licence was issued to Haley and Weller Ltd. on 22 July 1994 for the export to the Kenyan Police of 500 rubber batons and 500 CS gas grenades. I am disclosing this information in accordance with the Code of Practice on Access to Government Information. Finally, my officials have been informed by the Chief Executive of Chemring Group plc, the parent company of both of these companies, that neither Haley and Weller nor Pains-Wessex Ltd. has supplied any further products of this type to Kenya, and also that Chemring Group plc is keen to establish an ethical policy and has had a meeting with Amnesty International on this matter.

Nuclear Waste

Mr. Llew Smith: To ask the Secretary of State for Trade and Industry, pursuant to his answer to the hon. Member for Leyton and Wanstead (Mr. Cohen) of 12 March 1999, *Official Report*, column *407*, on nuclear waste, what was the source of the advice on which he based his answer. [78989]

Mr. Battle: The answer in question reflected the situation at the time it was given, which remains unchanged. I also refer my hon. Friend to the answer I gave him on 23 March 1999, *Official Report*, column *140*.

Trademarks

Mr. Todd: To ask the Secretary of State for Trade and Industry what is the Government's policy in relation to trademarks and the effects on parallel imports; and if he will make a statement. [80126]

Dr. Howells: The Silhouette Judgment of the European Court of Justice last July confirmed as a matter of law that the European trade marks Directive does allow trade mark owners to use their rights to prevent import of their goods into the Community after they have been marketed elsewhere.

The Government are keen to ensure that European legislation gives high priority to the interests of consumers, whilst recognising the legitimate interests of producers in securing reasonable protection for their intellectual property. Parallel importing can apply downward pressure on prices in some markets to the advantage of consumers, but producers' investment in innovation and in developing product quality and reputation could be impaired to the detriment of consumers. Price differences in some consumer sectors now indicate that there is a need to consider the effects of the current law, and whether any change would be of benefit.

The effects of trade mark rights and parallel imports vary greatly between market sectors and this would have to be taken into account. In particular, there are sectors where special factors apply, for example where there are material differences between products for different international markets sufficient to lead to consumer confusion or where there is risk to health or safety.

The Government have considered the recent report from the European Commission on the results of a study it has had made into the economic effects of the present trade marks regime, and is pleased that this will be discussed at the next meeting of the Internal Market Council. We are also aware of recent research conducted in Sweden, which indicates net benefits from a change in the law. We will be looking closely at the methodology and results of this Swedish study, and will be analysing the benefits and costs that could accrue to the United Kingdom.

Exhibitions

Mr. Swayne: To ask the Secretary of State for Trade and Industry if he will reassess his Department's decision to delete the Nederlands Tuinbuow Vakbeurs Exhibition from the list of exhibitions to receive support in 1999; and if he will make a statement. [79848]

Mr. Wilson: No. My Department received three times as many bids for support from the available budget and I regret it was not possible to assist a group at this event in that year. We are ready to consider a bid for support in the 2000–2001 programme.

Environmental Appraisals

Mr. Truswell: To ask the Secretary of State for Trade and Industry what environmental appraisals of policy his Department has *(a)* completed, *(b)* started and *(c)* planned. [79623]

Mr. Battle: This information is being collated and a written answer will be forthcoming from a Parliamentary Under-Secretary of State for the Environment, Transport and the Regions, following the Easter recess.

Trade Balance

Mr. Laurence Robertson: To ask the Secretary of State for Trade and Industry what was the United Kingdom's trade balance with other EU countries in each year since 1969. [78943]

Mr. Wilson *[holding answer 26 March 1999]:* The information is in the following tables. Figures for trade in goods have been provided on an Overseas Trade Statistics (OTS) basis. Figures for trade in services are on a Balance of Payments (BOP) basis. The main difference between trade on an OTS and BOP basis is that BOP figures exclude goods not changing ownership. In 1998 this resulted in a difference of less than 1 per cent. in the export values. Import figures on a BOP basis also exclude the cost of insurance and freight. In 1998 this resulted in a difference of just under 3 per cent. in the import values.

UK balance of trade with the EU countries 1969–98

£ million, current prices

	Austria	*Belgium/ Luxembourg*	*Denmark*	*Finland*	*France*	*Germany*	*Greece*
Balance of trade in goods							
1969	8	105	–49	–72	–12	–48	42
1970	10	95	–54	–64	–30	–44	39
1971	6	66	–69	–72	–52	–114	56
1972	–8	19	–112	–109	–95	–259	52
1973	–42	–33	–149	–163	–294	–580	51
1974	–49	–57	–147	–264	–430	–888	38
1975	–38	–185	–177	–136	–457	–728	55
1976	–21	–184	–47	–271	–345	–948	86
1977	–16	–280	–12	–246	–523	–1,122	128
1978	–86	–156	–124	–288	–696	–1,458	113
1979	–89	–382	–65	–381	–987	–1,631	122
1980	–32	–137	–76	–268	–247	–545	92
1981	–106	–387	–131	–324	–342	–437	90
1982	–151	–542	–238	–410	248	–2,061	104
1983	–164	–560	–353	–454	633	–3,706	115
1984	–208	–649	–463	–545	1,127	–3,711	75
1985	–251	–688	–342	–617	1,143	–3,832	15
1986	–304	–272	–546	–679	–1,141	–5,698	45
1987	–319	–504	–643	–754	–580	–6,476	89
1988	–350	–637	–842	–974	–969	–8,032	116
1989	–333	–787	–1,018	–962	–1,237	–8,890	179
1990	–258	–100	–875	–734	–863	–6,879	281
1991	–152	374	–833	–681	778	–3,158	289
1992	–146	–10	–824	–680	–697	–3,816	405
1993	–57	342	–533	–761	–1,388	–3,982	575
1994	15	204	–373	–983	–1,495	–4,753	580
1995	203	311	–83	–785	–1,076	–5,989	627
1996	114	–93	–143	–843	–738	–6,580	767
1997	–246	–699	–246	–1,001	–1,337	–5,223	647
1998	–190	–1,131	–130	–949	–1,345	–4,848	670
Balance of trade in services							
1988	–198	163	71	44	–157	–374	–394
1989	–129	159	72	79	–449	–452	–372
1990	–148	110	74	80	–707	–469	–433
1991	–126	153	81	65	–786	–324	–447
1992	–98	200	130	109	–962	46	–515
1993	–115	241	158	106	–942	409	–554
1994	–93	424	130	99	–1,139	400	–661
1995	–34	430	159	158	–1,106	747	–536
1996	11	506	146	286	–966	168	–360
1997	–15	249	317	229	–1,773	1,284	–314
1998	n/a	n/a	n/a	n/a	n/a	n/a	n/a

UK balance of trade with the EU countries 1969–98

£ million, current prices

	Austria	Belgium/ Luxembourg	Denmark	Finland	France	Germany	Greece
Balance of trade in goods and services							
1988	–548	–474	–771	–930	–1,126	–8,406	–278
1989	–462	–628	–946	–883	–1,686	–9,342	–193
1990	–406	10	–801	–654	–1,570	–7,348	–152
1991	–278	527	–752	–616	–8	–3,482	–158
1992	–244	190	–694	–571	–1,659	–3,770	–110
1993	–172	583	–375	–655	–2,330	–3,573	21
1994	–78	628	–243	–884	–2,634	–4,353	–81
1995	169	741	76	–627	–2,182	–5,242	91
1996	125	413	3	–557	–1,704	–6,412	407
1997	–261	–450	71	–772	–3,110	–3,939	333
1998	n/a	n/a	n/a	n/a	n/a	n/a	n/a

	Ireland	Italy	Netherlands	Portugal	Spain	Sweden	EU total
Balance of trade in goods							
1969	42	–12	–110	1	21	–31	–115
1970	39	–9	–81	1	13	–7	–92
1971	–6	–34	–100	–1	14	–24	–322
1972	24	–68	–165	–12	33	–107	–803
1973	84	–121	–307	–41	–4	–224	–1,824
1974	2	–212	–651	–50	–4	–200	–2,903
1975	–27	–243	–753	–44	21	–58	–2,769
1976	200	–276	–921	27	–6	–138	–2,829
1977	325	–556	–348	71	25	–66	–2,593
1978	422	–805	–266	29	–71	–168	–3,541
1979	862	–1,016	–381	–34	–188	–61	–4,228
1980	877	–401	449	56	–113	160	–183
1981	994	–604	105	33	–79	71	–1,105
1982	885	–713	128	48	–49	266	–2,537
1983	766	–918	337	–79	58	340	–4,044
1984	758	–907	11	–259	–351	484	–4,674
1985	814	–830	786	–256	–238	563	–3,730
1986	499	–1,210	–1,181	–298	117	–450	–11,137
1987	344	–1,071	–1,291	–148	75	–630	–11,941
1988	243	–1,645	–2,602	–103	268	–1,136	–16,663
1989	465	–2,060	–2,923	–122	359	–1,311	–18,640
1990	801	–1,146	–3,011	–146	868	–896	–12,958
1991	853	–245	–1,837	36	1,679	–696	–3,593
1992	693	–612	–1,396	–1	1,513	–841	–6,412
1993	785	–655	–974	117	1,134	–708	–6,105
1994	1,219	–736	–561	–36	1,426	–837	–6,330
1995	764	–366	851	5	1,770	–376	–4,144
1996	1,448	–795	1,090	17	1,711	–356	–4,401
1997	1,896	–1,434	1,468	–32	1,588	–292	–4,911
1998	1,673	–1,147	–624	–90	1,298	–22	–6,835
Balance of trade in services							
1988	261	265	109	–277	–1,605	129	–1,793
1989	279	225	64	–252	–1,391	209	–1,862
1990	274	285	44	–251	–1,177	241	–1,972
1991	286	326	–13	–278	–1,181	239	–1,894
1992	354	384	37	–288	–1,301	326	–996
1993	358	345	114	–278	–1,659	324	–1,135
1994	584	231	33	–274	–2,107	297	1,763
1995	880	323	157	–339	–2,391	366	–813
1996	991	233	292	–322	–2,164	374	–588
1997	802	–56	598	–511	–2,604	435	–1,100
1998	n/a	n/a	n/a	n/a	n/a	n/a	–2,328
Balance of trade in goods and services							
1988	504	–1,380	–2,493	–380	–1,337	–1,007	–18,456
1989	744	–1,835	–2,859	–374	–1,032	–1,102	–20,502
1990	1,075	–861	–2,967	–397	–309	–655	–14,930
1991	1,139	81	–1,850	–242	498	–457	–5,487
1992	1,047	–228	–1,359	–289	212	–515	–7,408
1993	1,143	–310	–860	–161	–525	–384	–7,240
1994	1,803	–505	–528	–310	–681	–540	–8,093
1995	1,644	–43	1,008	–334	–621	–10	–4,957

	Ireland	Italy	Netherlands	Portugal	Spain	Sweden	EU total
1996	2,439	−562	1,382	−305	−453	18	−4,989
1997	2,698	−1,490	2,066	−543	−1,016	143	−6,011
1998	n/a	n/a	n/a	n/a	n/a	n/a	−9,163

Note:
Figures for trade in goods are on an Overseas Trade Statistics (OTS) basis. Figures for trade in services are on a Balance of Payments (BOP) basis. Trade with EU institutions is included in the EU Total. Information on UK trade in services is only available from 1988.
Sources:
Monthly Review of External Trade Statistics (MRETS), ONS
UK Trade in Services, ONS
Annual Abstract of Statistics, ONS

Oftel

Mr. Boswell: To ask the Secretary of State for Trade and Industry what preparations are being made by Oftel in respect of his responsibilities under the Competition Act 1998; what increase in staff is required; and what action is being taken to co-ordinate policy with the Director General of Fair Trading. [77686]

Mr. Wills *[holding answer 22 March 1999]:* Oftel is a member of the Concurrency Working Party, which is chaired by the Office of Fair Trading (OFT) and is working to ensure that a consistent approach is being taken by all regulators. A guideline "Concurrent Application to Regulated Industries", which deals with how regulators work with the Director General of Fair Trading (DGFT) and with each other, has been produced by the Concurrency Working Party and issued by the DGFT. Oftel has also published draft guidelines on how the Competition Act will be applied in the telecommunications sector, and the final version is to be published in May. A compliance forum for the industry is to take place at the end of April 1999. In February, the DTI issued a consultation document, "Concurrency: consultation on the possible need and scope for regulations".

Oftel has put in place a structured training programme to ensure that staff are prepared for the coming into force of the Act, and is also participating in the training programme organised by the OFT. The issue of whether additional staff are required is reviewed regularly. Oftel has not yet bid for more staff.

Cassini Space Probe

Mr. Fitzpatrick: To ask the Secretary of State for Trade and Industry what representations have been made by the British Government to the European Space Agency about the environmental risks of the Cassini space probe; and when such representations were made. [77935]

Mr. Battle: The British Government have been in close contact with the European Space Agency in both the preparation and elaboration of the Cassini-Huygens mission and have discussed all aspects of the mission with ESA on a number of occasions.

Mr. Fitzpatrick: To ask the Secretary of State for Trade and Industry if the British Government have obtained a copy of the European Space Agency's evaluation of the Cassini space probe. [77936]

Mr. Battle: The Cassini-Huygens mission to Saturn and its moon Titan is a collaborative programme between NASA and the European Space Agency (ESA). Within this collaboration, NASA was responsible for developing the Cassini spacecraft. NASA commissioned two independent safety assessments and has produced a document summarising the findings which is available on the internet.

ESA was responsible for developing the Huygens space probe. Senior ESA Directors attended major NASA programme reviews during the development of Cassini and reported to member states on major milestones. These reports were given orally during the course of the Agency's normal programme board meetings.

Mr. Fitzpatrick: To ask the Secretary of State for Trade and Industry what representations have been made by the British Government to the Government of the United States about the environment risks of NASA's Cassini space probe; and when such representations were made. [77933]

Mr. Battle: The BNSC has examined the two independent environmental impact statements commissioned by NASA prior to the launch of the Cassini-Huygens mission. Both of these endorsed the use of plutonium on the mission. In addition, under US law, NSA has a duty to minimise the risks associated with its work, as well as a responsibility to conform to the United Nations Principles on the Use of Nuclear Power Sources in Outer Space (1992), an initiative in which the UK took a leading role.

Miners (Compensation)

Mr. Eric Clarke: To ask the Secretary of State for Trade and Industry (1) if Scottish miners will be compensated for exposure to coal dust from 1947 onwards in any handling agreement concluded in respect of Scottish cases; [78758]

(2) by what date he expects that a handling agreement will be concluded in respect of bronchitis and emphysema care involving Scottish miners; [78759]

(3) if he will ensure that exposure to coal dust in the period before 1954 is not discounted for the purposes of compensation in any handling agreement concluded in respect of claims for compensation by Scottish miners for bronchitis and emphysema. [78757]

Mr. Battle *[holding answer 26 March 1999]:* Officials held constructive and positive talks with Scottish solicitors on 30 March, and are due to meet in April, to discuss handling arrangements for the 5,000 or so claims from Scottish miners. Although we offered the handling arrangements that were agreed on 26 March for England and Wales, we recognise that there are differences in Scottish law and we discussed with the Solicitors how

those differences might best be dealt with in any Scottish handling arrangements. We hope to finalise the arrangements for handling Scottish claims shortly.

Multinational Companies

Mr. McNamara: To ask the Secretary of State for Trade and Industry which members of his Department had discussions with GJW, and on how many occasions and what dates concerning the wish by Cape plc to amend the Access to Justice Bill [Lords] to ban foreign workers of British companies obtaining legal aid; and whether the statement by officials that they would not be keen to see any developments which discouraged multinationals from locating their headquarters in the United Kingdom was made with the knowledge of Ministers. [78747]

Mr. Wills: One of my officials recalls receiving a telephone call in early March from a Mr. Weeks, who did not identify himself as being from GJW, about inward investment. During this conversation the point was made that HMG supports inward investment into the UK. Cape plc were not mentioned during the conversation and it was not reported to Ministers.

Mr. McNamara: To ask the Secretary of State for Trade and Industry what criteria he uses in relation to a multinational's conduct and working practices abroad to assess the desirability of the company locating its headquarters in the United Kingdom. [78743]

Mr. Wills: Multinationals who choose to locate their headquarters in the UK do so because the UK provides the right business environment in which they can flourish. Key features of top performing companies are the effectiveness and quality of their management and the commitment which that inspires in their workforce. Whilst the Government seek, through international bodies such as the UN, to improve working practices abroad they do not seek to vet the practices of individual companies that wish to establish headquarters in the UK. The Government are committed to creating a corporate culture in the UK where fairness is second nature. The National Minimum Wage Act 1998, the Working Time Regulations and the Employment Relations Bill will ensure that workers have minimum standards of protection.

Oil Spills

Mr. Ruane: To ask the Secretary of State for Trade and Industry what assessment he has made of the oil spills from BHP platforms in Liverpool Bay on *(a)* 2 March and *(b)* 6 March; and if he will make a statement. [77955]

Mr. Battle *[holding answer 22 March 1999]:* I refer my hon. Friend to the answer I gave him on 17 March 1999, *Official Report*, columns *701–02*.

The field remains shut in and the investigation continues. In the course of this investigation, on 15 March, BHP Petroleum also reported an oil spill from their Douglas installation that had occurred on 2 March. This is being investigated in conjunction with the spill of 6 March.

Pangea Resources Inc.

Mr. Stunell: To ask the Secretary of State for Trade and Industry what representations he has received concerning BNFL Ltd. investment in Pangea Resources Inc. [77096]

Mr. Battle *[holding answer 16 March 1999]:* My Department has received no representation concerning BNFL Ltd. investment in Pangea Resources Inc. However, I have received representations from the hon. Member for Sheffield, Hallam (Mr. Allan) on behalf of a constituent who expressed concern over the impact of the Pangea project on Aboriginal communities and lands.

HEALTH

Free Eye Checks (Pensioners)

Mr. Ennis: To ask the Secretary of State for Health if he will estimate how many pensioners in the Barnsley East and Mexborough constituency are eligible for free eye checks. [73374]

Mr. Denham: We are unable to make meaningful estimates for such a small area. Nationally, we estimate that about 21 million people are eligible for free National Health Service sight tests and, from 1 April 1999, some 6 to 7 million more people aged 60 and over will become eligible. The number of people aged 60 or over in 1997 in the North and Yorkshire Regional area was 1,321,000.

Nurses' Pay

Mr. Syms: To ask the Secretary of State for Health if he will forecast what the average weekly earnings of nurses will be in 1999–2000 using April 1998 prices. [74023]

Mr. Denham: Based on the Department's August 1997 Earnings Survey, uprated to take account of pay settlements up to and including 1 April 1999, the estimate of average gross earnings for all nursing and midwifery staff in 1999–2000 is £361 per week (equivalent to £18,800 per annum) and for qualified nurses alone £400 per week (equivalent to £20,800 per annum). It is not possible to express this estimate in April 1998 prices until inflation data are available for the 1999–2000 period.

Nurse Statistics

Mr. Simon Hughes: To ask the Secretary of State for Health how many whole-time equivalent *(a)* bank, *(b)* agency and *(c)* contract nurses were employed, and at what cost, by each NHS trust for each year since their creation. [75038]

Mr. Denham: The information that is available centrally will be placed in the Library shortly.

Beta Interferon

Mr. Lidington: To ask the Secretary of State for Health if he will list those health authorities which do not make beta interferon available on the NHS to patients suffering from multiple sclerosis. [78451]

Mr. Denham *[holding answer 24 March 1999]:* The information requested is not available. Guidance to the National Health Service was issued in November 1995 asking health authorities to develop and implement local arrangements to manage the entry of this drug.

Dr. Cable: To ask the Secretary of State for Health if he will list those health authorities in the United Kingdom which prescribe beta interferon to treat MS sufferers. [78994]

Mr. Denham: The information requested is not available, since the majority of beta interferon prescribing should take place in hospitals and hospital prescribing and dispensing data are not held centrally.

A and E Departments (Wakefield)

Mr. Trickett: To ask the Secretary of State for Health if he will make a statement on the allocation of additional funds for the accident and emergency departments at the *(a)* Pontefract and *(b)* Pinderfields hospitals in the Wakefield district. [78720]

Mr. Hutton: Pinderfields and Pontefract Hospitals National Health Service Trust has been allocated £115,000 from the Capital Modernisation Fund to improve the resuscitation, assessment and waiting room facilities in the accident and emergency departments at both Pinderfields General hospital and Pontefract General infirmary.

Waiting Lists

Sir Alastair Goodlad: To ask the Secretary of State for Health if he will list the numbers of patients on waiting lists in each NHS trust and health authority in the north-west region *(a)* currently, *(b)* one year ago and *(c)* two years ago. [78786]

Mr. Denham: The information requested is shown in the tables.

Numbers of patients on waiting lists in the north west region—health authority

	March 1997	*March 1998*	*February 1999*
Bury and Rochdale	9,894	10,943	9,824
East Lancashire	13,173	15,339	13,374
Liverpool	12,711	12,883	11,680
Manchester	12,172	12,851	11,162
Morecambe Bay	7,436	7,550	7,007
North West Lancashire	13,001	14,170	12,948
North Cheshire	8,923	10,484	9,652
Salford and Trafford	13,455	14,352	13,200
Sefton	9,289	8,915	8,086
South Cheshire	16,628	18,048	15,273
South Lancashire	10,092	10,414	9,354
St. Helen and Knowsley	9,920	9,966	8,935
Stockport	6,541	8,262	7,774
West Pennine	14,223	15,016	13,684
Wigan and Bolton	16,122	16,379	14,917
Wirral	6,354	6,661	5,722
Regional Total	179,884	192,233	172,592

Numbers of patients on waiting lists in the north west region—NHS Trusts

	March 1997	*March 1998*	*February 1999*
Aintree Hospital	10,251	9,105	8,364
Bay Community	6	6	0
Blackburn, Hyndburn and Ribble	5,840	6,569	5,450
Blackpool Victoria Hospital	8,392	9,866	8,838
Blackpool, Wyre and Fylde Com	36	20	22
Bolton Hospitals	5,938	5,794	5,210
Burnley Healthcare	4,903	6,157	5,257
Cardiothoracic Centre	1,426	1,417	1,400
Central Manchester Healthcare	12,319	12,531	11,564
Chorley and South Ribble	1,857	2,121	2,185
Christie Hospital	964	965	1,073
Clatterbridge Centre	67	89	80
Countess of Chester	7,618	7,436	6,488
East Cheshire	2,022	2,824	2,261
Halton General	1,922	2,280	1,801
Liverpool Women's	1,114	1,109	919
Manchester Children's	2,801	3,260	2,881
Mental Health Services Salford	54	114	70
Mid-Cheshire Hospital	5,873	6,933	5,863
Morcambe Bay Hospitals	7,482	7,148	6,706
North Manchester	5,787	6,002	4,727
North Mersey Community	239	158	92
Oldham	8,436	8,332	7,467
Preston Acute	8,970	8,500	7,658
Rochdale Healthcare	4,464	4,684	4,183
Royal Liverpool and Broadgreen	8,934	9,170	8,642
Royal Liverpool Children's	1,695	2,275	2,140
Salford Royal Hospitals	5,241	6,368	6,074
South Manchester University	6,764	7,292	6,877
Southport and Formby Community	1	0	0
Southport and Formby Acute	4,197	4,122	3,664
St Helens and Knowsley Hospitals	8,596	8,217	7,216
Stockport Acute Services	6,323	8,120	7,739
Stockport Healthcare	1	0	0
Tameside and Glossop Acute	3,216	3,704	3,334
Trafford Healthcare	4,109	3,754	3,193
Walton Centre	669	669	586
Warrington Hospital	6,446	8,127	7,775
West Lancashire	2,411	2,735	2,481
Wigan and Leigh Health Services	7,694	8,234	7,343
Wirral and West Cheshire Comm	88	36	8
Wirral Hospital	5,504	5,678	4,943
Wrightington Hospitals	2,643	2,504	2,683
Regional Total	185,536	196,962	177,445

Nurse Recruitment

Mr. Hancock: To ask the Secretary of State for Health how many calls from former nurses in *(a)* total and *(b)* Portsmouth have been received by the recruitment helpline since its inception. [78946]

Mr. Denham: As at 29 March, the number of inquiries to the response line for the national nursing recruitment campaign was 52,344. Our analysis of these inquiries shows that of these 4,972 were from former nurses and that 72 of these were form the Portsmouth area.

Allergies

Mr. Alan Simpson: To ask the Secretary of State for Health if he will list the five most frequent sources of reported allergies deriving from *(a)* food, *(b)* over the counter medicines and *(c)* prescription only medicines and the number of recorded cases in each category during the last 12 months for which figures are available. [78996]

Ms Jowell: It is not possible to list the five most frequent sources of reported allergies deriving from food because information on the number of cases is not available. However, foods which can induce allergic reactions in some individuals include peanuts and nuts, wheat, eggs, fish, shellfish, milk and seeds.

The five drug substances for which suspected allergic reactions to medicines have been reported most frequently through the Yellow Card Scheme since 1964 are: amoxycillin, diclofenac, trimethoprim, bacillus clostridium tetani and measles virus vaccine. These drug substances were included in both single constituent and multi-constituent products and are only available on prescription.

For drug substances which may be supplied over the counter, the five most common drug substances for which these suspected reactions have been reported through the Yellow Card Scheme since 1964 are: ibuprofen, pyridoxine, ascorbic acid, riboflavine and nicotinamide. These drug substances were included in both single constituent and multi-constituent products.

This information should not be used to compare the drugs. It is not possible to determine the incidence of a particular adverse drug reaction from spontaneous reporting data because neither the total number of reactions occurring, nor the number of patients exposed to the drug in known. The number of suspected adverse drug reactions reported for a particular drug substance depends on various factors, including the extent of use of the drug and the reporting rate for the drug.

Dental Services

Mr. Gordon Prentice: To ask the Secretary of State for Health if dentists working in the general dental services will come within the remit of the Commission for Health Improvement. [79416]

Mr. Denham: It is not intended that individual dentists will be reviewed or investigated by the Commission for Health Improvement. However clinical governance arrangements will apply to all parts of the National Health Service including primary care and the Commission will have a leading role in developing advice and guidance for the NHS on clinical governance. We would expect dentists to have regard to this advice.

Mr. Gordon Prentice: To ask the Secretary of State for Health what action is taken by local health authorities where the Dental Practice Board has made a reference to them on the grounds that the standard of work of a dentist is a cause for concern; and if he will make a statement. [79415]

Mr. Denham: Health authorities have the power to discuss the issue with the dentist, refer the matter to the local dental discipline committee or the General Dental Council, or prosecute, as appropriate.

Mr. Gordon Prentice: To ask the Secretary of State for Health (1) how many dentists were placed on a regime of prior approval by targeting in each of the last five years; [79418]

(2) how many dentists have been placed on a prior approval regime by the relevant dental service committee in each of the last five years. [79419]

Mr. Denham: The table shows the number of general practitioners in England and Wales subject to prior approval at the end of each financial year as a result of either action by the relevant dental service committee or targeting by the Dental Practice Board.

General dental practitioners subject to prior approval at the end of each year [1]

Year	Subject to prior approval by: Dental Service Committee [2]	Targeting
1993–94	3	1
1994–95	10	2
1995–96	7	1
1996–97	9	0
1997–98	3	0

[1] These numbers are as at the end of each year and so will exclude any dentists subject to prior approval regimes which do not last until the end of the year. Dentists who are on the regimes at the end of two successive years would be counted twice.

[2] Dental Disciplinary Committee from 1 April 1996.

Mr. Gordon Prentice: To ask the Secretary of State for Health how many dentists have been referred by the Dental Practice Board for England and Wales to *(a)* the police, *(b)* the dentist's local health authority and *(c)* the General Dental Council in each of the last five years. [79413]

Mr. Denham: The information requested is given in the table. Referrals are counted once, in the year in which they were referred.

Cases referred by the Dental Practice Board: England and Wales

Year	Referred to: Police	Health authority	General Dental Council
1993–94	5	88	1
1994–95	5	83	2
1995–96	11	100	2
1996–97	10	117	4
1997–98	13	231	0

Mr. Gordon Prentice: To ask the Secretary of State for Health how many dentists have been referred to the National Health Service Tribunal in each of the last five years; and what was the outcome in each case. [79417]

Mr. Denham: The information requested is not available centrally. However, details of the total number of cases, for all practitioners, are published in the Annual Report of the Council on Tribunals, copies of which are available in the Library.

Dr. Harris: To ask the Secretary of State for Health (1) if he will estimate the number of additional patients who have obtained access to NHS dentistry through the Investing in Dentistry initiative; [79529]

(2) what assessment he has made of the reasons for the underspend in the Investing in Dentistry budget; [79527]

(3) what funding will be made available for Investing in Dentistry in 1999–2000. [79528]

Mr. Denham: All the funding available for 1998–99 for investing in dentistry (IID) is expected to be assigned by the end of the financial year. Funding available in the first year of IID was not fully utilised, as most approvals during this period only became due for payment in the second year of the scheme.

To date, we have approved 279 Investing in dentistry funding requests, which should enable over 650,000 patients to register with an National Health Service dentist.

No decision has been made yet about the funding of another General Dental Services access initiative in the next financial year. However, funds will be available in the financial year 1999–2000 to meet the treatment costs and any outstanding grant payments arising from IID proposals which have already been approved, or which have been received and are subsequently approved.

Dr. Harris: To ask the Secretary of State for Health when he will be publishing his Department's strategy for NHS dentistry. [79526]

Mr. Denham: Our strategy for National Health Service dentistry will be published later this year.

Dr. Harris: To ask the Secretary of State for Health if he will extend assistance with travel costs under the health benefits scheme to visits to dentists in areas where there is a shortage of NHS dentists. [79530]

Mr. Denham: Patients receive help with travel costs only under the hospital travel cost scheme; it does not include primary care services such as general dental services. The situation will be kept under review.

Kidderminster District General Hospital

Mr. Gill: To ask the Secretary of State for Health what advice he has received from the West Midlands NHS Executive regarding the future of Kidderminster district general hospital. [79579]

Mr. Denham: It is established practice under successive Administrations not to disclose details of confidential advice received by Ministers from civil servants.

Creutzfeldt-Jakob Disease

Mrs. McKenna: To ask the Secretary of State for Health when he expects to publish the seventh annual report of the national Creutzfeldt-Jakob Disease Surveillance Unit. [79895]

Mr. Dobson: The National Creutzfeldt-Jakob Disease Surveillance Unit's seventh annual report has been published today. Copies have been placed in the Library. The report documents the Unit's findings in relation to sporadic, familial, iatrogenic Creutzfeldt-Jakob disease (CJD) and new variant Creutzfeldt-Jakob disease (nvCJD) up to 31 December 1998.

Medicines Control Agency

Mr. Ivan Lewis: To ask the Secretary of State for Health if he will make a statement about the future of the Medicines Control Agency and the Medical Devices Agency. [80064]

Mr. Denham: Quinquennial reviews of both Agencies are now due. They will address the performance of each Agency and will re-examine the options ("Prior Options") which were considered before each Agency was established. They will look at all options, although they will be informed by the study which we announced on 9 December 1998 to investigate the longer-term organisational arrangements—including merger—which would best support the effective regulation of pharmaceuticals and medical devices. This study has just been completed and has recommended that the Agencies should not be merged at this time. The report of the study has been placed in the Library.

Schoolchildren's Diets

Charlotte Atkins: To ask the Secretary of State for Health what guidance his Department issues to health authorities regarding *(a)* the level of fat, *(b)* the proportion of sugar, *(c)* the amount of fibre, *(d)* the amount of fresh fruit and *(e)* the amount of fresh vegetables in the diet of schoolchildren. [79324]

Ms Jowell: The Department has not issued any guidelines to health authorities regarding schoolchildren's dietary needs. However, the Department offers general advice on healthy eating which applies to everyone over the age of 5 years. This is contained in "The Balance of Good Health" which shows the different types and proportion of five categories of foods, including fruits and vegetables, which make up a well-balanced and healthy diet. "Eight Guidelines for a Healthy Diet" extends this advice to cover the important dietary changes needed to eat healthily.

Fieldwork for the joint Department of Health/ Department for Education and Employment National Diet and Nutritional Survey of young people aged 4 to 18 years has been completed and the results are being analysed. A report is expected at the end of this year. We hope the report will help inform the way forward for health promotion initiatives and public health strategies to improve the diet of schoolchildren.

Private Finance Initiative

Mr. Simon Hughes: To ask the Secretary of State for Health, pursuant to his answer of 23 March 1999, *Official Report*, columns *185–86*, if he will place in the Library the documents disseminated through the NHS Executive's regional offices for those private finance initiative schemes which have reached financial close. [78986]

Mr. Denham: The National Health Service Executive does not prepare a formal written report on the lessons learned from each private finance initiative scheme. Any lessons that are to be learned are disseminated through training events, networking days or through ad-hoc guidance. All of the existing PFI guidance will be replaced shortly by codified advice, which will be disseminated to the whole of the NHS and will be available from the Stationery Office and on the Internet. Copies of the guidance will also be placed in the Library.

SOCIAL SECURITY

National Insurance Contributions

Dr. Stoate: To ask the Secretary of State for Social Security if he will make a statement on the effects of the transfer of the Contributions Agency to the Inland Revenue. [80073]

Mr. Timms: I can confirm that from 1 April responsibility for National Insurance contributions (NICs) operations and policy will pass from my right hon. Friend the Secretary of State for Social Security to the Board of the Inland Revenue and the Chancellor of the Exchequer respectively. A new Executive Office of the Inland Revenue to be called the National Insurance Contributions Office (NICO) will be formed from those Contributions Agency (CA) units based in Newcastle, amounting to about 4,500 staff in all. Some 3,500 CA staff working in field offices in locations around Great Britain will be integrated into Inland Revenue regions.

This change is important in two ways. It marks a step towards more modern and effective Government and also towards improved service to the public. Our aims for this transfer are to reduce burdens on business; give better customer service; strengthen compliance; and over time promote greater alignment of the rules for income tax and National Insurance.

For instance from 6 April, through the New Enterprise Support Initiative based in the Inland Revenue, new employers will have access to a telephone helpline which will provide help and guidance on both NICs and tax. Other early benefits of the transfer include a new route for appeals against contributions decisions to the Tax Commissioners alongside tax appeals.

As a result of the transfer of responsibility for NICs policy to Treasury Ministers correspondence and parliamentary questions on NICs policy issues should in future be addressed to them. Parliamentary questions on NICs operational issues will also be for reply by Treasury Ministers. The Board of Inland Revenue will be responsible for NICs operations and, where appropriate, replies to correspondence on operational issues will be provided by Inland Revenue officials.

The Inland Revenue and Treasury Ministers will respond to correspondence and parliamentary questions on NICs in just the same way as they deal with their other responsibilities.

The Social Security Benefits Agency will continue to be responsible for contributory benefits and State Retirement Pension matters as now. Social Security Ministers retain responsibility for policy on the contributory principle and policy on non-State pensions.

The respective responsibilities of the two Department and their working relationship are set out in a Memorandum of Understanding between the Principal Accounting Officers. The Memorandum reflects share commitment to modern Government and improved public service across a wide range of complex arrangements. Copies have been placed in the Libraries and it is also available at the Internet sites of the DSS and the Inland Revenue.

Supported Accommodation

Helen Jones: To ask the Secretary of State for Social Security if he will make a statement about the outcome of the consultation exercise on the future funding arrangements for supported accommodation. [80071]

Mr. Darling: On 10 December we published the consultation paper "Supporting People: A new policy and funding framework for support services". This proposed replacing the current complicated funding arrangements with one single budget targeted specifically at support services for vulnerable people, which would be administered by Local Authorities. The new arrangements will encourage coherent planning at a local level to deliver more cost effective and high quality services to many thousands of vulnerable people.

Consultation ended on 5 February, and we received a substantial number of responses which have helped inform our decisions on the way forward.

We are pleased to announce that the consultation shows that there is strong support for the principles underlying the Supporting People proposals, and the fact that, for the first time, the provision of support services for vulnerable people is being given the priority it deserves. We have therefore decided to proceed with implementing the long-term proposals from April 2003.

Some respondents had concerns about whether the new arrangements were suitable for sheltered housing. We have looked carefully at these concerns and concluded that including sheltered housing in the new single budget will enable greater flexibility in service models, and bring the benefits of a joint commissioning approach.

In taking work forward, we will work closely with interested parties to develop the detail of the new arrangements to ensure that the long-term objectives become a workable and effective reality.

The new single budget will be preceded by a time-limited transitional Housing Benefit scheme. Although there was a convincing welcome for the proposed transitional Housing Benefit scheme, there were a number of concerns expressed about the date of its introduction. In direct response to these concerns, we have decided to extend the current interim scheme thereby delaying the introduction of the new transitional scheme until April 2000. Aligning the start date of the transitional scheme with the beginning of the financial year will help local authorities in their financial planning.

I am placing a list of the organisations and academic bodies who responded, excluding those who requested confidentiality, in the Library. Copies of the list and specific responses are available on request from the Department of Social Security, by contacting The Inter-Departmental Review of Funding for Supported Accommodation, 5th Floor, The Adelphi, 1–11 John Adam St, London WC2N 6HT.

Occupational Pension

Mr. Cousins: To ask the Secretary of State for Social Security if he will estimate the size of *(a)* the occupational pension payments referred to in paragraph 5 of his consultation paper on bereavement support and *(b)* such payments currently. [76105]

Mr. Bayley: The information is not available in the form requested.

The average size of the occupational pension payments referred to in the consultation paper was around £80 for both of the financial years 1995–96 and 1996–97.

Notes:

1. These figures are estimates and are taken from the Households Below Average Income (HBAI) data set which is based on the Family Resources Survey (FRS). The FRS does not include Northern Ireland.

2. The financial year 1995–96 was the basis for the figures quoted in paragraph 5 of the consultation paper on bereavement support. The financial year 1996–97 is the latest for which data are available. Sample sizes for the requested cross-section of the population are small and therefore liable to a large degree of year on year variation due to sampling error. The estimate for both years is subject to this error.

3. The figures quoted refer to the gross amount of occupational pension payments where they are received by widows who are both under the age of 60 and in receipt of widow's benefit. All monetary values are given in April 1998 prices.

State Pension

Mr. Fearn: To ask the Secretary of State for Social Security what estimate he has made of the number of women for each year from 1999–2000 to 2009–10 who will receive *(a)* reduced SERPS pensions and *(b)* reduced widow's pensions as a result of the changes in payments to beneficiaries being introduced in April. [77757]

Mr. Timms: Information is not available in the format requested. Such information as is available is in the table.

Forecast information on the average number of women pensioners and widows who could be affected at any one time in each year

Thousand

	Potential number of women pensioners affected	*Potential number of widows affected*
1999–2000	145	15
2000–01	430	50
2001–02	710	90
2002–03	1,010	130
2003–04	1,325	175
2004–05	1,650	225
2005–06	1,975	275
2006–07	2,335	330
2007–08	2,720	390
2008–09	3,090	450
2009–10	3,435	515

Notes:

1. Figures relate to the total number of women pensioners. Some will have no SERPS entitlement and will not be affected by the change.

2. All numbers have been supplied by Government Actuary's Department.

3. Numbers are given in thousands and are rounded to the nearest 5,000.

4. There is some double counting as widows over pension age appear in both columns.

5. The proposed new schemes for widows and widowers under state pension age have not been taken into account, nor have the half rate inheritance changes beginning in April 2000.

6. Figures are for GB only.

Mr. Steinberg: To ask the Secretary of State for Social Security how much would it cost to increase the old age pension to £75 per week for a single pensioner and £116.60 per week for a married couple; and what the net cost would be taking into account savings in respect of other benefits and tax revenue. [78894]

Mr. Timms: The information requested is not available. Such information as is available is in the tables.

Estimated gross cost of raising Retirement Pension rates to £75 per week for a single person and £116.60 per week for a couple from April 1999

£ million

	Excluding linked benefits	*Including linked benefits*
Gross cost (1999–2000)	3,580	4,280

Estimated cost net of tax of raising Retirement Pension rates to £75 per week for a single person and £116.60 per week for a couple from April 1999

£ million

	Excluding linked benefits	*Including linked benefits*
Cost net of tax (1999–2000)	3,280	[1]—

[1] Tax offsets have been provided by the Inland Revenue. Cost net of tax including linked benefits not available.

Notes:

1. Means-tested benefit offsets are not available as the Family Resources Survey which is used to calculate these cannot differentiate between married women who receive a Category A pension on their own insurance (and would require a 12.4 per cent. increase) and those who receive a Category B pension based on the their husbands' contributions (these would require a 4.1 per cent. increase). Offset calculations cannot therefore be made where, as here, different percentage changes are made to different categories of Retirement Pension.

2. Figures are rounded to the nearest £10 million and are expressed in cash terms.

3. Contributory benefit estimates have been provided by the Government Actuary's Department.

4. Linked benefits are those statutorily linked in value to basic State pension, for example widows' pensions.

Bereavement Allowance

Mr. Rendel: To ask the Secretary of State for Social Security if he will estimate the cost of extending the Bereavement Allowance to unmarried partners. [78032]

Angela Eagle *[holding answer 22 March 1999]:* It is proposed that Bereavement Allowance will be paid for six months only to widows and widowers aged 45 or over on bereavement who have no dependent children. Entitlement to Bereavement Allowance will be based on the deceased spouse's National Insurance contribution record.

It would be very difficult to establish who were "partners". As a result, there is limited information available on the circumstances of cohabiting partners and we are able to provide only broad estimates of the gross costs of extending it to unmarried cohabiting partners. We estimate this would cost less than £5 million in the first year, and less than £25 million in 2020–21.

It is estimated that extending basic bereavement benefits to unmarried partners would cost around £100 million per year by 2020–21.

Notes:

1. The estimates are provided by the Government Actuary's Department and do not include means-tested benefit offsets.

2. The estimates are based on 1998–99 benefit rates. Estimates for 2020 are rounded to the nearest £25 million.

3. There would also be an additional cost to Retirement Pension (RP) which has not been estimated.

Family Credit

Mr. Steinberg: To ask the Secretary of State for Social Security what percentage of children aged *(a)* under five years and *(b)* five to 15 years from two-parent families in the United Kingdom were in families in receipt of Family Credit in each of the last five years. [78279]

Mr. Timms: The information is in the table.

Children in two parent families receiving Family Credit: Great Britain

	Under 5		*5 to 15*	
	Thousand	*Percentage*	*Thousand*	*Percentage*
May 1994	238	7.6	451	7.1
May 1995	258	8.6	486	7.7
May 1996	286	9.6	555	8.8
May 1997	307	10.0	579	9.1
May 1998	293	9.6	566	9.0

Notes:

1. Numbers are based on a 5 per cent. sample of Family Credit awards and as such are subject to a degree of sampling error.

2. Caseload figures are rounded to the nearest thousand.

3. Children are defined as aged under 16.

Sources:

1. Family Credit 5 per cent. sample.

2. Office for National Statistics Labour Force Survey Household Datasets.

Departmental Staff (Ethnic Origin)

Mr. Vaz: To ask the Secretary of State for Social Security if he will provide a breakdown, in numerical and percentage terms, of the ethnic origin, at 1 March, of *(a)* his private office, *(b)* Government special advisers, *(c)* his Policy Unit and *(d)* staff in total. [78508]

Mr. Timms: Information on the ethnic origin of civil servants is collected using a voluntary, confidential questionnaire. The number and percentage of ethnic minority staff in Ministers' private offices in this Department are set out in the table.

	Number of Staff	*Number of ethnic minority staff*	*Percentage of ethnic minority staff*
Private Office	45	6	13.3

Note:
The number of staff is based on the number of respondents.

For information on staff total, my right hon. Friend, the Minister for the Cabinet Office will be providing a central response. For information on special advisers, I refer my hon. Friend to the written answer my right hon. Friend, the Prime Minister gave to my hon. Friend the Member for Brent, East (Mr. Livingstone) on 22 February 1999, *Official Report*, column *39*.

Family Resources Survey

Mr. Webb: To ask the Secretary of State for Social Security, pursuant to his answer of 18 March 1999, *Official Report*, column *799*, regarding tabulations of the Family Resources Survey, if he will place copies of the tabulations in the Library. [78876]

Mr. Timms: Yes. Copies of the tabulations will be placed in the Library as soon as possible.

Benefit Payments

Mr. Shaw: To ask the Secretary of State for Social Security if he will estimate what the rates would be if they had been uprated in line with the increases in (i) prices and (ii) average earnings since they were introduced of *(a)* widow's payment, *(b)* capital limits for income support and family credit, *(c)* earnings disregard for income support, *(d)* earnings disregard for housing and council tax, *(e)* war pension disregard for income-related benefits, *(f)* income disregarded as income from a boarder, *(g)* maternity payment from the Social Fund, *(h)* capital limits for maternity and funeral payments from the Social Fund, *(i)* Christmas bonus and *(j)* 25p age additions to retirement pensions. [78793]

Mr. Timms: The information is in the table.

£

Benefit	*Rate when introduced*	*Date of introduction*	*Current rate*	*Value at April 1999 if increased in line with prices since date introduced*[1]	*Value at April 1999 if increased in line with earnings since date introduced*[2]
Widow's payment	1,000	April 1988	1,000	1,608.15	1,827.15
Income Support—Capital limits					
Lower	3,000	April 1988	3,000	4,627.35	5,481.25
Upper	6,000	April 1988	8,000	9,254.60	10,962.35
Child's	3,000	April 1988	3,000	4,627.35	5,481.25
Family Credit—Capital limits					
Lower	3,000	April 1988	3,000	4,627.35	5,481.25
Upper	6,000	April 1988	8,000	9,254.60	10,962.35
Child's	3,000	April 1988	3,000	4,627.35	5,481.25
Income Support	5.00	April 1988	5.00	7.70	9.20
Earnings	10.00	October 1996	10.00	10.70	11.40
Disregard	15.00	April 1988	15.00	23.15	27.40
Housing Benefit	5.00	April 1988	5.00	7.70	9.20

£

Benefit	Rate when introduced	Date of introduction	Current rate	Value at April 1999 if increased in line with prices since date introduced [1]	Value at April 1999 if increased in line with earnings since date introduced [2]
Earnings	10.00	April 1988	10.00	15.35	18.35
Disregard[4]	15.00	April 1988	15.00	23.15	27.40
Housing Benefit/Family Credit Child Care Disregard[5]	40.00	October 1994	60.00	45.00	48.35
War Pension Disregard for income-related benefits[6]	5.00	April 1988	10.00	7.70	9.20
Income Disregarded as income from a boarder[7]	20.00	April 1988	20.00	30.90	36.55
Maternity Benefit from Social Fund	80.00	April 1987	100.00	127.35	157.55
Capital Limits for Maternity Benefit and Funeral Payment from the Social Fund					
(under 60)	500.00	April 1987	500.00	795.85	984.85
(over 60)	1,000	April 1990	1,000	1,400.35	1,530.75
Christmas Bonus	10.00	December 1972	10.00	77.20	114.50
Retirement Pension—age addition	0.25	September 1971	0.25	1.80	3.05

[1] The Retail Prices Index (all items) has been used, except for the income-related benefits where the ROSSI index (Retail Prices Index less rent, local taxes and mortgage interest payments) as published by the Office for National Statistics.
[2] Average Earnings Index Whole Economy (Non Seasonally Adjusted) as published by the Office for National Statistics.
[3] Lone parents, the disabled and certain special occupations such as carers attract the highest disregard of £15, couples are eligible for a £10 disregard on their earnings and everyone else receives a £5 disregard.
[4] The £15 disregard for Housing Benefit was increased for lone parents to £25 in October 1990.
[5] The £40 child care disregard on Housing Benefit and Family Credit was increased to £60 in April 1996.
[6] War pensions £5 disregard was increased to £10 in April 1990.
[7] The total amount of income disregarded as income from a boarder is £20 for each boarder per week and 50 per cent. of the remaining income from the boarder after the £20 deduction has been made.
Note:
The figures have been rounded to the nearest 5 pence at each uprating date.

Asbestosis

Mr. Ben Chapman: To ask the Secretary of State for Social Security (1) if any civilians employed in war-related work have received war pensions for asbestosis since 1969; [79038]

(2) how many civilians employed in war-related work have received war pensions for asbestosis since 1969. [78889]

Mr. Bayley: Questions on operational matters concerning the War Pensions Agency are for its Chief Executive, Mr. Gordon Hextall. I have asked him to write to my hon. Friend.

Letter from Gordon Hextall to Mr. Ben Chapman, dated 30 March 1999:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Questions about the number of civilians employed in war related work who have received War Pensions for Asbestosis.

Unfortunately, the specific information you have requested is not available and could be obtained only at disproportionate cost. In answer to your earlier Parliamentary Question on this subject (Official Report 22 February 1999, Vol 326, Col 175) The Parliamentary Under Secretary of State for Social Security explained that as at 31 December 1998 (which is still the latest date for which figures are available), there were 3,183 civilians receiving a War Pension.

The War Pensions Agency does not keep statistics relating to the number of War Pensions in payment for specific medical conditions.

Although I cannot answer your specific questions, I have sought advice about these cases from our more experienced staff. I am told that it would be rare for a War Pension to be paid to a civilian for Asbestosis because a person would have to show that he was exposed to asbestos as a result of a specific incident involving enemy action during World War II. This type of incident would be rather unusual.

I hope this is helpful and if you need any further information, I will be happy to assist.

Task Forces

Dr. Tony Wright: To ask the Secretary of State for Social Security (1) if he will list all those task forces and policy reviews with external members established by his Department since May 1997 which have set up *(a)* sub-groups, *(b)* working parties and *(c)* other subsidiary committees; [79257]

(2) if he will list for all task forces and policy reviews with external members established by his Department since May 1997 *(a)* their dates of establishment, *(b)* those which have issued final reports and their dates of publication, *(c)* those which have been terminated and their dates of termination and *(d)* for those bodies still in existence, expected reporting and termination dates. [79280]

Mr. Timms: The information is in the table.

DSS reviews (with external members) established since May 1997

Title	Date established	Working party	Sub-group	Other subsidiary committee	Final report published	Expected reports	Terminated date	Expected termination date
Review of the Scientific basis of the assessment of noise-induced sensorineural hearing loss in War Pensions	Announced by Baroness Hollis 11 June 1997. Review team of independent hearing loss experts met on 19 November 1997 and January 1998				Yes, outcome of review announced on 5 March 1998. Copy of report was laid in the House of Commons Library in the same month	n/a	March 1998	n/a

DSS reviews (with external members) established since May 1997

Title	*Date established*	*Working party*	*Sub-group*	*Other subsidiary committee*	*Final report published*	*Expected reports*	*Terminated date*	*Expected termination date*
Housing Benefit Simplification and Improvement project (HB SIP)	September 1998	Yes—A working group, together with associated sub-groups, was established at official level with representatives from the local authority associations to explore ways of simplifying and improving the delivery of Housing Benefit		No	No, feeding into the Government's continuing work on the future of Housing Benefit	n/a	n/a	n/a
The Pensions education Working Group (PEWG)	September 1997		Yes		June 1998. Currently helping to implement it's recommendations	n/a	n/a	Second half of 1999
The Pension Provision Group (PPG)	Summer 1997 PPG still in existence to look at self-employed—pension rights, Pension provision—flexible labour market and independent pensions organisation				Report—We All Need Pensions—the Prospectus for pension provision Published June 1998.	Any decision on possible publication will be taken individually on the following tasks upon completion:	n/a	End 1999
					Response to the Pensions Green paper published March 1999	Position of the self-employed and how their pension rights might be improved		
The Pension Provision Group cont'd						The impact on pension provision of an increasingly flexible labour market. Proposals for an independent pensions organisation	—	End 1999

All Work Test

Dr. Lynne Jones: To ask the Secretary of State for Social Security how many people were summoned for an all work test examination by the Birmingham Medical Services Centre in 1998; and what proportion of those were found to be exempt from such examination. [79046]

Mr. Bayley: The number of medical examinations undertaken in connection with claims for Incapacity Benefit in Birmingham in 1998 was 41,968. It is not possible to identify what proportion of the people examined were found to be exempt.

Income Support (Retired People)

Mr. Cox: To ask the Secretary of State for Social Security what action his Department is taking to encourage retired people to take up income support to which they may be entitled; and if he will make a statement. [79547]

Mr. Timms: We are currently considering a strategy on take-up action in the light of the emerging findings from the pensioner pilot projects and research which we undertook last year.

The Benefits Agency is also actively involved in several of the "Better Government for Older People" prototypes which will begin this April, looking at ways in which services for all pensioners, including access to benefits, can be better integrated.

Disabled People

Mr. Hoyle: To ask the Secretary of State for Social Security what his Department is doing to help disabled people get jobs. [79717]

Mr. Bayley: I refer my hon. Friend to the written answer I gave my hon. Friend the Member for Blackpool, North and Fleetwood (Mrs. Humble) on 8 March 1999, *Official Report*, column *53*.

Dr. Lynne Jones: To ask the Secretary of State for Social Security, pursuant to his answer of 26 March 1999, *Official Report*, column *435*, on disabled people, if he will list which of those individual respondents *(a)* felt that final decisions on whether to make interviews compulsory should await consideration of the results of piloting and *(b)* expressed concerns about the proposal to take account of occupational and personal pensions against incapacity benefit entitlement. [79780]

Mr. Bayley: All responses to the consultation were read and the results were fed into a qualitative analysis of respondents' views, which provided the basis for my previous answer to my hon. Friend. A record was kept of the policy areas on which each respondent commented but this did not include a record of the detailed points made in each case. To provide a list of individuals and organisations that made the particular points identified would involve re-examining every response and would incur disproportionate cost.

Jobseeker's Allowance

Mr. Stunell: To ask the Secretary of State for Social Security how many claimants for Jobseeker's Allowance in each quarter since October 1996 have had their claim rejected on the grounds of non-availability for work due to ill health or incapacity; and how many of those so refused were also deemed ineligible for incapacity benefit. [79716]

Mr. Timms: The information requested is not available.

A decision, following application of the all work test, that a person is capable of work applies across the Social Security system where capacity for work is an issue.

Claimants for Jobseeker's Allowance are required to be capable of, and available for, work. However, jobseekers may restrict their availability in any way if the restrictions are reasonable in the light of their physical or mental condition.

Incapacity Benefit

Mr. Cox: To ask the Secretary of State for Social Security how many people have had their incapacity benefit stopped in the last 12 months. [79701]

Mr. Bayley: When a claim for Incapacity Benefit is made, entitlement for someone with a recent work record depends on the person satisfying the Own Occupation Test for the first 28 weeks of incapacity. In most cases, this is satisfied by the provision of a GP's medical certificate. After 28 weeks of incapacity, or from the start of the claim if the person has no recent work record, the All Work Test applies (though in both cases benefit continues in payment on the basis of a medical certificate pending a decision under the test).

If a person is found capable of work under either the Own Occupation Test or the All Work Test, Incapacity Benefit is disallowed. The person may however be entitled to Jobseeker's Allowance.

During the period 1 March 1998 to 28 February 1999 there were 112,858 disallowances of Incapacity Benefit for the reasons set out.

Reason disallowed	*Number*
Failure to provide information	10,563
Failure to attend medical examination	8,587
Found capable of work (All Work Test)	91,038
Found capable of work (Own Occupation Test)	2,670

Notes:
1. It is possible that a person may be disallowed more than once during the period.
2. The figures do not take account of claimants who may appeal against the decision, and may have their benefit reinstated.
3. Figures are taken from a 100 per cent. count of the computer system, and exclude a small number of cases not on the system.

Mr. Stunell: To ask the Secretary of State for Social Security if he will introduce national guidelines to ensure incapacity benefit claimants' eligibility for income support six months after top-up ceases is made known to them by local Benefit Agency offices. [79695]

Mr. Bayley: This is a matter for Peter Mathison, the Chief Executive of the Benefits Agency. He will write to the hon. Member.

Letter from Peter Mathison to Mr. Andrew Stunell, dated 31 March 1999:

The Secretary of State for Social Security has asked me to reply to your recent Parliamentary Question asking if he will introduce national guidelines to ensure Incapacity Benefit claimants' eligibility for Income Support (IS) six months after top-up ceases is made known to them by local Benefits Agency offices.

The current position is that anyone ceasing to be entitled to IS is given a formal decision which clearly indicates the amount by which their income exceeds the IS threshold.

New IB customers also receive leaflets and information on claiming benefit that indicate how their future entitlement could change should they remain incapable of work.

I will review existing procedures and information provided to customers to ensure that they receive appropriate advice.

I hope that this is helpful.

New Deal Interviews

Dr. Lynne Jones: To ask the Secretary of State for Social Security if he intends to defer a decision on whether to make New Deal interviews compulsory until after the results of pilot schemes are known. [79781]

Mr. Timms: From April 2000, we plan to implement new legislation to make it a condition of receiving benefit that people take part in interviews to talk about their prospects of finding work. This requirement will initially affect only the 12 Single Work-Focused Gateway pilot areas and will be introduced in ways that take account of individual circumstances. The evaluation of the pilots will enable us to consider whether to extend this approach more widely.

Adapt 98 Scheme

Mr. McNamara: To ask the Secretary of State for Social Security what assessment he has made of the operation of the Adapt 98 Scheme in the Yorkshire area; what is the reason for the delay in the introduction of CAPS; and by how much the private sector estimate of cost has exceeded the set target. [79179]

Mr. Timms: The ADAPT Partnership period ended on 12 November 1998. We are currently considering the way forward for this project.

The Customer Accounting Payment Strategy (CAPS) project is a Benefits Agency initiative that is developing the systems that will change the way the Agency records customer's details and accounts for benefit expenditure. It also supports payment of benefit by way of the payment card that is being introduced as part of a PFI project to automate Post Offices and benefit payments. The CAPS project has met all its contractual obligations and is proceeding to plan.

Information about the cost to the private sector of the payment card and Post Office Automation Project is confidential to the PFI supplier, ICL Pathway.

Housing Benefit

Mr. Stunell: To ask the Secretary of State for Social Security what representations he has received on the eight day maximum application period for extended payments under the Housing Benefit Regulations; and if he will make a statement. [79692]

Mr. Timms: We have received a number of letters from members of the public about the eight day application period. We are currently considering ways of easing the transition into work. We know that worries about housing costs are crucial to people when thinking about moving into work. The Extended Payments scheme, which eases the transition from benefit dependency to working, is one of a number of areas which we are looking at with the aim of improving incentives provided by the Housing Benefit Scheme.

Staff Travel

Mr. Baker: To ask the Secretary of State for Social Security if he will list the mileage rates applicable from January 1999 to staff, indicating changes which have been made to encourage staff to switch from cars to public transport and other less polluting forms of travel. [79522]

Mr. Timms: For some years the Department has operated a single mileage rate based on the average of the bands set by the Inland Revenue Authorised Mileage Rates. This acts as a disincentive for the use of larger engine capacity cars (over 1500 cc).

The rates are payable irrespective of the type of fuel used thus benefiting staff driving alternative fuelled vehicles.

We are currently revising the pedal cycle rate to encourage the use of bicycles.

The tables give details of the current rates.

Departmental standard mileage scheme (DSMS)

Category	*Up to 4,000 miles*	*Over 4,000 miles*
Motor cars	40.0p	22.5p
Motor cycles (third party insurance)		
Up to 125cc	14.6p	6.1p
Over 125cc	22.1p	9.0p
Motor cycles (comprehensive insurance)		
Up to 125cc	16.2p	6.1p
Over 125cc	25.3p	9.0p

Public transport rate (PTR) of motor mileage allowance

Category	*Amount*
Motor car	22.5p
Motor cycles	
Up to 125cc	6.1p
Over 125cc	9.0p

Other mileage rates

Category	*Amount*
Private use cars	7.5p
Pedal cycle	6.0p

Lobbyists

Mr. Wilshire: To ask the Secretary of State for Social Security if he will publish a list, including names and dates, of all meetings that *(a)* he, *(b)* his officials, *(c)* his advisers and *(d)* his PPS have held during (i) 1997, (ii) 1998 and (iii) 1999 with people who work for political lobbying firms or for businesses that are members of the Public Relations Consultants Association. [79641]

Mr. Darling: I refer the hon. Member to the written answer my right hon. Friend the Prime Minister gave the hon. Member for Lewes (Mr. Baker) on 9 March 1999, *Official Report*, column *168*. The requirements of the Ministerial Code also apply to Parliamentary Private Secretaries when attending any meetings in an official or semi-official capacity.

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PARLIAMENTARY DEBATES

OFFICIAL REPORT

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SESSION 1998–99

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Bills 1R = first reading, 2R = second reading, Com = Committee stage, Rep = Report stage, 3R = third reading, res = resolution, amendt/amendts = amendment/amendments, * = matter taken formally, without debate.

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